

**Ministerial Conference on Integration**  
***“A well-managed migration for better integration”***  
**Milan, 5-6 November 2014**  
**BACKGROUND NOTE<sup>1</sup>**

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<sup>1</sup> Some of the main results and proposals are taken from the KING project – Knowledge for INtegration Governance, co-founded by the European Commission – DG Home Affairs, Community Actions - European Integration Fund 2013.

## CONTENTS

1. EU IMMIGRATION AND INTEGRATION POLICIES: A HOLISTIC APPROACH	3
2. ADDRESSING THE ASYLUM CHALLENGE	4
2.1. Recent data on asylum in Europe	4
2.2. EU policy framework in the field of asylum	5
2.3. Policy Recommendations	6
3. INTEGRATION POLICIES	12
3.1. Europe's demographic challenge: the role of migration and integration	12
3.2. EU policy framework in the field of integration	13
3.3. The importance of the Common Basic Principles for Immigrants Integration in the EU	13
3.4. A proposal for further implementing the Common Basic Principles	15
3.4.1. Integration dimensions	16
3.4.1.1. Legal and political	16
3.4.1.2. Social and economic	18
3.4.1.3. Cultural and religious	22
3.4.2. Integration strategies	25
3.4.2.1. Mainstreaming	26
3.4.2.2. Monitoring	28
3.4.2.3. Non-discrimination	31
4. Conclusion	33

## 1. EU IMMIGRATION AND INTEGRATION POLICIES: A HOLISTIC APPROACH

Since the entry into force of the Treaty of Amsterdam in 1999, the European Union is entrusted with the competence to adopt rules and measures in the field of immigration, asylum and integration. Acting in this highly sensitive policy field, which is closely linked to national sovereignty, has not been an easy task for the EU. However, 15 years after the Treaty of Amsterdam, the EU's track record on migration-related legislation is considerable. To quote the European Commission, the EU has adopted in this time span an "impressive" amount of legislative and operational rules. While true, this assessment deserves some explanation.

Indeed, the results achieved so far at the EU level are not equal in each policy field taken into consideration. While, the EU and in particular Member States have been keen to develop common rules in domains related to irregular migration, border management and visa policy, other policy fields like legal migration and integration have received less attention. An exception should however be highlighted with regard to the asylum field. In this domain, Member States developed two successive sets of legislation in order to achieve, in the medium and long run, the so-called "Common European Asylum System" (CEAS).

The above situation could be easily explained by pointing to Member States' willingness to prioritize security issues in the context of a common area without internal borders, which was created following to the incorporation of the Schengen *acquis* into EU law, also decided at Amsterdam in 1999. Such approach can nevertheless be questioned against the background of coherence, in particular if we consider that the Heads of State had stressed in their 1999 Tampere Conclusions the importance of developing and the implementing a comprehensive set of policies covering all the main dimensions of the migration phenomenon. The same line was included in the 2007 Treaty of Lisbon, which in Article 79 states that "the Union shall develop a common immigration policy", which includes "the efficient management of migration flows [and] fair treatment of third-country nationals residing legally in Member states".

Furthermore, when looking closely to the set of actions developed at the EU level, it must be noted that integration policies are subject to a specific legal framework. More specifically, they are not addressed in the same way as immigration or asylum policies, where the EU can adopt binding legislative instruments in the form of regulations and directives. Indeed, on the basis of Article 79.4 TFEU the EU is able to intervene in the field of integration insofar its action does not lead to the harmonization of the laws and regulations of the Member States. With regard to integration, the EU is entrusted with the lowest level of competence as it only as the competence to coordinate national policies, the latter remaining into the competence of the Member States.

This discrepancy has been accompanied in several circumstances with a conceptual and practical separation between immigration practices and their impact on migrants' integration capacities. This is particularly the case of detention policies and practices adopted by Member States. Empirical studies, for example, have showed how migrants who have experienced detention suffer from severe post-traumatic diseases, which prevent them from contributing to the labour market at the most effective level. Secondly, the same people are also likely to develop a negative attitude towards public authorities, which prevent them from taking up the full advantage of integration policies. In addition, the use of detention does not help to foster a positive perception of migrants into the whole society and engage local and national population into a positive approach towards

migration. In the end, detention may have a high social and political cost, which should be considered in a long-term perspective.

A clear argument can, therefore, be made against the aptitude to consider immigration and integration policies as two separated “silos”. This implies adopting a holistic approach, in particular assessing the impact of immigration policies over integration and, on the basis of that assessment, reformulating EU and national policies, where they negatively impact on further integration capabilities. It also implies addressing the main challenges the EU is currently facing in the field of migration, which constitutes a condition for the success of integration measures.

In the first part of this Note, the above-mentioned approach will be applied to the asylum issue. The main challenges faced by the EU in the field of asylum policy will be highlighted along with a set of policy suggestions. Addressing such pressing challenge through a holistic approach is crucial to assure integration of people who have been granted international protection. Indeed, integration is only the last part of a chain that starts with the access to the asylum procedure, and continues with the management of the asylum application by the Member States.

The second part of the Note will concentrate on integration policies, in line with the traditional focus of Ministerial Conferences on Integration. The different dimensions of integration - political, socio-economic, and cultural - will be explored, highlighting the importance of developing policies that take into consideration the interconnections between the integration process and initiatives developed in all relevant policy areas, such as labour, health and education. To this end, a model for improving the implementation of the Common Basic Principles on Immigrant Integration (CBPs) and maximising their impact will be discussed.

## **2. ADDRESSING THE ASYLUM CHALLENGE**

### **2.1 Recent data on asylum in Europe**

The past two years have been marked by a substantial increase in the number of asylum seekers in Europe compared to previous years. According to data collected by the European Asylum Support Office (EASO)<sup>2</sup>, in 2013 435.760 persons applied for international protection in the EU- 28, representing both the highest number and the sharpest year-to-year growth (an increase of 30% compared to 2012) since EU-level data collection began in 2008.

The highest numbers of applicants recorded were citizens of Syria, followed by the Russian Federation, Afghanistan, Serbia, Pakistan, Kosovo, Somalia and Eritrea. From the point of view of Member States, Germany was the top receiving country, followed by France, Sweden, the United Kingdom and Italy. Those 5 countries accounted for about 70% of all asylum applications submitted in the EU in 2013.

The overall recognition rate at EU28 level (including humanitarian protection) stood at 34.4%. Refugee status was granted to 49.710 persons, subsidiary protection to 45.535 persons and humanitarian protection to 17.665 persons. The highest recognition rates were for Syrians, Eritreans and stateless persons, while applicants from the Western Balkans, Georgia, Bangladesh and Armenia exhibited the lowest recognition rates.

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<sup>2</sup> European Asylum Support Office (EASO), “Annual Report Situation of Asylum in the European Union”, July 2014 <http://easo.europa.eu/wp-content/uploads/EASO-AR-final1.pdf>

The ongoing crisis in Syria posed a key challenge for the EU in 2013, with the number of Syrian applicants increasing by 109% compared to 2012, making it the main country of origin of asylum seekers in the EU 28 in 2013. While almost all first instance decisions issued to Syrian applicants were positive across MS, there was divergence regarding the legal regime used in those positive decisions, with some MS granting Syrians refugee status while others opting for granting them subsidiary protection status.

High numbers of migrants coming to Italy by sea and the sinking occurred close to Lampedusa in October 2013, resulting in the death of 366 persons, led to the establishment of the Task Force Mediterranean and, at the national level, to the launch of the Italian Navy Operation Mare Nostrum, characterized by a reinforced Search and Rescue component compared to previous operations in the Mediterranean.

The growth in the number of asylum seekers continued during 2014. In the first eight months of 2014, there was a 28% rise in the number of applications for asylum in the EU compared to the same period last year. Between January and August 2014, nationals from Syria, the six Western Balkan States and Eritrea were the main groups of asylum applicants in the EU 2014, in particular, saw a substantial increase in the number of Eritrean applicants, arriving by sea to Italy and often applying in other European countries. Since March 2014, there has also been a significant rise in the number of Ukrainian citizens applying for asylum in the EU, a phenomenon to be read in light of the worsening conflict in Eastern Ukrainian regions<sup>3</sup>.

## **2.2 EU policy framework in the field of asylum**

During 2013 the EU completed the second wave of asylum legislation by updating all the major legislative instruments making up the EU asylum *acquis*. The following set of legislative acts were adopted: the recast Reception Conditions Directive, the recast Asylum Procedures Directive, the recast Dublin Regulation (the so-called “Dublin III” Regulation), and the recast Eurodac Regulation (the recast Qualification Directive was adopted in 2011). The new “asylum package” constitutes an important achievement, as the EU has been working on the development of a Common European Asylum System (CEAS) since 1999, when the Treaty of Amsterdam first granted competences in the field of asylum to the EU. The new rules are expected to bring about several improvements, in particular faster and streamlined procedures, better standards of reception conditions, and additional guarantees for minors and vulnerable groups.

The European agencies Frontex and EASO have come to play along the years a significant role in supporting Member States in the fields of border controls and asylum-related matters respectively. The Frontex Agency was established in 2004 and its mandate has been revised in 2011 and 2013, in order to increase its operational strength and reinforce the framework for the protection of human rights in the course of its activities, in particular with regard to operations at sea. EASO, launched in 2010, is now fully operating. Its task is to supervise the implementation of the CEAS and support Member States in running their asylum reception systems.

Relocation and resettlement, two important elements of EU solidarity in the field of asylum, have been mainstreamed in the new Asylum Migration and Integration Fund (AMIF) for the period

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<sup>3</sup> See EASO Press Release 24 September 2014, available online: <http://easo.europa.eu/wp-content/uploads/Pressrelease-EASO-EP-20141.pdf>

2014-2020, which sets out clear procedures and related financial incentives for the Member States willing to explore those possibilities.

While acknowledging the important results achieved so far, it is nevertheless clear that the challenges posed by the steady increase in number of asylum seekers worldwide in recent years, calls for further action by the EU. What is needed is a comprehensive strategy that should strengthen and widen the scope of existing instruments, taking into consideration the possibility of adopting new initiatives in order to address some of the weaknesses of the current system, which will be highlighted below. Increasing the effectiveness and coherence of the EU asylum system is fundamental in order to properly manage the integration of future refugees and beneficiaries of international protection into the host societies.

