

Response to people who have come to Latvia to live, study and work

“Do not decide anything that regards us without us” principle is very crucial to ensure successful implementation of any measure of creating opportunities

Handbook on integration, 2010

Leads: Previously, in November and December 2013, NIC introduced you with the opinion of a specialist of computer science, defender of human rights and student of MA programme on international human rights Mira Tsargand about problems and opportunities faced by the so-called third-country national in Latvia. Being grateful for the chance to interview Mira, I have made a promise to search for answers to her problematic questions. The present article will reveal what solutions are possible to the problems named by Mira — **reduction and prevention of discrimination, as well as in the field of educational and political involvement** — in Latvia, and what good examples we can learn in other, so-called “old migration countries” of the EU.

Introduction. Several years ago my colleague, an expert in the field of immigration policy, in a conversation at a dinner table told that in correspondence with a colleague from the Central Asia, to whom she had not managed to provide a response to the e-mail on time, she received a message “Did you read my e-mail? Where is my response?” Unnecessary to say that we had a sincere chuckle about this. However, afterwards my cultural-sensitive professionalism like a needle from a sack sharply pushed into the daily conversation — “it seems they are used to asking questions directly”. Laughter liberates, the excellent literature scientist Mikhail Bakhtin wrote, characterising the ironic layer of the ancient Greek culture. Jokes, irony, and laughter help reduce tension in a dialogue with people representing other cultures, who have come to Latvia and connect their lives with it. Tension, as mentioned in the interview with Mira Tsargand published in November, remains within them for several years after they have arrived here. It was sad, not ironic, to find out in December that after almost having been living here for 20 years, a prominent human rights defender from the USA plans to leave Latvia.

But about the response — seriously. By using the examples of the best practice from the immigration policy and legal norms of other EU Member States, I will try to give a response to Mira. A response on what could be perceived as human and state-respectable attitude towards people who have come to live, study and work in Latvia.

What matters are still not in order? Home task.

In order to give a response to this question, it is worth to review the Common Basic Principles for Immigrant Integration Policy in the EU.¹ I offer in the table an evaluation on the intensity of the implementation and success thereof in our country.

No.	Basic principle	Working	In introduction process	Not working
1.	Integration is a dynamic, two-way process of mutual adjustment of all immigrants and local population of the Member State.		X (it is possible to change the situation in long-term perspective by introducing intercultural education elements and enhancement of	X (policy documents provide for adjustment of immigrants)

¹ Handbook on integration for policy-makers and practitioners, 3rd edition, MPG, 2010, p. 159.

			tolerance existent in the education standards at all schools)	
2.	Integration requires respect towards the basic values of the European Union.		X (defined in policy documents)	
3.	Employment is the main component of the integration process and it is of central importance for immigrants to take part and provide their contribution to the life of the local community, and this contribution would become obvious.	X (Blue Cards — to highly qualified immigrants)	X (there are restriction in terms of working for specific employers for lower-qualification immigrants and students)	X (there is no career support to immigrants, which is particularly important to adolescents; similar as non-citizens — restriction of certain professions)
4.	Basic knowledge of the language, history and institutions of the local community are irreplaceable integration factors; successful integration of immigrants is possible only if they are given a chance to acquire this basic knowledge.	X (courses take place on the basis of project financing; there is a lack of flexible time planning if the immigrant is working)	X (CoM regulations regulate support for the acquisition of education, but there is no special financing to it)	X (there are no orientation and language courses at work places; lack thereof in higher education)
5.	Efforts made in the field of education have decisive meaning so that immigrants, especially their descendants, would be prepared as successful and active members of the society.	X (pre-school and elementary education is available)		X (secondary and higher education is not for free, but it is possible to apply for a grant at the institution of higher education)
6.	The condition that immigrants are not discriminated and they possess equal rights compared to the local population in respect of access to institutions, as well as public and private benefits and services is a decisive aspect among factors of better integration of immigrants.	X (crisis social services, unemployment benefit with a permanent residence permit are required)		X (daily racism is affirmed by regular measurements of the public opinion; discrimination facts have been encountered in LCC annual reports)
7.	Frequent co-operation between immigrants and citizens of Member states is an important integration mechanism. It is possible to develop this aspect with the help of joint forums, intercultural dialogues, by providing information on immigrants and their culture, as well as fostering better living conditions in city environment.		X (annual co-operation projects, collaboration of MoC and NGOs, for instance, <i>Dzīvot Latvijā</i> (Living in Latvia), etc.)	
8.	The EU Charter of Fundamental Rights guarantees cultural and religious practice, and these rights must be defended in so far as it is not in conflict with other European rights or laws of separate countries that must not be violated.	X (defence is stipulated in the Constitution of the Republic of Latvia)		
9.	Integration of immigrants, especially at a local level, is fostered by their participation in	X (it is possible to establish NGOs and trade		X (there is no right to vote at municipal elections, it is not

