



July 2009

AK Position Paper

Green Paper on Migration and Mobility: Challenges and opportunities for EU Education Systems

About us

The Federal Chamber of Labour is by law representing the interests of about 3.2 million employees and consumers in Austria. It acts for the interests of its members in fields of social-, educational-, economical-, and consumer issues both on the national and on the EU-level in Brussels. Furthermore the Austrian Federal Chamber of Labour is a part of the Austrian social partnership.

The AK EUROPA office in Brussels was established in 1991 to bring forward the interests of all its members directly vis-à-vis the European Institutions.

Organisation and Tasks of the Austrian Federal Chamber of Labour

The Austrian Federal Chamber of Labour is the umbrella organisation of the nine regional Chambers of Labour in Austria, which have together the statutory mandate to represent the interests of their members.

The Chambers of Labour provide their members a broad range of services, including for instance advice on matters of labour law, consumer rights, social insurance and educational matters.

Herbert Tumpel
President

More than three quarters of the 2 million member-consultations carried out each year concern labour-, social insurance- and insolvency law. Furthermore the Austrian Federal Chamber of Labour makes use of its vested right to state its opinion in the legislation process of the European Union and in Austria in order to shape the interests of the employees and consumers towards the legislator.

All Austrian employees are subject to compulsory membership. The member fee is determined by law and is amounting to 0.5% of the members' gross wages or salaries (up to the social security payroll tax cap maximum). 560.000 - amongst others unemployed, persons on maternity (paternity) leave, community- and military service - of the 3.2 million members are exempt from subscription payment, but are entitled to all services provided by the Austrian Federal Chambers of Labor.

Werner Muhm
Director

The AK position

The AK argues for targeting effort to attract people with migration background to enter the pedagogic profession.

By adopting the Green Paper in July 2008, the Commission of the European Communities invites interested parties to give their fundamental views on the subject of “school education of migrant children”.

The Office of the Austrian Federal Chamber of Labour would like to state its position as follows:

General

For decades, Austria and other EU States have been confronted with immigration. In order to support a positive handling of this reality it is the intention to promote long-term and sustainable information, dialogue and awareness raising initiatives. This includes among others also the appreciation of the many languages spoken by the migrants.

In many cases, migrants are equipped with skills and various forms of education, which are only insufficiently recognized in Austria. We therefore see the necessity of developing measures of support, whose recognition for example by a balance of skills and targeted measures for further training with regard to the recognition of partial qualifications, as well as the easement of nostrifications could be achieved.

People with migration background are currently not at all well represented in pedagogic occupations. In order

to find positive role models and gain better access to children and young people with migration background and to their specific issues and problems, a targeted effort should be made to attract people with migration background to enter the pedagogic profession.

In a society, role models act as orientation points for young people. Role models, who set an example by achieving a successful and positive association for and with themselves by having several identities, should be particularly promoted in significant areas of public life (politics, education, etc), apart from also becoming more medially visible and audible. This includes in particular the increased employment of people with migration background in public administration.

Language is not only fundamental for communication, but also a condition for educational success and professional advancement. We therefore regard teaching and promoting the German language from kindergarten as a necessity. Due to the fact that a sound knowledge of the native language is an essential condition for the successful learning of a new language, we regard the introduction of promoting the native language also from kindergarten and nursery school respectively also as indispensable. At primary school, language teaching and learning should be extended with

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The AK basically approves introducing the open method of coordination in this area.

the target of achieving sustainable literacy (in speech and writing).

The Green Paper praises: "Increasing the number of teachers with migration background is a particular objective of some systems". This could be complemented by the notion that intercultural teaching should be intensified and made obligatory in teacher training.

Parents with migration background should always be informed about the school system of their host country. As part of advice given to parents, they should be informed about the significance of communication channels between school and parents.

The Green Paper contains many good examples as to how important mutual linguistic understanding is for promoting integration. In particular for Austria and probably also for other Member States it would make sense if learning a second language would increasingly include the teaching of (one of) the languages of the Member States.

The languages spoken by migrants should be offered as the second living foreign language in secondary schools with the opportunity of being able to choose them as A-Level subjects. In addition, teacher training should be offered also for these languages. Currently there is no legal option in Austria, which would make it possible to learn Turkish as a second foreign language.

With regard to educational policy one has to be aware of the fact that all

negative effects of early selection in the Austrian school system have a far greater and more severe impact on children of migrants than on children without a migration background. That is why an education system should not be subject to any structural selections; furthermore, kindergarten and school systems should contain adequate and sufficient learning facilities in particular for children from educationally and socially disadvantaged families.

Open method of coordination

The decisive question posed by the Green Paper is the one asking whether the "open method of coordination" should apply to this policy area or not. Typical for addressing this question, guidelines - using benchmarks and quantitative and qualitative targets respectively - have been determined, which are supposed to "help" the Member States in developing their own policies. The relevant policy, however, has to be implemented by the individual Member States themselves as the responsibility to enact provisions of law remains with the Member States. This procedure will be complemented by regular mutual examinations; however, Council and Commission have no legal powers to enforce the guidelines and recommendations respectively.

We are basically in favour of introducing the open method of coordination in this area. On the one hand, a cross-linkage of various activities by the Member States is an advantage, even if the problem areas are of course

very different and can only be compared to a certain degree. Apart from that, the determination to achieve the legal benchmarks is probably higher if these are established by the Council, following for example recommendations by the Commission.

Should the development of benchmarks be aimed at (which seems to be sensible in our view), the following ideas would be an option:

- Increasing the share of children with migration background in kindergarten;
- Increasing the share of pupils with migration background in the so-called "higher" school systems resp. in systems which go beyond mandatory school attendance;
- Increasing the share of persons with migration background in pedagogic occupations, in administration and in care (e.g. school psychologists);
- Increasing the share of pupils with migration background in native language classes;
- Reducing the share of drop-outs with migration background;
- Increasing the share of students with migration background in the tertiary section.

What the Green Paper does not mention is the question on which legal ba-

sis a possible application of the „open method of coordination“ should rest. Even though there will be no binding Act in this connection, a legal basis is necessary. Art 49 EEC (now Art 40 EU Treaty), which has been used as legal basis for Directive 77/486/EEC, is hardly suitable for this purpose, because - as the Commission writes itself - in the meantime the issue of "Migration and Education" in the broader sense can no longer only be dealt with within the scope of measures to create free movement of labour.

"Future fate" of the Directive 77/486/EEC

The already mentioned Directive 77/486/EEC is also the subject of the Green Paper: in it the Commission asks the question concerning the future meaningfulness of this Directive. In essence, it provides for the opportunity that children of migrant workers (i.e. children of workers who live in another Member State as the one whose nationality they have) should get free introductory lessons in the official language of the host country as well as lessons in their native language respectively. It is quite clear that this Directive no longer meets today's requirements. As, however, the legal basis selected for this Directive no longer adequately covers today's challenges, it is therefore also not possible to adapt this Directive in a way which would make it adequate to meet today's challenges. For this reason this Directive should be abolished as suggested also by the Green Paper.

The AK recommends to abolish the Directive 77/486/EEC as suggested also by the Green Paper.

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