### **2.3 Policy recommendations**

With a view to provide guidance on future lines of action that could be explored by future EU action in this field, both in the short and medium term, it is here suggested to conceive the asylum process as composed by three distinct phases. Each phase is crucial in order to set out an effective protection system, ensuring compliance with the principles enshrined in the 1951 Geneva Convention and relevant EU legislation.

- Phase I – Providing access to asylum
- Phase II – Managing asylum applications in the EU
- Phase III – Supporting refugees and beneficiaries of international protection

Phase I – Accessing to the asylum procedure and the priority of saving human lives.

As recalled above, 2013 and 2014 have been dramatic years with regard to the number of migrants who have lost their life while attempting to reach the territory of the EU, in particular crossing the Mediterranean Sea. Many of those migrants come from countries ravaged by war or else are ruled by authoritarian regimes, such as Iraq, Syria, Nigeria, Eritrea or Somalia, and are therefore entitled to receive some forms of international protection. Following the tragedy occurred close to the Italian Island of Lampedusa in October 2013, when more than 300 people drowned, the EU reacted by setting up the Task Force Mediterranean, which includes a comprehensive range of measures to address the challenges posed by trans-Mediterranean migration. Member States have also made a huge efforts: the Italian Navy Operation Mare Nostrum has contributed to rescue more than 150.000 migrants in 2014 only, saving a countless number of human lives. Despite those efforts, more than 3.000 people were found dead trying to cross the Mediterranean Sea in 2013 according to a report published by IOM<sup>4</sup>, while the real number of casualties is likely to be significantly higher given the incompleteness of statistical sources currently available. Preventing these tragedies from occurring again is crucial for the EU in order to comply with the fundamental values on which the EU is built upon and that are enshrined in the EU Charter of Fundamental Rights. Besides that, providing a safe access to asylum in Europe implies laying the basis for the effective integration of refugees in receiving societies, so as to

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<sup>4</sup> International Organization for Migration “Fatal Journeys. Tracking Lives Lost during Migration”, 2014. Available online: <http://www.iom.int/files/live/sites/iom/files/pbn/docs/Fatal-Journeys-Tracking-Lives-Lost-during-Migration-2014.pdf>

prevent situations of isolation, exploitation and deprivation to which such vulnerable groups are often subjected.

It appears clear that efforts by single Member States cannot guarantee durable solutions able to respond to the increasing inflows of migrants coming by sea to Europe: what is needed is consistent EU strategy, aimed at strengthening Search and Rescue efforts in the Mediterranean, while at the same time opening new channels for accessing the asylum procedure outside the EU, thus providing asylum seekers with alternative and secure routes to those offered by traffickers.

In order to achieve the previous objectives, the following options should be taken into consideration:

➤ **Increase the Search and Rescue (SAR) component of current operations in the Mediterranean Sea.**

The high migratory pressure at that portion of the EU external border and of the high number of refugees dead or missing requires further efforts, compelling Member States to join their forces. In particular, fresh financial resources have to be made available to support Member States' actions, which are likely to increase in the next future given the worsening situation in Syria and Iraq. Therefore, the new joint operation "Triton" should also envisage supporting Member States with regard to SAR operations, in particular by deploying operational tools aimed at identifying migrants and screening vulnerable cases upon disembarkation<sup>5</sup>. In relation to the previous, it is also fundamental to ensure the proper implementation of the recently approved Regulation on Frontex-coordinated sea borders operations, which defines common rules on detection, interception and disembarkation, and stresses that those operations should be conducted in full respect with international and EU obligations, including respect of fundamental rights and of the principle of non-refoulement.

➤ **Review the current EU visa system in order to better address protection needs.** Currently, Article 25 of the European Visa Code includes the possibility for a Member State to issue short stay visas with limited territorial validity on humanitarian grounds. However, the procedure for issuing a humanitarian visa is laid down in the Code with a quite ambiguous wording, so that a wide margins of maneuver is left to Member States when assessing protection needs. In reason of that, the application of relevant provisions in the code should be clarified, in order to obtain a homogeneous practice by Member States with regard to humanitarian visas<sup>6</sup>. This result could be achieved through a formal amendment of the Code (currently a proposal for amendment is under consideration at the EU level) or through the issuing of non-binding guidelines on a common approach to the application of Article 25.

➤ **Joint processing of protection claims outside the EU.** The 2013 Commission's Communication on the Task Force Mediterranean called for a "feasibility study on possible joint processing of protection claims outside of the European Union without prejudice to the existing right of access to asylum procedures in the EU". While the possibility to process asylum claims outside the EU has been discussed at the EU level since the early 2000s, a lot of uncertainty still remains on the conditions, in particular from a legal point of view, that have to be established in order to move

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<sup>5</sup> See Council Conclusions on "Taking action to better manage migratory flows", 10/10/2014. Available Online: [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/jha/145053.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/jha/145053.pdf)

<sup>6</sup> Ulla Iben Jensen "Humanitarian Visas: option or obligation?", Study requested by the Committee on Civil Liberties, Justice and Home Affairs of the European Parliament, 2014. Available online: [http://www.europarl.europa.eu/RegData/etudes/STUD/2014/509986/IPOL\\_STU\(2014\)509986\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2014/509986/IPOL_STU(2014)509986_EN.pdf)

forwards with this option<sup>7</sup>. Hence, the feasibility study envisaged by the Commission should, inter alia, identify alternatives available in this field, along with the legal and organizational requirements to be fulfilled in order to translate them into practice. Lastly, regardless of the particular form chosen, it is crucial that external joint processing of asylum applications fully complies with relevant European and international asylum legislation. In this respect, recent ECtHR case law has clarified that as soon as individuals fall under the effective control of Member States, they should be considered within their jurisdiction, which requires full application of relevant asylum *acquis*<sup>8</sup>.

## Phase II – Managing asylum applications in the EU

Asylum claims submitted in the territory of Member States are managed on the basis of the rules and procedures set out in the EU asylum *acquis*. In particular, responsibility for managing asylum applications is assigned according to the hierarchy of criteria laid down in the Dublin Regulation, which include family reasons, possession of a visa or residence permit, entry and/or stay in the territory of a Member State. The latter, affirming that asylum seekers have to claim asylum in the Member State where they first arrive, has been criticized for shifting the burden of asylum applications at the “EU borders”. However, these criteria were not modified in the recast Dublin Regulation adopted in 2013, and another revision of the Dublin Regulation is not envisaged, at least in the close future. In any case, there is much room for improving Member States’ implementation of the provisions of the Dublin Regulation. **EU efforts in the next years should focus on the correct and consistent implementation of the current Dublin Regulation as well as the other components of the asylum package. A more homogenous assessment of asylum claims and a more even distribution of asylum applications would also allow Member States to use resources for improving the quality of their reception systems and setting in place integration programs specifically targeted to refugees.**

In order to streamline the current asylum process and making it more sensitive to the needs of refugees the following options deserve consideration:

- **Assure proper transposition and implementation of EU asylum legislation by the Member States.** After a long and difficult negotiating process, revision of all the major instruments of the EU asylum “package” has been completed in 2013. It is now crucial that Member States fully transpose those instruments into their national legislation and apply them correctly. The following three aspects are likely to facilitate the proper implementation of the EU asylum *acquis*. First of all, the role played by EASO, which has been tasked with supervising the implementation of the CEAS and providing assistance to national administrations in their duty to properly implement EU rules. Secondly, the role played by the Commission on the supervision of the proper implementation of asylum rules.
- **A better use of the norms regarding family reunification included in the Dublin Regulation.**

Recent studies have demonstrated that the hierarchy of criteria set out in the Dublin Regulation is often not respected, as responsibility is often allocated immediately on the basis of a hit in the EURODAC system and without properly taking into account other relevant criteria, such as family

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<sup>7</sup> See “Study on the feasibility of processing asylum claims outside the EU”, The Danish Centre for Human Rights, European Commission, 2002. Available online: [http://ec.europa.eu/dgs/home-affairs/elibrary/docs/pdf/asylumstudy\\_dchr\\_2002\\_en\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/elibrary/docs/pdf/asylumstudy_dchr_2002_en_en.pdf)

<sup>8</sup> *Hirsi Jamaa and Others v. Italy*, Application No. 27765/09, Judgment, 23 February 2012.



reunification<sup>9</sup>. A better application of provisions on family reunification would represent the interest of both asylum seekers and Member States; the latter, in particular, would benefit from streamlined procedures and from a smoother integration process of concerned refugees.

- **Increased use of the humanitarian clause included in the Dublin Regulation.** That clause states that a Member State responsible for an asylum seeker may request another Member State to take charge of that applicant on the basis of any kind of family relations or on humanitarian grounds. In this context, in order to explore possibilities of exchanging asylum seekers on the basis of criteria related to asylum-seekers preferences and their connections with Member States, the opportunity to set up a platform for dialogue among Member States should be examined. Incentivizing these voluntary transfers through EU funding instruments should also be taken into consideration<sup>10</sup>. **Also in this case, the possibility for an asylum seeker to be granted refugee status in a country in which he/she already has family, ethnic or other kind of ties is likely to impact positively on her integration, reducing the cost on the public support system in the long term.**

Phase III – Supporting refugees and beneficiaries of international protection

Once an asylum seeker has been granted international protection, the next step regards its effective integration in the receiving country, in particular, her/his access to the labour market and the possibility to actively participate in the social and political life of that society. **This presupposes integration measures that are specifically targeted to beneficiaries of international protection**, which often have special needs compared to other categories of migrants. **Relocation** is also a valuable instrument in order to promote an equitable distribution of beneficiaries of international protection and pilot projects in this field have already been undertaken at the EU level. **Support to refugees residing in third countries is another top priority for the EU.** In fact, only a small fraction of refugees worldwide access the EU territory, while the large part of them is hosted in so called countries of “first asylum”, as is the case of Jordan and Lebanon for the majority of Syrian refugees. The 2011 Global Approach to Migration and Mobility pointed to **Regional Protection Programmes** and **Resettlement programmes** as the two main tools on which EU external action in the field of asylum should be developed.