	democracy processes and formulation of integration policy and measures.	unions)		allowed to establish political parties)
10.	Dominating advancement of integration policy and measures in all respective policy departments and state administrative and public service levels is an important factor for the formation and implementation of the public policy.		X (MoC — responsible ministry, co-operation among ministries (MoI, MoES, MoE, MoW) takes place)	X (state and municipal administration lacks diversity in management ²)
11.	It is necessary to set forth clear goals, creation of indicators and assessment mechanisms to regulate the policy, to assess the integration progress and to use the exchange of information more efficiently.		X (MIPEX ³ was published in Latvian in 2011; in 2011, BISS elaborated the Handbook on Assessment Methodology of the Third Country Nationals' Integration)	

Good practice or a cheat sheet for policy-makers

Ironic: in the talks of project designers and introducers some call the civil service of Latvia the front-runners of the EU — if they implement what has been told by the European Commission, it is done by 200%. As one can see from the table, this is not the case. On the contrary the old immigration states as Spain, Portugal, Italy, Greece, the Netherlands, Denmark, Sweden, Germany and outside the EU — Norway — do not stand out with elaboration of a thought-out policy that is intentionally focused on immigrants. There is no wonder, because the 11th principle — formation of the immigration policy is based on the study, modelling of solutions, evaluation of errors and achievements both in the hosting and incoming society — has been introduced in the referred to countries already since 1990s. Of course, the large number of immigrants and urgent need to solve the humanitarian situation were a significant argument.

For instance, entirety immigration policy characterises Portugal. The state programme “Choices” (programme “Escolhas”) introduced by it has been working already since the beginning of this century. In the field of education it provides support to schools in which pupils from families subject to social risk and immigrant families are studying, and it is focused on the formation of school-community relations, thereby implementing the integration of immigrant families in practice. It has been coordinated with the Second Plan of Immigrant Integration of Portugal and the main efforts therein are focused on the integration of the descendants of immigrants — the second and the third generation.

The formation of the immigration policy takes place in close collaboration with local municipalities and the non-governmental sector by delegating functions and finances to them. I believe that trust to the local and also the examination of immigrants themselves is a very important policy element. By the way, many people do not know that a large part of the second and third generation immigrants in this country are the descendants of Ukrainians. Portugal has divided the immigrant integration policy in 17 fields of impact: hosting (including the regulation of residence permits and conditions for family reunification); culture and language (cultural adaptation measures and multiform offer for the acquisition of Portuguese along with the native language of the immigrant, for instance, the Creolian dialect

² M. Golubeva, I. Kažoka, O. Rastrigina. Management of diversity in public sector: experience of developed countries and situation evaluation of Latvia by Providus, 2011, p. 13.

³ MIPEX — immigrant integration policy index (covers 29 European countries, USA and Canada). The study is organised once every three years, four measurements have taken place. Currently the results of MIPEX IV are compiled.

of Cape Verde or the Mandarin dialect of China).⁴ It is followed by employment, professional training, improvement and entrepreneurship dynamics, education, solidarity and social security, health, dwelling place, rights (comprising all type legal protection measures, including the rights of prison inmates and victims of crimes); racism and discrimination, public interest and availability of citizenship, association of immigrants; descendants of immigrants, older generation immigrants, relations with the countries of residence of immigrants; enhancement of diversity and intercultural dialogue; gender issues, human trafficking.

