

Parliamentary Assembly Assemblée parlementaire



Integration of immigrant women in Europe

Resolution 1478 (2006)¹

1. According to the International Organisation for Migration, women now account for more than 45% of migrants in the developed countries. These women, who for a long time were the “invisible figures” of immigration disregarded by the public authorities, in fact take on a number of responsibilities and play a role placing them at the very heart of the integration process. Nonetheless, the Parliamentary Assembly notes that access by immigrant women to public, political and economic life remains marginal. It deplores the two-fold discrimination to which they may be subjected on the grounds of their gender and their origin and the fact that this discrimination operates both in the host society and within immigrant communities themselves.

2. In its Recommendation 1261 (1995) on the situation of immigrant women in Europe, the Assembly considered that “the member states of the Council of Europe must do everything possible to eliminate the injustice and discrimination suffered by immigrant women and adopt measures aimed at their harmonious integration into society.” Ten years later, immigrant women are still faced with particular difficulties in a Europe which continues to be beset by economic crisis and in which, since the events of 11 September 2001, intolerance and Islamophobia have become more prevalent.

3. The Parliamentary Assembly reiterates its belief that migrants make a significant contribution to the cultural diversity and economic and social development of the host country. It also notes that the nature of migration flows has changed in recent years and that there is an increasing number of immigrant women: whereas in the past the majority of women had arrived in Europe under family reunification arrangements to join their spouse, today women, often skilled, take the decision to migrate alone.

4. The Assembly deplores the emergence of a threat of a “clash of civilisations” in European societies, foreigners living in ghettos, the calling into question of the concept of multiculturalism and the violence which erupted in the United Kingdom, France and in neighbouring countries in 2005 in the neighbourhoods where the majority of the population are immigrants or of immigrant origin. The Assembly stresses that these tensions reflect the social malaise of sections of the population deprived of equal opportunities and any prospects for integrating into the host society. This malaise is also reflected in the deterioration of relations between boys and girls and the difficulties encountered by young immigrant girls in asserting and exercising their individual rights. The Assembly accordingly calls on member states to promote positive measures in their economic, social, cultural and political integration policies – targeting also immigrant women and girls – to help strengthen social cohesion in multicultural European societies.

5. The Parliamentary Assembly is particularly committed to ensuring the protection of the fundamental rights of immigrant women in the Council of Europe member states. It is for member states to protect women against violations of their rights, to promote and implement full gender equality and accept no cultural or religious relativism in the field of women's fundamental rights. The Assembly expresses its concern at the legal shortcomings identified in relation to the protection of the human rights of immigrant women and compliance with the principle of equality between women and men in immigrant communities which may be weakened as a result of bilateral

agreements, the application of personal law to immigrant women or women of immigrant origin or the absence of any legal status independent of that of the principal right-holder.

6. In this context, the Assembly is convinced that measures to promote the protection of the fundamental rights of immigrant women, their access to education, training, employment, social and cultural rights and health help ensure that immigrant women are able to integrate into society and will lead to greater social cohesion in the host country.

7. The Assembly calls on Council of Europe member states to:

7.1. ensure that the fundamental rights of immigrant women are guaranteed and upheld by, inter alia:

7.1.1. granting immigrant women arriving under family reunification arrangements a legal status independent of that of their spouse, if possible within one year of the date of their arrival;

7.1.2. establishing a legal framework guaranteeing immigrant women the right to hold their own passport and resident permit and making it possible to hold a person criminally responsible for taking these documents away;

7.1.3. rejecting the application of any provision of foreign legislation relating to immigrants which is contrary to the European Convention on Human Rights, Protocol No. 7 to the Convention or the fundamental principle of equality between women and men and/or renegotiating, rejecting or denouncing those sections of bilateral agreements and rules of international private law which violate the fundamental principles of human rights, in particular with regard to personal status;

7.1.4. providing for the transcription and validation, by the competent authorities, of judgments in matters relating to marriage, divorce and child custody delivered by courts in non-Council of Europe member states and states which have not ratified Protocol No. 7 to the European Convention on Human Rights in order to verify that the said judgments are in conformity with the Convention and its Protocol No. 7;

7.1.5. ensuring the protection of immigrant women in an irregular situation from all forms of exploitation, including trafficking;