In light of the previous, the following options should be taken into account:

- **Integration measures specifically targeted to refugees.**
- Specific programs aimed at facilitating refugees’ access to the labour market should be established, in particular training, skill recognition and partnerships with the private sector.
  - also the reception conditions they experience in the previous phase, during the evaluation of their asylum demands, are extremely important. Some studies have suggested that asylum seekers who have been subject to detention once arrived in the host countries, have afterwards experienced long-term mental and physical health problems, which have negatively impacted their integration process. In light of this , and in line with the revised Procedures Directive, it is recommended that Member States use detention only in exceptional circumstances and for a limited and clearly circumscribed period of time.

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<sup>9</sup> See European Network for Technical Cooperation on the Application of the Dublin II Regulation “Dublin II Regulation - Lives on Hold – European Comparative Report”, February 2013, p. 6. Available online: <http://www.dublin-project.eu/dublin/Dublin-news/New-report-Dublin-II-regulation-lives-on-hold>

<sup>10</sup> On this point see Matrix Insight Ltd, Eiko Thielemann, Richard Williams, Christina Boswell “What system of burden-sharing between Member States for the reception of asylum seekers?”, Study requested by the European Parliament's Committee on Civil Liberties, Justice and Home Affairs, 2010, p. 142. Available online: [http://www.europarl.europa.eu/RegData/etudes/etudes/join/2010/419620/IPOL-LIBE\\_ET\(2010\)419620\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/etudes/join/2010/419620/IPOL-LIBE_ET(2010)419620_EN.pdf)

- **Facilitate free movement of beneficiaries of International Protection within the EU.** In 2011, a significant step in this respect has been taken through the amendment of the Long Term Residence Directive which extends its scope to those who were granted refugee or subsidiary protection status under EU law. The Long Term Residence Directive states that refugees can acquire the right of free movement within the EU after five years of residence in a Member State, subject to specific conditions such as the possession of stable resources and their compliance with integration requirements set by Member States.<sup>10</sup> However, this provision, while representing a clear step forward, still precludes free movement to a large share of refugees currently residing on the EU territory. Further reflection should therefore be developed on how to increase intra-EU mobility of beneficiaries of international protection, including the possibility to establish a system of mutual recognition of decisions over refugee status. These mechanisms would be in the best interest of both concerned refugees and Member States: from the point of view of the sending Member State, because a person with a low integration potential and a low motivation to remain would leave the country, and from the point of view of the destination Member State because a person with high potential and motivation would better integrate into society.
  
- **Relocation.** In 2008, in response to a large numbers of asylum seekers arriving to Malta, the EU launched the first EU pilot project on intra-EU Relocation (EUREMA). EUREMA was led by the Maltese authorities and implemented by IOM with the participation of ten Member States, and with the active involvement of UNHCR. A total of 255 relocation places were offered by the ten participating Member States, with 227 persons being eventually relocated from Malta to six of the pledging states. A second EUREMA project, known as EUREMA II, started in 2012 and ended in mid-2013. While 97 places were pledged for relocation under EUREMA II, only 14 persons were actually relocated. During the same period, 264 persons were relocated through bilateral channels outside the EUREMA II project<sup>11</sup>. The two EUREMA projects, which benefited from ERF funding, were the first multilateral intra-EU relocation schemes and set the basis for further action in this field. The new Asylum Migration and Integration Fund replaces the project-based approach of EUREMA with the mainstreaming of relocation into Member States national programmes and assigns a lump-sum of € 6,000 for each relocated person to Member States. **The new framework set by the AMIF should be fully exploited by Member States in order to increase their relocation efforts, thus contributing to a better distribution of refugees throughout the European Union.**
  
- **Regional Protection Programmes (RPPs):** for refugees RPPs are international protection instruments that aim to improve refugees' protection in target regions through the provision of durable solutions, namely return, local integration and resettlement. So far, the European Commission has developed RPPs in Eastern Europe, the African Great Lakes Region, and the Horn of Africa. The recently launched **Regional Development and Protection Programme (RDPP) for refugees and host communities in Lebanon, Jordan and Iraq** aims to contribute to a longterm development response to the Syrian refugee crisis. The aim of the RDPP is to support target countries to develop sustainable capacities to respond to the crisis in the medium and longer term and will focus on **promoting local integration by assessing refugees' potential contribution to the national and local economy of host countries.** Evaluations

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<sup>11</sup> On relocation at the EU level see the website of the European Resettlement Network at the following link: <http://www.resettlement.eu/page/intra-eu-relocation>

conducted so far, however, have pointed to the limited impact of RPPs and have referred to the piecemeal and project-based approach adopted as a major shortcoming. For maximizing their potential, RPPs should therefore be built upon **coherent strategies**, identifying objectives for the medium and long term and a set of common and measurable indicators to evaluate results. Besides, **RPPs should be strengthened both in financial and political terms**: in particular, channels of dialogues with responsible authorities in target countries should be established in order to set priorities and lines of intervention that are co-owned by all the parties involved. All relevant stakeholders should also be consulted in the development of RPPs, in particular international organizations and NGOs.

- **Resettlement**: Through the European Refugee Fund, a first Joint EU Resettlement Programme was approved in 2012 in order to set out common EU resettlement priorities for 2013. The EU Resettlement Programme from 2014 onward will be financed through the Asylum, Migration and Integration Fund. The new Programme will operate on a biannual basis and will provide the Member States with the following financial incentives: € 4.000 per resettled refugee and € 10.000 per resettled refugee belonging to priority categories. Indeed, the establishment of a new European Resettlement Programme in the framework of the new AMIF is a proof of Member States' commitment in the field of resettlement and should be welcomed. However, **both the quantity and the quality of resettlement into the EU should be increased**. With regard to the number of refugees resettled, in September 2013 the UNHCR pointed to the worsening of the humanitarian emergency in Syria and called on States to resettle 100,000 thousands Syrian refugees in 2015 and 2016, beside the 30,000 already foreseen during 2013 and 2014<sup>12</sup>. Given these circumstances, it is expected that Member States will intensify their efforts regarding the resettlement of Syrian refugees. With regard to the quality of resettlement, a the development of clear evaluation procedures, based on common standards and indicators, is necessary in order to monitor results achieved by resettlement programs as well as integration of resettled refugees. EASO could play an important role in this field, by promoting exchange of information and best practices among all the actors involved in the resettlement procedure, in line with the mandate assigned to the Agency.

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<sup>12</sup> UNHCR "Consolidating the CEAS: innovative approaches after the Stockholm Programme? UNHCR's recommendations to Italy for the EU Presidency July - December 2014". Available online: <http://www.unhcr.org/53d24ab59.pdf>.

### 3. INTEGRATION POLICIES

#### 3.1 Europe's demographic challenge: the role of migration and integration

Over recent decades several EU countries have gradually transformed themselves from sending to receiving countries, and migration has become an important component of population change. **The migration flows are driven by the past and current demographic trends, which see an ever-increasing life expectancy combined with below-replacement levels of fertility.** These two trends are modifying the shape of the age profile of the population from the well-known and traditional pyramid, with larger younger cohorts at the bottom, to an almost reversed pyramid, where the larger cohorts are among the elderly.

The process of ageing is expected to be particularly relevant in the next decades. As the baby-boom generation retires, the EU's active population is expected to shrink as from 2013/2014. The number of people aged over 60 is now increasing twice as fast as it did before 2007 – by about two million every year compared to one million previously. **The combination of a smaller working population and a higher share of retired people will place additional strains on Member States welfare systems<sup>13</sup>.**

In such circumstances, increasing the flow of migration is one of the most immediate solutions to the demographic problems (shortage in the labour force and population ageing), the others, i.e. increasing fertility levels, although relevant are less immediate because they need some decades before being at work. This assumption was confirmed in the last decades, when migration played an important role in the demographic dynamic of Europe, helping several European countries to continue their population growth or soften their decline. The benefits of migration become even more evident if we focus on its effects on working-age population. **In fact, while the average net migration balance amounted to around one million and 373 people in the EU-28 in the decade 2001- 2011, almost 13 million people were added to the EU-28 working-age population (15-64) due to the migration movements occurred in the same decade.** More than one third of this new EU workforce was concentrated in the central ages, 25-34 years, and was almost equally made by female and male migrants.

The economic implications of such migration contribution to the demography of some EU countries are striking. Because people's economic behavior varies at different stages of life (mainly three: education, work, and retirement), changes in a country's population age structure can have significant effects on its economic performance. More specifically, if most of the population falls within the working ages, the added productivity of this group can produce a "demographic dividend" of economic growth, if policies which take advantage of this are in place. In other words, the combined effect of a large working-age population and health, family, labour, financial and human capital policies can stimulate virtuous cycles of wealth creation. This reference could be used to keep in mind that the challenges posed by declining and ageing populations, first of all shrinking of the labour force, should not be faced by using only suitable demographic options. **Besides increasing employment, and productivity levels, socio-economic integration of migrants already residing into European societies is a central objective to achieve sustainable economic growth in Europe as stated in the EU 2020 Strategy.**

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<sup>13</sup> European Commission "EUROPE 2020. A strategy for smart, sustainable and inclusive growth", COM(2010) 2020 final. Available online: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52010DC2020&from=EN>

### 3.2 EU policy framework in the field of integration

For almost 10 years, from 1999 to 2009, the competence of the EU to harmonize national integration policies was all but clear. The Treaty of Lisbon finally provided an answer through Article 79.4 of the Treaty on the functioning of the European Union (TFEU). The provision states:

***The European Parliament and the Council, acting in accordance with the ordinary legislative procedure, may establish measures to provide incentives and support for the action of Member States with a view to promoting the integration of third-country nationals residing legally in their territories, excluding any harmonisation of the laws and regulations of the Member States.***

In other words, Article 79.4 states that, in the field of integration, the EU is able to intervene insofar its action does not lead to the harmonization of the laws and regulations of the Member States. Hence, the EU is entrusted with the lowest level of competence as it only has the competence to coordinate national policies, the latter remaining into the competence of the Member States.