Luxembourg is another example of a study-based and all-inclusive immigration policy: a small, rich and safe country, which is not afraid of immigrants, but respectfully involves them in its life. It is symbolic that the Ministry of Family and Integration is the authority responsible for the integration of immigrants. It co-operates with the Luxembourg Reception and Integration Agency (OLAI). Policy in this field is determined by the Multi-annual National Action Plan on Integration and Against Discrimination 2010-2014 (NAP). It includes five priorities: 1. Integration as a two-way process. 2. Employment. 3. Basic knowledge of the language of the country of residence, its history and institutions. 4. Education. 5. Intercultural dialogue⁵. As a result of a recent opinion poll of the population, the referred to Luxembourg Reception and Integration Agency has found out that people have named the following as the most urgent tasks for the integration of immigrants: to advertise the stories of success of the inclusion of immigrants; to popularise immigrants as leaders, professionals, sportsmen, artists in the media and communications industry. They also mention the creation of a general inclusion environment; the necessity to inform the owners of dwelling places regarding immigrants being good tenants; to support employment of immigrants; to publicly criticise and condemn the discriminating practice; to organise diversity and intercultural skill training to professionals of aid and law enforcement institutions, as well as public administration. The inhabitants of Luxembourg regard the following as important tasks: efficient procedures for the acquisition of citizenship; courses so that applicants would be able to pass the citizenship examination; provision of information about healthcare services in a simple and accessible manner; organisation of available state language courses; ensuring available information, consulting and support mechanisms to foreigners.

It is clear that we can learn the approach of entirety in the integration of immigrants from these countries without relying on the pressure of the political conjuncture, for instance, to provide special support to re-emigrants. I would like to emphasise the already repeated phrase in the public space: it is not acceptable if in a democratic state, which refers to the ideals of human rights, politicians accent support to locals — emigrants, who return — and position them opposite to third-country nationals. Practicians, who work in the field of education and social work, will tell you that facing the needs of support and education of the both groups of people, they have encountered more similarities than differences. The contrast of both groups can be rather applied to legitimization of a discriminating attitude.

How to deal with “daily racism” in Latvia?

Political and mass media debate rather frequently relates immigrants with the feeling of insecurity, which is caused by concerns of the society about competition in the field of employment and dwelling places, the increasing demands in relation to welfare and overall

⁴ Resolution of the Council of Ministers no. 63/2009 of 23 July. The regulations of the Choices programme are given in Order No. 27/2009 of 6 August, published in the Official Journal of the Republic, Series 2, No. 151.

⁵OLAI, Summary of the results of the consultation on the 2012 priorities of the Multi-annual National Action Plan on Integration and Against Discrimination 2010-2014 http://www.olai.public.lu/en/publications/programmes-planactions-campagnes/plan/Summary_results-consultation-2012-priorities.pdf

fear about national security. They see threat in them. Also in Latvia. A recent study conducted by the Latvian Centre for Human Rights concludes that the most explicit intolerance is observed towards people of the origin of Transcaucasia and China, as well as Africans and Kurds; about 2/3 of the respondents would prefer only a short-term presence of them in the country. The intensity of intolerance is similar in the opinions of Latvians and non-Latvians. In respect of Muslims, 38% of Latvians and 39% of non-Latvians do not want to see them in Latvia. Immigrants who are guest workers, especially from China, African countries, Vietnam, Turkey, are particularly unloved. Unfortunately this applies also to refugees and asylum seekers who have already suffered from trauma.⁶

Solutions — learning from neighbours

The following are the most efficient ways how to combat discriminating speech and attitude: analysis of politicians' speeches and uncovering of racism that can be observed therein; monitoring of the mass media content, which condemns the spread of hatred and prejudice; active integration of anti-hatred-oriented content at all levels of education. Of course, the opinion of persons who have been affected by the problem — immigrants — would help the best in the elaboration of criteria, because the majority, which I represent, frequently lacks the necessary sensitivity.

Study and understanding

Danish information analysis office *Catinet Research* organises regular interviews with approximately 1000 immigrants and their descendants to be able to assess their experience in relation to discrimination, their subjective feelings in the integration process and evaluation of the policy process. Surveying of immigrants has become one of the basic directions of the work of the office, because their beliefs and experience are important, but frequently it is not known to the officials and policy-makers involved in integration debate.