7.2. take fully into account gender specific forms of persecution when examining women's claims for asylum;

7.3. pay special attention to single women dispersed to areas outside the main hub of traditional refugee settlements, since they face a greater number of problems and issues including isolation and insecurity;

7.4. show resolve in combating all forms of violence suffered by immigrant women and ensure that all administrative measures are taken to protect them which includes effective access to assistance and protection mechanisms and expedited granting of a legal status and residence permit independent in particular of those of their spouse or their employer, in cases of violence;

7.5. implement the recommendations of the Parliamentary Assembly and the Committee of Ministers of the Council of Europe to promote the integration of immigrants, particularly immigrant women, and monitor such implementation;

7.6. offer courses targeting both immigrant women and men, especially on the local level and free of charge if possible, to learn the receiving country's language through tailor-made functional language courses targeted at their main interests in life, as well as to facilitate awareness of the rules of law, democratic values and fundamental human rights in the receiving countries and fundamental democratic principles, including equality between men and women, properly adapted

to the specific needs of immigrant women, and to ensure that such mechanisms are properly evaluated;

7.7. collect gender-disaggregated data on migration flows to enable a better understanding of women's migration patterns, the needs of immigrant women and the specific actions which could accelerate their integration into the host society;

7.8. ensure adequate vocational training for immigrant women which would aim at lifting them out of subordinate positions and professions traditionally reserved for them (e.g. in the service, health or restaurant sector);

7.9. promote immigrant women's access to employment, adopting positive measures to combat the two-fold discrimination suffered by immigrant women on the labour market and creating favourable conditions for them to access the labour market and to balance their professional and private life (especially by putting into place accessible child-minding facilities, which take into account the diversity and the different languages of children and parents);

7.10. pursue active policies to combat the racial discrimination adversely affecting immigrant women and men;

7.11. promote information and awareness-raising campaigns in the media and in schools to increase the standing and the role of immigrant women in the host societies and to overcome stereotypes confining immigrant women to subordinate and passive roles;

7.12. encourage the media to cater for the needs of immigrant women and not to stereotype them as victims of restrictive religious or cultural traditions;

7.13. put in place programmes to promote the integration of immigrant women to include participation by their spouses, in particular in the field of parenting or access to health services, and to encourage and implement the principle of promoting equality between women and men in immigrant communities as a fundamental and inalienable principle of human rights;

7.14. take all necessary action to protect the rights of immigrant women and to combat the discrimination they face in their community of origin, by refusing all forms of cultural and religious relativism which could violate women's fundamental rights;

7.15. guarantee the fundamental rights of young girls and adopt measures to promote and implement the principle of equality between boys and girls;

7.16. strengthen the powers of local authorities, in particular in the field of social services and active citizenship, and to allocate the necessary resources to implement action to promote the integration of immigrant women at local level;

7.17. build on the action of non-governmental organisations which are well placed to identify immigrant women's specific needs and difficulties and which, through grass-roots action, help to improve the abilities of immigrant women and facilitate their integration into social and economic life;

7.18. sign and ratify, if this has not already been done, the European Convention on the Participation of Foreigners in Public Life at Local Level, the European Convention on the Status of Migrant Workers, Protocol No. 12 to the European Convention on Human Rights, the United Nations International Convention on the Protection of the Rights of all Migrant Workers and their Families and the Council of Europe Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children.

8. The Assembly calls on Andorra and the United Kingdom to sign and ratify, and on Belgium, Germany, the Netherlands, Spain and Turkey to ratify, Protocol No. 7 to European Convention on

Human Rights at the earliest opportunity, avoiding where possible any reservations to Article 5 which guarantees equality of rights and responsibilities of a private law nature between spouses.

9. The Assembly resolves to initiate dialogue with parliamentary and governmental representatives of the countries of origin on the matter of upholding the principle of equality between women and men in family codes in order to assess the legal status of women in the countries of origin and to analyse the consequences thereof in the host countries.

Note ¹ *Assembly debate* on 24 January 2006 (3rd Sitting) (see Doc 10758, report of the Committee on Equal Opportunities for Women and Men, rapporteur: Mrs Bilgehan). *Text adopted by the Assembly* on 24 January 2006 (3rd Sitting).