**In spite of the limited mandated assigned by the Treaty, over the last 15 years the EU has developed binding rules which have directly or indirectly addressed integration related domains.**

In particular, since 2003 there have been eight Directives on legal migration adopted in which the admission and rights of different categories of TCNs are defined. These eight Directives are the Family Reunification Directive 2003/86/EC, the Long Term Residents' Directive 2003/109/EC, the Students' Directive 2004/114/EC, the Scientists' Directive 2005/71/EC, the Blue Card Directive 2009/109/EC on highly qualified workers, the Single Permit Directive of 2011/98/EU, the Seasonal Workers Directive 2014/36/EU, and the Intra-corporate Transferees Directive 2014/66/EU. Another Directive on researchers, students, pupils, remunerated and unremunerated trainees, volunteers and au pairs is currently under negotiation.

In the realm of soft law, in 1999, 2004 and 2009 the European Council adopted the five-year programmes concerning the European Union as an "area of freedom security and justice" All of these programmes have defined policy orientations regarding integration of third country nationals. Following the end of the Stockholm programme – i.e. the five-year programme concerning the period 2009 – 2014 -the European Council has adopted strategic guidelines for legislative and operational planning for the coming years in the area of freedom, security and justice in its Conclusions of 26-27 June 2014. **The guidelines restate the need to "support Member State's efforts to pursue active integration policies which foster social cohesion and economic dynamism".**

### 3.3 The importance of the Common Basic Principles for Immigrant Integration in the EU

The core of the EU soft law measures on integration is represented by the Common Basic Principles for Immigrant Integration Policy in the EU, which were developed and presented by the Dutch Presidency at the first Ministerial Conference on Integration held in Groningen (Netherlands) and eventually adopted by the JHA Council in November 2004.

The CBPs were and are meant to represent the frame of reference for Member States' task to properly integrate third country nationals. The CBPs describe what integration consists in and the essential elements that make the process of integration successful. Therefore, they point to the steps that States should make in order to ensure that migrants can effectively become part of

receiving countries' societies, helping policy-makers at national and local levels set goals and priorities for their actions concerning migrant integration in different domains: e.g. migrants' access to education and labour market, enforcement of migrants' cultural and religious rights, ensuring non-discrimination, etc.

Indeed, while the design of migrant integration policies falls within Member States' exclusive competence and harmonization at the EU level is precluded (see Art. 79.4 TFEU), the CBPs constitute a "framework for policy cooperation on integration in the EU, [...] against which Member States can judge and assess their own efforts", thus enabling Member States to agree upon "common goals on integration". As such, the CBPs have laid the foundation of the EU action in the field of integration of third-country nationals, as they underpinned all the initiatives undertaken by the EU with the aim of improving coherence among the objectives of the integration policies adopted by Member States.

Indeed, all the main instruments developed by the EU concerning integration recall the CBPs, thus affirming their importance.

CBPs were the object of the **first Common Agenda on Integration**, issued by the European Commission in 2005 (European Commission Communication 389/2005), which identified general targets for both national governments and EU institutions under each CBP.

The **European Integration Fund (EIF)**, created by the Council in 2007 and managed by the European Commission, aimed at assisting Member States in their effort to support third country nationals' integration and set priorities in the period spanning from 2007 to 2013. Through the EIF 2007-2013, Community Action grants and National Programmes have financed countless integration practices conceived and implemented in line with the CBPs framework, in particular for enhancing migrants' active citizenship (CBP 9) and economic participation (CBP 3), social cohesion (CBP 1, 2, 7) education and cultural policies (CBP 4, 5 8), anti-discrimination and equality measures (CBP 2, 6) and evaluation and knowledge-sharing tools (CBP11). From 2014 onwards, the EIF will be replaced by the new **Asylum Migration and Integration Fund**, which will run until 2020. The Regulation establishing the AMIF calls for the adoption of a more targeted approach to integration, in support of **consistent strategies to be developed at the national, local and/or regional level**. The Regulation also stresses the need to **develop integration measures targeted to beneficiaries of international** protection, through a comprehensive approach and taking into account the specificities of those target groups.

Therefore, the Common Basic Principles constituted a great impulse for the debate on integration related issues in Europe and for the adoption of increasingly coherent strategies among Member States through the sharing of goals and tools. At the time of their adoption, they represented an extremely ambitious framework, clearly defining States' duties in ensuring the effective integration of migrants into their societies and affirming that integration is a "dynamic, two-way process of mutual accommodation", which entrusts the responsibility to "accommodate each other" both to the receiving society and to migrants

Today, ten years after their adoption, the CBPs' validity is still undisputable. Actually, the numerous policies and practices implemented in line with the CBPs and the reiterated and fundamental references to the CBPs have not exhausted their potential: they should continue to guide the EU and Member States' action. This is all the more evident as the integration of migrants still has to face enduring challenges, aggravated by the recent economic crisis: high unemployment rates, vulnerable and precarious societies, the significant rise of populist and xenophobic movements represent major obstacles to the process of integration. Migrants are

confronted with an economic, social and political context that is arguably tougher today than ten years ago.

At the same time, as recalled by the JHA Council Conclusions of 5-6 June 2014, Member States need to adopt suitable measures in order to counter their demographic negative trends and to fill the labor shortages they have in certain sectors. Well-managed migration and integration policies are thus essential if the EU is to achieve its Europe 2020 growth strategy.

For so doing, the guidance offered by the CBPs should be further enhanced, in order to better “assist Member States to develop further their integration policies and practices in response to the prevailing challenges which migrants and the receiving societies frequently have to face”<sup>14</sup>. In the same Conclusions, the JHA Council reaffirms its strong commitment to the Common Basic Principles and its intention to implement them further. However, it also underlines that the Common Basic Principles need to be put into practice more effectively, for strengthening in particular a) non-discrimination strategies; b) pre-departure measures and cooperation with countries of origin concerning information on legal migration channels, vocational training, skills matching and language tuition; c) reception policies and measures aimed at protecting vulnerable categories of migrants, such as beneficiaries of international protection, in the light of a holistic conception of integration policies; d) cooperation with social partners, private sector and civil society for the respect of diversity.

Indeed, in order for CBPs to help tap into the potential represented by migrants, their implementation should be realized in a more efficacious manner, by breaking them down into specific issues to be addressed through evidence-based recommendations.

### **3.4 A proposal for further implementing the Common Basic Principles**

As stated in CBP 1 “Integration is a dynamic, two way process of mutual accommodation by all immigrants and residents of Member States”. This definition sheds light on the necessity to balance responsibilities between migrants and natives in order to make the integration process effective. From the moment immigrants arrive in a new society, they have needs to please such as finding a home, a job, schools for themselves and their children, health facilities. They also need to establish cooperation and interaction with other individuals and groups, and getting to know and use institutions of the new society.

This last element entails that the receiving societies assume a crucial role in promoting integration. They are called to both provide services addressed to migrants, and accept and manage the occurred diversity. Indeed, the current picture of migrants’ integration processes in Europe puts the concept of acceptance of whom is “other by me” as the compass needle for supporting efficient integration paths. On the one hand, people need to get reciprocally closer and, on the other hand, chances – in terms of resources, opportunities and capitals – have to be enjoyed alike by migrants and natives so that integration can be fulfilled.

A great deal of studies has focused on integration and a lot has already been said. In general, there is little acknowledgement that integration is a process and an ongoing negotiation between cultures, that can either move forward in the right conditions are provided, or may not proceed if conditions are poor, or else can be reversed if conditions or opportunities deteriorate.

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<sup>14</sup> [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/jha/143109.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/jha/143109.pdf)

One of the most neglected aspects regards what migrants think about integration. Despite the widespread fear that migrants bring with them backward and patriarchal values, evidence shows that migrants seek to be accepted by receiving societies and to play a meaningful role in the social and economic development of the country of destination. Integration for migrants is seen as a desirable, a goal and they desire to contribute to the immigration country. Adaptation is accepted and sought, in particular as regards language and institutional culture, but also ways of life so migrants can succeed. Mixing with a wide range of people is important. Acceptance is associated with safety and contribution to the receiving country. Contribution comes from being insert into the labour market and being materially secure.

### **3.4.1. Integration Dimensions**

Using the three legal-political, socio-economic, and cultural-religious dimensions of integration is a valuable way for understanding the integration process. Therefore, the following policy

recommendations regarding CBPs implementation intend to give advice for a better governance of integration.

#### **3.4.1.1. Legal and political**

The *legal-political dimension* refers to **residence, political rights and statuses**. Therefore, it refers to CBP 9 which states that “*the participation of immigrants in the democratic process and in the formulation of integration policies and measures, especially at the local level, support their integration*”.

This dimension includes both the areas of voting rights and citizenship. However, at this regard, what matters to highlight here are the issues linked to the second generation migrants. Second-generation migrants have the same habits and expectations as their European peers and have often started and completed their schooling in Europe; however, they have a different juridical status. Conditions for citizenship acquisition are different depending on Member States’ laws. The information on pathways to citizenship is crucial concerning young people with a migratory background that were born or have grown up in one of the Member States. Thus, the path to citizenship acquisition for second-generation migrants should be favoured by eliminating bureaucratic obstacles and their participation in the public life should be encouraged. Indeed, they could play a remarkable role as “agents of integration” and as “bridges” between their communities and the receiving society, thus facilitating the process of integration of their families and communities and contributing to involve their peers with a migratory background in participation practices.

Stated that, with specific reference to **migrants participation** in consultative bodies and in local administrations evidence shows that where the inclusion of immigrants in formal and informal channels of political participation does occur, this may lead to (admittedly varied) forms of proactive policies in the socio-economic domain and often also in the cultural-religious domains. On the legal and political dimension of immigrant integration, there are examples within Europe of consultative committees and immigrant councils at local level, yet evidence of their concrete relevance in policymaking is not definitive. Immigrant consultative institutions can serve different purposes: they can represent a form of compensation for the lack of local voting rights, or, where



immigrants can vote at a local level, they can provide an additional channel for individual participation, groups' representation or diversity negotiation.