More information: www.catinet.dk/

In 2007 Luxembourg was selected the European Capital of Culture. On the basis of the unique cross-border collaboration with Belgium, France, and Germany, migration was the topicality of the year. It was one of the five topics that gained responsiveness of corporate sponsors. 80% of the inhabitants of Luxembourg acknowledged that the exhibits, art objects, performances related to migration are interesting, and they increased cultural consumption in two specific groups of the target audience, thus, young and former immigrants.

More information available at:

www.mcesr.public.lu/presse/annee_culturelle_2007/portail_luxembourg_2007/

[Rapport_final_anglais.pdf](#)

At the time of municipal elections in Graz, Austria, in January 2008, experts in the field of preventing discrimination set up an election monitoring system, which aimed at creating understanding about discrimination and to improve the quality of the main messages of the involved persons — deputies running in the elections. By using the “system of traffic lights” (red/yellow/green), 650 texts were assessed that later on were presented in four press conferences and in the closing public discussion. The monitoring was favourably perceived by the largest part of political parties and it may be easily adjusted to other cities and regions.

More information available at: <http://wahlkampfbarometer-graz.at>

At the museum of *Cite nationale de l'histoire de l'immigration* in Paris, within historical context France has been depicted as a traditional immigration country, which has been formed by the integration of various immigrated inhabitants. The collection of the museum mostly includes separate testimonies and artefacts. Since June 2007 the *Cite* museum has gained rather broad attention in the press, attendance and has established a link with schools, scholars and NGOs.

More information available at: www.histoire-immigration.fr

Education establishments: lack of culturally sensitive teachers and orientation programmes

⁶ More information available at: www.humanrights.org.lv

Even though since 2010 children of immigrants in Latvia are offered pre-school and general elementary education free of charge, secondary education is still not for free. Studies at a higher education establishment also are not for free, but a third-country national can apply for the receipt of a grant along with the inhabitants of Latvia. If a third-country national becomes unemployed, courses of further education offered by the State Employment Agency are available to him/her. The situation is worse with the Latvian language: free of charge courses are available only on the basis of short-term project financing; however, it is possible to study the basics of the Latvian language online. Thus, there is a challenge to form a flexible, accessible and friendly acquisition of the official language — in this case Latvian. In the youngest age range attention must be paid also to the development of the native language of the pupil. Experience in bilingual education is useful in this case. Another question — will the support to all native languages of children of immigrants be possible? Statistics of immigrants indicates to the topicality of the Chinese dialect, Arabic languages along with Russian as the native language of pupils.

The Council of Europe recommends education establishments to consider the possibility to allow recent immigrants in an immediate school orientation stage to acquire part of education in their native language. For instance, EDSO indicates that complete acquisition of the official study language to children, who are immigrants, prior to they are allowed to be included in the acquisition of the general education is neither necessary nor creates any advantages. Development of language and cognition is mutually related; it means that pupils, who are immigrants, learn the language better in a meaningful, practical and interactive environment.⁷ Teaching of content, which corresponds to the content of general education programme, must be included in the teaching of the second language. The most successful programmes include the following aspects: high standards and requirements for the acquisition of the second language; close collaboration between teachers of other subjects and teachers of languages; more lessons for the acquisition of the state language of recent immigrants.

Latvia can learn about the introduction of education adjusted to immigrant pupils from the experience of Lithuania. A study on the evaluation of education policy was conducted in Lithuania in 2005. The study focused on finding out how migrant pupils are integrated in Lithuanian schools. The results were negative: it was encountered that teachers lack intercultural competence. The state reacted accordingly and in 2008 created new integration programmes, as well as planned measures and resources for the development of cultural competence of teachers. Now two teachers are working at classes where there is a sufficient number of immigrant pupils — one of them helps by translating the unclear matters to pupils from another country, as well as supporting pupils also psychologically. Binary teaching work is financed by the state, because similar as in Latvia, money follows the pupil, but since 2011 — by 25% to pupil with special education needs.