Consultative local bodies, networks between local authorities for best practice exchange are the actors who should promote migrants' participation by:

- creating opportunities to participate also through the use of new technologies;
- ensuring the participation and inclusion in policy decision-making processes of all (migrant) groups affected by a certain decision;
- creating specialized migrant consultative bodies which have a concrete say in policy-making processes (rather than committees with just symbolic functions);
- institutionalizing the participation of migrant representation in local consultative bodies/councils;
- Striving for more intercultural openness in all administrative levels, e.g. by increasing the proportion of employees with a migrant background.
- Activate migrants to use participation opportunities by distribution of information; encouragement to use rights; exchange best practices and experience; follow-up policy implementation.

Therefore, it is possible to state that **membership** in any form of organization increases political participation and integration. Other non-governmental actors, besides immigrants, are key stakeholders and must be carefully identified and thoroughly involved in policy definition and implementation. Indeed, migrant organizations have an important role in providing pre-arrival assistance, initial reception in the form of translation, interpretation, and support, and assistance with building of skills and the provision of cultural knowledge.

- Support, on the one hand migrant networks, as they play a crucial role in fostering integration, and on the other hand, migrant organizations however informal as they participate both in bridging and bonding activities.

The level of migrant engagement, as several studies highlighted, is influenced not only by individual characteristics of migrants, but also by the context that has a central role in framing the patterns of migrant participation. The context indeed shapes migrant chances to become included into the society, both taking into account the national context (e.g. citizenship policies) and the local one, where policies are designed and implemented and greatly influence the way migrants enter into the society.

In the light of this, it would be appropriate to overcome any obstacles and limitations to migrant participation in terms of legislative and structural barriers in order to totally benefit of migrant full potential as citizens and to avoid risks such as marginalization and social exclusion of large group of residents. Migrant involvement in volunteer work, participation in associations (either migrant or mainstream associations), membership to a trade union, to a political party should be promoted. All these activities indeed strength migrant sense of belonging to the destination country and promote the cohesiveness of society.

### 3.4.1.2. Social and economic

The socio-economic dimension relates to access to and participation in domains that are crucial for any resident, irrespective of national citizenship. It is about equal access and use of institutional facilities to find work, housing, to access to education and health services.

The European directives clearly express the importance and consequently the need to let TNCs to enjoy the same rights of HCNs. Nevertheless there is a more or less wide difference between being entitled to enjoy of a right and the real enjoyment of it.

**CBP 3** states that *Employment is a key part of the integration process.*

On 14 March 2013, the European Parliament adopted a resolution that called on Member States to lend to allow better integration of migrants in the labour market, adopting several measures in different field. In doing so, it states that employment is one of the main agency of migrants integration.

- As a consequence, more efforts should be done to permit integration and employment polices acting within a complementary frame.

Clearly, the labour market structure is stronger than any policy in determining the migrants' integration into receiving societies. Indeed, the economic integration, that is crucial in the whole process, is a narrow path between the economic structure of the destination country, its migration policy and probably also the migration policy of the country of origin. Furthermore, the economic system that is far from integrated in Europe is embedded in multiple social structures in which migrants should find their ways. At the same time, as integration is played at different dimensions, well-managed integration policies and the farsighted migration ones could play together in favouring the correct asset to mitigate some perverse effects linked to the labour market regime.

- Governments should focus on the role of labour market access as a key to successful integration, rather than thinking about large-scale social engineering projects.
- Bilateral or multilateral frameworks should be put in place in order to match skills and gaps.
- Migrants would, where possible and appropriate, be selected on the basis of their skills, thereby reducing skill waste and facilitating their entry into employment;
- It should be envisaged the possibility of reconsidering the principle of community preference<sup>15</sup>.
- Integration and employment policies should be more integrated in order to promote broad actions willing to strengthen social cohesion. Furthermore, measures should be better communicated to the broad public that is to clash a general vision that set natives against migrants in a struggle for limited resources and misperceived natural rights. On the contrary, advertising on the role a multi-diverse society can play in fostering economy, promoting competitiveness and innovation could help to build up a more open and harmonised society.

Work is said to be central to the participation of migrants as well as to the contribution immigrants make to the receiving society. In other words, the correct incorporation of migrants into the labour market actively acts in the economic and societal growth. Nonetheless, employment

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<sup>15</sup> Green Paper of 11 January 2005 on EU approach to managing economic migration (COM (2004) 811not published in the Official Journal).

insecurity that unless concerns the entire active population in “developed” economies, mostly affects the migrant population.

Where economy, for instance, shows a serious insider-outsider cleavage within the labour market, insiders are still covered by collective agreements and enjoy a great degree of employment security, outsiders not covered face more flexible and individual contracts, wage dispersion and unstable working conditions.

- Legal access to temporary jobs or occasional employment could be facilitated by reducing legal and administrative barriers (e.g. through easier bureaucratic procedures for hiring people temporarily or occasionally, such as the Italian “voucher system”), subject to regulation of conditions.

On the whole, migrants are overrepresented in the temporary jobs but the existing bureaucratic, legal and administrative barriers make hard the secure portability of social benefits to the country of origin.

- Migrants legally employed should be able to accumulate social benefits (pension, healthcare, etc.) in temporary/occasional jobs.
- Systems should be developed to secure portability of social benefits to countries of origin.

Migrants are also overrepresented in the **informal market** with significant social and individual costs stemmed from it. These include forgone tax revenues on the receiving society’s side, and no possibility for claiming benefits on the side of the new inhabitants. Gaps remain, aggravated by limited language knowledge and, as a consequence, negative perceptions by natives.

- Information on European labour market opportunities and needs (skills shortages) and requirements (bureaucracy, procedures, etc.) should be channelled to potential migrants through a portal accessible from migrants’ countries of origin.

Insufficient language skills and limited education created barriers for successfully employment. Consequently, there are significant employment participation and earning gaps between natives and second-generation migrants due to low educational levels and insufficient vocational training of the latter group.

Besides, enhancing employability, through **recognition of qualification**, training courses, offer of work experiences, likely impact in the other dimension of integration.

**CBP 5** states: *“Effort in education are critical to preparing immigrants, and particularly their descendants, to be more successful and more active participants in society.”* Therefore, the first objective should be the full engagement of pupils with migrant background to the education system ensuring equal access, equal use and equal outcomes, comparing to natives pupils. Nonetheless, institutional arrangements, as seen above, could represent an obstacle despite of the Long Term Residence directive and the right to children to receive a correct education.

Many research projects illustrate the specific structural factors that may explain differences in (migrant) children's performance. These factors include features of the education system (such as ability tracking, age of selection, transitions between early, primary and secondary education, ethnic majority bias in textbooks and teaching practices); resources allocated; legal framework for

enrolment (according to legal status, parental choice or residential catchment area); integration policies; and national discourses on migration and integration.

- The set of rights laid down in EU directives requires proper implementation and monitoring, notably equity in treatment. Thus, States should remove all *legal* barriers (at the legislative level) and all *practical/administrative* barriers, to ensure effective access to education for migrant children

Ensuring the principle of “Equality” means adopting strategies able to close the gap between migrants and natives.

- To improve training of teachers at all levels to ensure they are sensitive and equipped with the skills to work with a range of cultures and ethnic and national origins

The education system has the possibility to put in place useful actions such as:

- fostering **pre-school language tuition** that facilitate the placement of pupils in school;
- training teachers at all levels, to ensure that they are equipped with the special skills sets to needed to be sensitive to diversity and to deal with disadvantaged groups;
- organizing local school-based bridging programs and gap filling programs to help students reach the standards they need to succeed alongside their peer group.

Furthermore, there are concerns about the relatively larger number of migrant children not in education, or employment or training schemes, although the research base in this area is relatively weak. More data are required particularly around the intersection between education, training and employment.

Among the different causes that play an important role in determining low results in school, segregation is one of the main one.

Interethnic friendships between minorities and natives in particular neighborhoods depends critically on the level of education of minorities and are less likely in areas with greater degrees of ethnic segregation. There are many examples of local initiatives taken to reduce school segregation. Nevertheless, the analysis of available evidence shows that very few countries have translated local initiatives and *ad hoc* projects in this area into national policies.

If government and school were to make effective use of migrant parental ambitions for their children, focussing particularly on parents who were amongst the poorest and most disadvantaged, it would not only help the integration of migrant children and address racial discrimination but raise educational attainment more generally.

Moreover, children’s language attainment can be held back by a lack of linguistic continuity between school and home. A study has shown that when migrant women were more socially mobile, their children had better educational attainments. The more migrants are socially mobile, the greater their aspirations regarding their children’s educational attainment, the more their children feel encouraged to study up to tertiary education levels.

- Build relationships between schools, the children’s parents and the communities in which the school is situated.
- Stress the linguistic continuity between school and home by providing language courses for parents at school and within the workplace, involving trade unions.

The logic continuity of these results clearly illustrates the strong linkage among the different dimensions and, moreover, how the integration process is inextricably entwined to political choices and therefore given opportunities.

CBP 6 regards *access for immigrants to institutions, as well as to public and private goods and services seen as a critical foundation for better integration*. Indeed, the feeling of being an accepted part of the society, and therefore becoming an effective member in it, strongly depends on the openness of institutions and welfare provision. Notwithstanding, many countries are tightening their immigration policy, which limits immediate or longer-term access to welfare in the context of debates about whether migrants are a drain on welfare provision.

The issue has an important political relevance, and is enshrined into the anti-immigrant rhetoric. Researches on this domain have shown that, compared to natives having the same socio-economic characteristics, migrants do not use more **welfare provision**. Obviously, the more migrants are excluded from a successfully integration process, and therefore excluded from social mobility, the more they will rely on social provision.

The reference the CBP 6 makes to *a basis equal to national citizens and in a non-discriminatory way* is often neglected when not completely disregarded. In relation to integration and to access to different aspects of welfare provision, most countries show a situation where access to welfare is highly conditional on immigration status.

Given the importance recognized to integration, therefore there are some points that are worthy to be highlighted:

- Resources should be concentrated on areas where there are higher levels of needs regardless of immigration status, in order to reduce pressure on services, reduce tensions and encourage equal access for all.
- Access to services should be guarantee even putting in place customised solutions able to reach the most invisible part of the migrant population.

The **health service**, that often represents the first contact point between migrants and institutions, holds a wide range of problems. These include: not understanding health systems functioning, language barriers, poor interpretation/translation and over-reliance on family members for interpretation, lack of awareness about health prevention and inoculation systems, bureaucratic barriers to registering for healthcare, high levels of poverty restricting access to fresh or healthy foods, overcrowding and exploitation in housing or employment leading to increased propensity to communicable diseases, poor access to antenatal care associated with higher infant and maternal mortality, lack of trust in health services or fear of being charged, exclusion from health services for undocumented migrants in some countries, charging for services in others, racism and discrimination by individual professionals, institutional racism and pathologising of ethnicity. One of the most sensitive and problematic issue concern migrant who are irregularly present in the European territory and their right to healthcare. The Charter of Fundamental Rights of the European Union guarantees this right amidst others, underlying the fact that every person within the European jurisdiction, regardless of his/her legal status is entitled to receive medical assistance. In particular, emergency care, as well as essential care, and healthcare for pregnant women and children on the same basis than nationals must be guarantee everywhere (FRA, 2011).

The difficulty migrants have in accessing care are generally thus caused by confusion about the system and the failure of healthcare providers to be effective in explaining how health systems are structured and what people's entitlements are.

- Given many budget cuts and constraints in the national funding of healthcare, governments should partner with civil society organisations to help support appropriate provision within communities.

Furthermore, the lack of appropriate **monitoring of outcomes** means that in most countries it is not possible to explore health outcomes by migration status, while in others naturalised migrants become invisible in the data. Alternatively, health outcome data is based around ethnicity or even a basic minority/majority binary with scant consideration of other demographic characteristics that may have more extensive impacts upon migrant/minority health (i.e. age and gender).

- States should be more aware of migrants' problems in accessing health services and should develop a better monitoring system, taking into account variables such as age, gender, immigration status and ethnicity.

### **3.4.1.3. Cultural and religious**

The *cultural and religious* dimension regards **perceptions and practices of migrants** and the receiving society and their reciprocal reaction to any differences and diversity. Cultural and religious dimension is ambiguous, difficult to capture precisely since identities and perceptions change over time, as do stereotypes and consequent discrimination, depending on historical and broader political change.

The analysis of the cultural and religious dimension is particularly important for the future development of integration policy at least for the following reasons:

- identity is a key aspect for policy development, it is relative and could be dangerous if tensions between chosen identity and attributed identity develop;
- this dimension heavily impacts on public opinion whose attitude is crucial in accepting or rejecting this or that type of policy;
- immigration is perceived by citizens of EU countries more as a cultural problem than an economic one (European Social Survey, 2013).

CBP 2 – stating that *integration implies respect for the basic values of the European Union* – implies the respect of fundamental rights defined in the **Charter of Fundamental Rights of the EU** as human dignity, liberty and security and non-discrimination. In this regard, migrants should understand, respect, and benefit from common European and national values (COM(2005)389final), while receiving society should fully apply those rights.

- The basic values of the European Union mentioned in CBP 2 should be clearly related to the Charter of Fundamental Rights of the EU.

The highlighted linkage between values and rights is of the utmost importance. On the one hand, the respect of the basic values of the European Union is a pre-requirement for a good acceptance of migrants by the receiving societies and it should be supported by exploring effective ways to raise public awareness about those values also among autochthonous. On the other hand, the

respect of migrants' rights in the receiving countries is to be observed not only because it is fair but also because it increases the socioeconomic well-being of immigrants and thus, their potential to contribute to the growth of receiving countries.

**CBP 4** states that the *Basic knowledge of the host society's language, history, and institutions is indispensable to integration*. The word 'indispensable' has been intended differently as necessary or compulsory. Provision of **language training** at local level is an absolute necessity regardless of locality. All access is better if language is better. Pre-eminently under the EIF (2007-2013), introductory courses and language tuition have been carried out at large.

Whilst many successful experiences carried out all around Europe, the provision of language teaching is still variable in its quality and in terms of conditions attached to accessing it. Civil society organizations are limited and they often provide language training which can result in oversubscribed and basic level language programs.

- Good quality language training is to be better guaranteed.

In places where migrants have to pay for use of such language support become problematic when basic knowledge requirements are condition to access rights. The part of CBP 4 – stating that *enabling immigrants to acquire this basic knowledge is essential to successful integration* – is particularly important. In this direction, lot of efforts have been made. Nonetheless, the enabling system often is still far from capture the target foreseen. Evidence shows that language tuition courses are more frequented by those who wish to learn Italian to improve personal knowledge or to have a better employment position instead of new arrivals who are supposed to sign the integration agreement.

- In the frame of integration agreement, institution should provide a proper enabling system steady grounded on reality. Otherwise, integration requirements may lead to social exclusion rather than to an enhancement of integration.
- Language courses should be provided at no cost, reflecting migrants varying needs of integration.
- Language courses for new arrivals are successful, while introductory courses should be provided later. At the very beginning of his/her immigration story in the life of the newly arrived migrant there is not the State, but friends in ethnic/religious network.
- Introductory programs including civic and cultural orientations courses should proposed considering actual needs of newly arrived migrants.

A concern regards compulsory pre-immigration courses may functioning as instruments to restrict and select immigration. All actors who had introduced integration requirements abroad should consider that this is actually not in line with the EU law (evidence from numerous court cases). The latest Conclusion of the Council and Representative of Governments and the Member States on integration of TCN (June 2014) stresses a "voluntary cooperation between receiving countries and countries of origin in a pre-departures phase" which would facilitate reception and integration in destination countries.

The reference to "voluntary" is important since it makes clear for all actors, even for those Member States who had introduced integration requirement for whom is still in the origin country, that compulsory integration abroad impeding family reunification is not in line with EU law.

**CBP 7** – stating that *frequent interaction between immigrants and Member State citizens is a fundamental mechanism for integration* – should be implemented, but avoiding banal sociability during accidental encounters or the risk of *schismogenesis*, namely the creation of division setting up negative feedback or vicious cycle relation. For example, if boasting is the way on which a group deals with another, and if the other group replies to boasting with more boasting, then each group will drive the other into excessive emphasis, leading to more extreme rivalry, and ultimately to hostility. Evidence from the sociology of street mobility shows that places with high condensation of diversity are more about transiting than mixing. Places are often racialized, proposing the structure condition of inequalities instead of an equalitarian mixing of people.

- Frequent interaction turn into social cohesion when the process is carefully supervised and mediated, in particular at local level.
  - The local level should promote the creation of new tools for diversity work to stimulate meaningful contacts.
  - Effective and innovative project not based directly around integration but on a wider issue or local problem should be promote by local or national institution.
- Policies creating opportunities and incentives for **volunteering** could play a crucial role in promoting both trust and tolerance.

*As in CBP 7, shared forum, intercultural dialogue, education about immigrants and immigrants cultures, and stimulating living condition in urban environments are supposed to enhance the good interactions between immigrants and Member State citizens.*

Experiences of shared forum promoting the **intercultural dialogue** show different outcomes. As regard the inter-religious dialogue, evidence shows it is better to engage with religious group in new ways, not singling out one group (usually Muslim) for a particular program, but creating an inter-faith network bringing together key stockholders to discuss topics in a safe and private environment, helping to overcome limited capacity of small organization.

- Since processes of perception and attitude formation are complex and multi-level, any campaigns to influence perceptions, attitudes, and ideas should also be multi-level, should be tailored to concrete contexts, and should be longer in duration involving different actors in civil society.
- High level of participation is a fundamental requirement for forum and network.
- Effective forum and networks must be well resourced because, unless managed correctly, they can increase workloads for participants and coordinating organizations.

**Education about immigrants and immigrant cultures** among European societies is still a far reaching goal. Against the widespread anti-migrant ideology, often enhanced by media, a more composed and constructive vision on migration where facts are not overwhelmed by myths is needed.

- The immigration debate should be more rational, highlighting the role that migrant play in economies and society and accepting the inevitability of diversifying populations in a globalized world.
- The normalization of diversity has to be supported and enhanced by every level of governance.



The latest European Social Survey shows that immigration is perceived by citizens of EU countries more as a cultural than as an economic problem. Attitude of public opinion is crucial in accepting or rejecting this or that type of integration policy.

- European countries should focus more on long-term systematic measures that address the cultural understanding of immigration by the native population, such as educational and anti-discrimination policies;
- Long-term systematic measures should foster the mutual understanding within the entire population.
- More than the launching of large campaigns to understand the "different" and *tout court* frequent interaction between autochthons and foreign population, native education can be a key stone in the integration process.
- Enhance educate about multi-cultural reality and mobility as global features with local impact.
- Develop in resident population and new arrivals core skills needed to adapt to diversity and change.
- Teachers for native education should be equipped with skills for managing diversity and teachers with migrants background should be recruited.

Stimulating living conditions in urban environments is a hard task because in city polarities concentrate and exaggerate. Nonetheless, this has been the ambitious of lots cities in Europe (CLIP, Cities of Migration, Intercultural Cities and Eurocities). There are some high profile campaigns aimed at creating a collective local identity, supporting diversity and tackling racism, through a celebration of their multi-ethnic image.

The plan for a particular project aimed at stimulating living conditions in urban environments should take into account the participation of the majority community. However in places with increasing number of small migrant groups there could be problems with participatory planning in achieving representativeness. CBP 8 - stating that *The practice of diverse cultures and religions is guaranteed under the Charter of Fundamental Rights and must be safeguarded, unless practices conflict with other inviolable European rights on with national law* - recalls the intercultural model where the respect of any possible cultural value or practice is combined with the respect of the Fundamental Rights.

Following intercultural principle, in response to every cultural or religious claim the final solution contemplate a fair mix of human dignity, right to life and to the integrity of the person, and the right to cultural, religious and linguistic diversity. Female Genital Mutilation/Modification is one of the most critical example on how the respect for the Fundamental Right to the integrity of the person can collide with traditional rites. In this controversial case, it has been proven that broad campaigns on gender health combined with programs seeking to empower women have better results in eradicating the practices than denigrating or denouncing battles.