Education establishments must properly assess the previous education level of recent immigrants that has been acquired in their country of origin. In such countries as Belgium, Hungary, Luxembourg, Malta, Portugal, and Romania, evaluation about education acquired previously abroad to accept pupils in full-time mandatory education programmes is conducted on the basis of the criteria for the acquisition of education in the countries of origin of pupils. In Belgium asylum seekers or refugees, who cannot present any documents required for the acknowledgement of higher education, elementary education or secondary education acquired abroad, may receive a ceremonial statement. In France the education level and language skills are assessed by a specialised State Service of Education Ministry in a language understandable to the pupil immediately after the arrival of the pupil in this country. In Latvia the original of an education document and achievement sheet issued abroad must be submitted for an expert-examination at the Academic Information Centre (AIC). AIC finds out the activity of the education establishment in the specific country and the level of the acquired

⁷ Handbook on integration for policy-makers and practitioners, 3rd edition, MPG, 2010, p. 136.

programme. Afterwards AIC issues a statement, informing to what education document issued in Latvia the foreign education document may be equated to. This is a free of charge service.

Both school administration and teachers who work in multicultural environment must be smart and understanding enough towards the different identifications of pupils and group processes at the class, as well as must understand their personal prejudice. Thus, personal tolerance must be linked with cultural competence required for professional contribution. Teachers, who are working in a multicultural class, should use the help of an assistant of teachers or must deal with the challenge of paying equal attention to individual study skills of pupils themselves and to support pupils whenever necessary. In order to solve the problem, the state may elaborate initiatives to promote involvement of such teaching staff that have come from immigrant or minority environment. Certain proof shows favourable impact on the results of pupils, who are immigrants, because teachers coming from the immigrant or minority environment tend to perceive collaboration with pupils, who are immigrants, more favourably and expect better results from such co-operation.⁸

People have come to Latvia not only because of a job, but also for the purpose of family reunification. They give birth to children and the issue on a pre-school open for cultural diversity becomes very topical. High-quality pre-school education establishments adjust to the needs of families representing other cultures. It is useful for pre-school education establishment teachers to acquire teaching of Latvian as a second language as well, it is possible to hire nannies who have been born abroad and have acquired professional qualification.

At school parents are always important and welcome, but special attention must be paid to the parents of immigrated children — it is necessary to know how to reach them, address them, arouse interest, gain trust and not to lose them. Several countries have experimented with volunteer adult further education programmes to find out whether they correspond to the needs of parents, who are immigrants, and help turn the school into the centre of communities that unites both local pupils and pupils, who are immigrants. These programmes, which are known also as “school of broad scale”, “community school” or “full-service school” are based on the concept of enhancing the involvement of parents. Ensuring of opportunities to parents to learn the language of the country of residence and to learn the language at home can increase their trust in school and their demands and support for improvement of the grades of their children.

Extra-curricular activities promote collaboration between pupils, who are immigrants, with local pupils, organised schools parents and immigrant associations. For instance, sports events and summer camps can improve communication between children, who are immigrants, and local children. Parents of children can be invited to participate and, if possible, help in the organisation of these events. The events can be also organised in co-operation with minority non-governmental organisations.

Good practice

Already for a long period of time a similar practice is applied also in Great Britain. In accordance with the Ethnic Minority Achievement Grant) (EMAG), financial means are granted by taking into account the number of such pupils at the school, who come from the families of ethnical minorities, who have had bad results at school and who learn the second language.

More information available at: www.qca.org.uk/qca_7278.aspx

The Training and Development Agency for Schools of England and Wales attract new teachers with obvious migrant origin by organising purposeful advertising activities and mentoring programmes, by granting training grants and determining selection goals for higher education establishments in the field of pedagogy.

⁸ Handbook on integration for policy-makers and practitioners, 3rd edition, MPG, 2010, p. 138.

More information available at:

www.tda.gov.uk/partners/recruiting/diversesociety.aspx?keywords=ethnic

Since 2004 “Diversity and Multiculturalism” is a mandatory study subject in which pupils of British schools at the age from 11 to 19 years must pass an examination. This study subject includes matters related to diversity in the society, including ethnical and religious communities and their culture, changing internal and external migration trends, as well as political and economic causes due to which internal and external migration takes place.