### **3.4.2. Integration strategies**

Given the complexity of the phenomenon and the number of spheres of actions involved at several levels, it is crucial focusing on some shared strategies that can be implemented in different contexts.

### 3.4.2.1. Mainstreaming

CBP 10 reads - *Mainstreaming integration policies and measures in all relevant policy portfolios and levels of government and public services is an important consideration in public policy formation and implementation.*

Mainstreaming as a strategy implies that different competences are sat at the same table to tackle a challenge that touches education, gender equality, housing, healthcare, but also justice, economy or finance. This is thus the framing of the issue that should be changed in the first place so that policy formulation encompasses the different dimensions of integration. Climbing down the scale, a corresponding approach should be endorsed by the implementers so that the policy thus formulated is given proper implementation.

- At all stages of the policy cycle (definition of the problem, formulation of the response, implementation, assessment, and termination or reformulation), institutional structures, policy instruments and priorities should be questioned to ensure integration is being mainstreamed;
- Mainstreaming is however not exempt of drawbacks. The risk is high that integration disappears under the guise of mainstreaming. Therefore, specific attention must be paid so that integration does not disappear as a policy concern but is duly and correctly mainstreamed.

Mainstreaming has thus a horizontal dimension. It also has a vertical dimension. Since policy takes place in a multilevel governance context, relevant levels should be involved in accordance with their competence. Since integration is a multi-faceted issue at local level, it is all the more so at international level. European institutions, when dealing with integration, but also with immigration (where its competence is wider and as migration policies highly impact integration capacities), should work hand in hand. All DGs of the Commission, the European Parliament and the European Council should work together.

- Mainstreaming is a vertical and horizontal strategy: different levels of policy-making shall collaborate (within their remits); at each of these levels, the specific sections (employment, education, health...) must collaborate to the outcome.
- Where no explicit competence has been conferred upon the EU, the EU shall play its role of arena of coordination where member states agree on common goals and priorities. This role of facilitator is fundamental to foster a common view of a same issue, to ensure exchange of ideas and experiences, and to avoid the negative aspects of command and control policy instruments. However, some level of constraint may be needed to ensure true commitment on the part of member states.
- Soft law presents the advantage of avoiding “adversarial legalism” but falls short of harmonizing national legislations. The introduction of a “shadow of hierarchy” in the absence of an agreement, offers the concrete possibility that more constraining rules can be adopted, or at least raise the issue that more constraining rules are desirable in some policy areas.

More cooperative forms of policy-making have been explored in the scholarly world and by the EU Commission. Gathering policy-makers of different levels in a same arena may be of great interest to define common objectives, however leaving it to the different levels as to the strategies to reach these common goals. Thereby, each level, within broadly defined areas, fosters innovation and experimentation in delivering public policies.

- Different policy dimensions should be more interconnected closer responding to the interdependence experienced in the reality of things.

To better clarify, evidence shows that if skills and labour shortages were properly matched, migrants would have more possibilities to immediately access labour market and thus would be able to start their socio-economic integration. This can seem a platitude, but it can be positively impacted by more coordinated and efficient policies based also on more collaboration between EU Commission DGs (e.g. coordination between DG Home Affairs and DG Employment to set up a shared migratory policy that includes recruitment and entry of migrants in the labor market).

- More Directorate-Generals (DGs) should be involved in the design of integration policies, with one DG acting as Coordinator.

This solution would help to overcome the “securisation frame” that has characterized the EU approach to migration and integration.

- Furthermore, exchanges and more cooperation between regional and national level are required to better deal with the diverse dimensions of the integration process.
- Close cooperation between different levels of policy-making should facilitate the transfer of relevant elements of successful experiences;
- Support national and regional Government in developing strategies for integration that will form the basis of local, regional and national policy.

The local level is essential for creating condition to reach sustainable integration. But this level needs to be supported by regional and national factors. National levels cannot disavow from their role of resourcing and standard-setting to ensure that local initiatives are well-resourced, properly managed, and effective. Without this central monitoring role, local projects can disappear, or be poorly managed or resourced.

The **complexity** of the network responsible for implementing policy (i.e. the **involvement of all possible levels of governance**) is an important factor for fostering integration.

A second frame of mainstreaming concerning migrants integration can be the universalistic approach entailing that social policies are addressed to all residents, including TCNs. This is in line with the reference to *Mainstreaming integration policies and measures in [...] public services*. A super diverse society demands to overcome the traditional approach of addressing migrants through specific measures, unless they didn't address particular kind of migrants as newcomers refugees, minors or women that will always been object of *ad hoc* actions. On the contrary, the will to consider the entire population makes necessary to focus on needs shown by who lives into the territory, instead of separate groups that rarely are correctly defined.

Therefore, if wide and shared policies should be put in place, they should be characterized by flexible strategies in order to guarantee tailored services, able to answer specific needs felt by members of the whole population regardless of their origin. Examples of this kind of strategy already exist and they are better known as “indirect integration policies”. However they often remain vague and uncompleted as they scarcely succeed in provide flexible and suitable for all services.

- Appropriate responses depend on the political climate but the most effective and innovative projects may not be based specifically around integration but on a wider issue or local problem that has brought people together.

Indeed, adopting a mainstreamed approach to realize integrating policies implies a parallel path involving either the form of governance and the strategies adopted. It is a hazardous process since mainstreaming hides several unintended consequences. Between them the most dangerous is the shadow effect: migrants risk disappearing when reference is done to the entire population. Therefore, a supplementary effort should be done on monitoring population changes and its needs.

Notwithstanding, considering the entire population can help to implement policies able to answer correctly to needs and to support equal access to provisions to obtain equal outcomes.

### 3.4.2.2. Monitoring

**CBP 11** reads: *Developing clear goals, indicators and evaluation mechanisms are necessary to adjust policy, evaluate progress on integration and to make the exchange of information more effective.*

For policies not to be dead letters, they should be followed up all along their cycle, from problem definition to policy termination or reformulation. The development of clear goals is an essential step of the policy formulation. It serves several purposes: It provides implementers an objective to be pursued, irrespective of the level at which they take action; they guarantee a homogeneous implementation within a territory and thus ensures end-users end up with comparable conditions; and they enable a regular assessment of the state of play, of the advancement in the direction defined beforehand; i.e. are we getting closer or the policy should be redefined? This is also on the basis of the clear definition of goals that a policy may be counterfactually evaluated (either through experimental or quasi-experimental methods). To be functional, goals must be operationalised in indicators that can be monitored throughout the policy cycle. The establishment of a diagnosis supported by baseline data gives a starting point of prime importance. Monitoring backs the policy-(re)making at all time and all level. It fuels both the effectiveness of multilevel governance and the mainstreaming of integration. On the one hand, monitoring allows policy makers to understand integration processes and their variety according to different profiles (gender, age, education, immigration status, country of origin, skills, etc.) as much as it renders possible the mapping of migrants' needs so that appropriate political responses can be brought about. On the other hand, monitoring allows policy makers to watch over changes in the target groups' situation and to adjust policies accordingly, provided that monitoring is conducted regularly and comprises a set of rather stable indicators. Besides, the finer geographical level seems to be the best target for implementing policies aimed to migrant integration and consequently the best unit for identifying accountability mechanisms.

- Individual data should be collected as to gender, age, education, country of origin, skills, immigration status , etc. so that target groups are properly identified and their issues addressed;
- Monitoring should be embedded in a wider policy context. This would increase politicians' liability, especially if monitoring is used to conduct ex-post policy evaluations and ex-ante impact assessments;
- Monitoring bodies' activity should be funded by States, as this would ensure the appropriate periodicity of data gathering and analysis, provided that the independence of the monitoring body from government is guaranteed.

Even though the definition of migrant background may vary in different instances, it ensures that the issues second or third generations may face can be traceable. In the event the target group

concentrates on non-nationals or else non-EU nationals, second and third generation result being de facto excluded from the scope of the monitoring. This is likely to undermine the objectives pursued by monitoring; i.e. mapping needs to shape better responses. This may be temporarily justified in recent destination countries but it is bound to become a limit with the passage of time and the settlement of migrants. Furthermore, recording only “non-Eu citizens” hides the difficulties experienced by migrants coming from countries that only recently have acceded to the EU.

The number and nature of indicators are also different in EU member states. Such differences mirror different national realities and are therefore sensible. However, the adoption of some common indicators, within member States’ sets of indicators would allow comparison and facilitate exchange between member States and the different levels of governance, from the EU to the local level.

As much as the situation differs from one member state to another, the situation also differs within member States.

- Regional and local monitoring may uncover particular issues linked to a specific local setting and provide a more precise “snapshot” of the situation.
- The quantity, the quality and the periodicity of the data gathered should be improved. Member States that have not yet seriously committed to monitoring should do so.
- Comparability of national data should be enhanced by opting for some common indicator and common definition, including the one of people with migration background. National monitoring bodies should consider the EU Core indicators as a yardstick in that direction.

Several efforts have also been addressed to identify indicators able to measure the level of migrant integration and civic and political participation. The most significant reference in this area are the final document of the Presidency Conference Conclusion on Indicators and monitoring of the outcome of integration policies (14-16 December 2009) and the Zaragoza Declaration, adopted in April 2010 (15-16 April 2010). In these two EU documents, four policy areas of relevance for migrant integration and for monitoring outcomes of integration policies have been identified as priorities, namely employment, education, social inclusion and active citizenship<sup>16</sup>. Another relevant effort in the measurement of migrant integration through indicators has been conducted by the OECD and collected in the report “Settling in: OECD indicators of immigrant integration 2012”. This report, through a multidimensional approach to migrant integration, use indicators to conduct an international comparison across OECD countries<sup>17</sup>.

In order to maximise the positive effects of a policy and reduce its negative ones, more impact evaluation should be conducted. Impact evaluation may be more or less costly. The most effective and more costly impact evaluation consists in experimental counterfactual methods. Evaluation should start along the policy is being implemented. It is a prospective approach intended to test and learn on the ground about what is worth being further implemented. Other, less reliable and less costly impact evaluation are retrospective and quasi-experimental. They rely on sound data collection (e.g. monitoring). Evaluations often occur at the end of a project and rather consist in an evaluation of its compliance with their initial goals. In so doing, they assess the input much more than the outcome, the latter being the objective announced.