More information available at: <http://curriculum.qca.org.uk/index.aspx>

In Sweden pupils, who attend mandatory education and secondary education establishment, have the right to receive studies of the native language under the following conditions: Swedish must not be the native language to one or both parents/guardians, respectfully it must be the language in which the pupil communicates on a daily basis, the pupil has already the basic knowledge of the language and he/she wants to study it. Studies are ensured if there are at least five pupils and one teacher — this is a general practice at schools where there is a high proportion of pupils, who are immigrants, and private schools focused on acquisition of languages. A recent study shows that the acquisition of the native language may positively influence the study results of child.

More information available at:

http://eacea.ec.europa.eu/ressources/eurydice/eurybase/pdf/section/SE_EN_C10_7.pdf

Involvement in politics: first step — NGO, second step — political party

Immigrants — third-country nationals in Latvia have limited rights to participate in the political life — they do not have the right to participate in elections neither at a national nor municipal level, they cannot neither participate nor initiate a referendum. Furthermore, they cannot establish a political party as well. These are only prerogatives of state citizens.

“Common basic principles for immigrant integration policy in the European Union” approved by the Council of the European Union states that involvement of immigrants in a democratic process, especially at a local level, enhances integration⁹.

Article 6 of the Convention on the Participation of Foreigners in Public Life at Local Level elaborated within the scope of the Council of Europe provides for the rights of a foreigner to participate in municipal elections if he has been living in the respective state for at least five years. In the case of Latvia (five years without interrupted residing in the country), he/she has obtained the permanent residence permit. The referred to convention has been ratified by five Member States: Denmark, Finland, Italy, the Netherlands, and Sweden. In many countries foreigners are voting on the basis of the national regulatory enactment. For instance, Article 2, Paragraph three of the Law on Elections to Municipal Councils of Lithuania (*Savivaldybių tarybų rinkimų įstatymas*) provides for such rights to foreigners, who are residing in the country on the basis of a permanent residence permit. Overall persons who are not the citizens of the EU could participate in municipal elections in 17 EU Member States (Belgium, Czech Republic, Denmark, Estonia, Spain, Finland, Hungary, Ireland, Lithuania, Luxembourg, Malta, the Netherlands, Portugal, Sweden, Slovenia, Slovakia, and Great Britain); 10 countries did not provide for such rights (Austria, Bulgaria, Cyprus, Germany, France, Greece, Italy, Latvia, Poland, and Romania). In 13 Member States the right to participate in elections included both active and passive rights (the rights to be elected). However, in some Member States (for instance, the Czech Republic, Spain, Malta, Portugal, and Great Britain) the rights to participate in elections were limited (for instance, guaranteed only to the citizens of certain countries on the basis of a mutual agreement or to the citizens of former colonial territories)¹⁰.

⁹ Council of the European Union, Press release, 2618th Council meeting, Justice and Home Affairs, 14615/04 (Presse 321), 19.11.2004, pp. 19-25

¹⁰ Geyer F. Trends in the EU-27 regarding participation of third-country nationals in the host country’s political life. Briefing paper, the European Parliament’s Committee on Civil Liberties, Justice and Home Affairs.

In Spain the spouses of citizens can't apply for citizenship after they have been residing in the country for a period of one year and have registered the marriage, whereas in Italy — after a period of six months if the spouse already is the permanent residence. In such countries as Belgium and Portugal the referred to aspects apply also to the partners or cohabiting partners of citizens.¹¹

Immigrants, who plan to connect their future with a specific country, are interested in living there permanently as lawful members of the society of the country. From the point of view of politics, where third-country nationals can establish a non-governmental organisation or become involved in already existing non-governmental organisations, to establish a trade union or be a member of a trade union, this freedom of gathering and forming associations, to my mind, should be supplemented with the rights to form political parties and to elect a municipality board if the person has been living in this country for a long period of time, has been working there and has the permanent residence permit. It would be only fair.

P.S. I finished this article on 25 January, but on 26 January Mira, whom you already know, together with students Giga and Misha organised a support rally to activists of the Ukrainian opposition at the Freedom Monument. More information available at: <https://www.facebook.com/events/212950848906801/>. The latter suggests that also under the circumstances of limited political involvement possibilities active people from third countries also the Latvian people of the EU Member State can remind both the experience of the awakening time and solidarity feelings with democracy-seeking people whose rights are ignored by a police-like regime. I was at the rally, met Mira and thanked her for that.

¹¹ Ibid, p. 109.