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<sup>16</sup> While all Member States agreed on the relevance and on how to measure the first three fields - i.e. employment, education, social inclusion - the area of active citizenship was not completely developed.

<sup>17</sup> The civic engagement is among the themes analysed.

- Impact evaluation and pilot projects may be conducted to better identify what works and what is worth being extended.

When impact evaluation is unavailable, evaluation should take place to verify the goals are being attained and to foster learning processes.

The Swedish Inheritance Fund Commission has been identified as unique as it requires its funded projects to test new ideas, or to develop innovative methods and come up with solutions to social issues. It recognises that innovation may be accompanied by failure but considers this as part of a learning process. However, evaluations often happen at the end of projects rather than being formative i.e. undertaken throughout the life of a project, and thereby helping to shape project development through a process of feedback.

- Evaluation of integration initiatives should be formative so that these initiatives can be improved as they develop.
- A systematic and centralised method (including a website) for sharing the outcomes of the evaluations of projects across the EU should be created, in order to disseminate good practice.

CBP 11 stresses the importance of - making the exchange of information more effective. A general lack of appropriate data or analysis leaves serious data gaps regarding a range of possible measures such as use of services, attitudes of nationals, and the impact of service use on inclusion. In the past, there has been much duplication of effort because of the failure to disseminate good practice or knowledge about how to overcome challenges and problems.

One of the main neglected issues concerns the lack of analysis able to clearly illustrate the effectiveness of the measure/practice in the given context. In other words, methods should be elaborate to better read integration measures in the light of population targets (do they address correctly to the right target?) and of the contextual situation (does the context – legal, socio and economic – support the realization of the practice?).

The project European Modules and Integration at Local Level clearly aimed at comparing integration practices throughout Europe, not only considering their goals and contents but also comparing their respective contexts of implementation. That is, context matters, and integration practices or policies cannot be compared without due heed to their environment. In doing so, the first step is taken towards the transfer of relevant elements of a practice or a policy in other contexts.

Undeniably, such an articulated analysis could better explain the outcomes, either in terms of good or bad results giving elements to understand the measure/practice itself and to find out which of its components could be transferred, how and where.

- Even if a one-size-fits-all policy is not desirable, it is important to identify the key lessons learnt from successful policies across Europe.
- In particular, actor-centered policies (putting end-users, that is, migrants at the center of the policy design) should be taken as sources of inspiration.

Starting from practices that tend to be regarded as good practices, it is advisable to look at their degree of innovativeness; for example, to look at the extent to which migrants are placed at the center of the policy/practice design. Since the range of involved actors varies from one place to

another as much as challenges do, there is no straightforward manner to transfer policies/practices: each form of policy transfer has to be specific to the two contexts involved. Eventually, a repertoire of worst policies/practices and of policy failures could be constructed, in order to apply a trial and error method.

- Worst practices' and policy failures should also be studied, in order to avoid repeating mistakes.

While much research has explored different aspects on integration, as yet no well-defined mechanism has been developed that can examine integration processes in their entirety. Such methods would need to be longitudinal in order to take into account the lengthy period of time integration can take. Indeed as yet indicators of integration although developed are not widely used and access to employment and income equity continue to be the main measurements of integration. This clearly unsatisfactory given concerns emerging across Europe about the negative effect of migration on social solidarity. Insights in other dimensions of integration would be desirable. For instance, how do migrants feel in their receiving society? What is their social standing? What language do they speak at home? Do they maintain contacts with the locals? Do they identify with European ideas and cultures?

- More attention needs to be paid to how social, economic and cultural domains of integration connect.

### **3.4.2.3 Non-discrimination**

In the conclusion of integration of third country nationals legally residing in the EU adopted in June 2014, the Council of the European Union and the representatives of the governments of the Members States agreed on the need to further the non-discrimination policy (9905/14). In particular it is asked an enhancement of non-discrimination in the European societies and, specifically, in the workplace, closely cooperating with social partners and civil society. Non-discrimination is the strategy aimed at fighting direct and explicit as well as unintended or indirect discrimination and racism at institutional, collective and individual level. Almost every CBPs refers in some way to non-discrimination, since its role in preventing integration, and also undermining social cohesion is well acknowledged. In particular, CBP 2 - stating that Integration implies respect for the basic values of the European Union - implicitly refers to non-discrimination that is one of the European basic values (The Charter of Fundamental Rights of the European Union, art. 22).

Within virtually every EU Member State, there appears to be a growing and almost inexorable tendency towards racism and discrimination at institutional (policy) and individual levels. This is manifest in increasing numbers of incidents of racist violence and abuse and by growing disregard by institutions to the differing cultural and religious needs of migrants and minorities more generally. This tendency undermines the process of integration.

Discrimination is firstly recognized at the institutional level where the law defines who is entitled to enjoy rights and who is not. Indeed, institutional social exclusion is, through legislation, regulations and conventions the most powerful mechanism of social discrimination. In the political and legal sense, such distinctions cannot be called discriminatory (i.e. legally unjustified), since they are embedded in the nation state's legislation. However, this is social exclusion, and it has severe consequences for the position of alien immigrants, particularly in the long term.

A central element of integration policies in many European countries is therefore to alleviate this

legalised political exclusion through provisions like partial voting rights in local elections, diminished distinctions between inhabitants based on national citizenship, and the facilitating and promoting of naturalization. Evidence shows that when a certain openness occurs, significant results are achieved without an explicit policy addressing to them.

- Institutional social exclusion should be diminished facilitating access to rights.

Secondly, discrimination is present at collective level in many different vicious forms. Here there are norms settled to fight against discrimination and institutions are more attentive and active. As mentioned in the analysis of the socio-economic dimension, discrimination prevents access to education and work opportunities.

Thirdly, discrimination at individual level is a serious obstacle to social trust and well-being among people. At this purpose, it has clearly emerged that acts of racism and harassment, of which migrants and people belonging to minorities are victim, reduce social confidence and so affect the whole process of integration.

When discrimination occurs at individual level, laws and norms, if properly applied, act in defense of those who are discriminated. The lack of visibility of individual discrimination is one of the most crucial aspect.

Discrimination is a powerful device generally used to regulate the distribution of resources and opportunities and to limit the erosion of the personal satisfaction related to the consumption of goods and services. It exists in facts and discourses, operating both at concrete and symbolic level. As regard the effects of discrimination at a concrete level, evidence clearly shows fewer opportunities and lower outcomes for migrants in domains such as housing, education and health, even if access is legally guaranteed. The complex interplay of local factors can be the reason for discrimination within labour market mechanisms in particular, but also in relation to housing, health and education provision.

The main evidence is in the labour market, where the complementarity of migrant labour force result almost everywhere subaltern to natives workers. Non-discrimination policy tackles with the much more powerful labour market structure in which discrimination is used to assure to natives a differentiated structure of opportunity.

- The non-discrimination strategy has to be directly applied to discrimination device correcting at the most the unbalanced patterns of inequalities.
- An effective European integration approach needs to be complemented by Europe-wide policies for fighting against racism and discrimination, thereby focusing upon respect for EU basic equality values.
- At EU level, social exclusion policy for immigrants should focus heavily on the nature and workings of existing immigration legislation in individual countries which regulates residence rights, naturalization, access to social and industrial rights and facilities, and representation and influence in politics. Adequate equality policies are a prerequisite for an antidiscrimination policy.
- Policies should emphasise inclusion for all, aiming to create more spaces for people to access equal opportunities within the established legal framework



Much of the public discourse about migrants claims they are simply seeking to access benefits, however small, of established welfare states and thus undermining the solidarity attitudes towards welfare provision which led originally to welfare systems being established.

A growing tendency to blame migrants for a range of social and economic ills, and minorities for poor levels of achievement and social integration, have often exacerbated tensions which are easily manipulated by nationalist and, more recently, even mainstream political parties. As both groups – migrants and receiving society - should be addressed by policy measures, efforts should therefore be made in providing education about the reality of migration, introducing majorities to minorities, teaching intercultural communication skills, myth-busting and embedding migrants in organizations to try and help them adapt to insider perspectives.

- Political parties and movements deserve special attention; nationalist-populist right-wing parties and movements with strong xenophobic and anti-immigrant positions have recently gained ground in many European countries and can feed a vicious circle of more obstacles to integration, more cultural and ethnic tensions, more demands for securitization policies.

The perverse effects of misperceptions and discriminatory attitudes strongly hampers both economic and social integration. There are cases where some aspects related to cultural or religious identity are often easily stigmatized generating prejudice and discrimination by (individuals, organizations or institutions of) the receiving society. Unless discrimination and racism will flourish undisturbed Europe will reduce its potentiality in the global scenario.

Although the functions it absolves, discrimination should be overcome, or at least limited, because it is a limit to growth. Impeding the fair competition within our societies, discrimination acts as a break to growth. Beyond being a fundamental value itself, non-discrimination supports the openness necessary to a better engagement of Europe into the global competition.

- Discrimination, racism and exclusion are closely linked. Therefore an evidence-based analysis of reasons, and remedies, for exclusion should always be made available.
- Until this potentially disastrous phenomenon of racism is first acknowledged and then effectively addressed at European, national and community levels, much of the vast amount of energy put into the integration of migrants will be wasted.
- It should also be applied at the symbolic level with the proposal of new narratives of inclusiveness against the widespread anti-migration attitude often fuelled by political parties and the media.
- There is a great need to focus initiatives on receiving communities as they strongly participate in the integration process but are too often neglected in intercultural measures.
- Mass media should be sensitized to the phenomenon of immigration in order not to project a negative perception of migrants and migrations. Member States may provide training and information on this key issue.

#### **4. CONCLUSION**

When considering the whole set of actions developed at the EU level in the field of migration, it appears obvious that integration policies are subject to a specific legislative framework. If the EU has been granted the right to adopt binding instruments to harmonize Member States' policies in the field of immigration and asylum, in the field of integration it can only adopt soft law measures, whose aim is to help Member States coordinate their policies with the support of EU institutions.

As documented in this Note, such discrepancy has been accompanied with a conceptual and practical separation between immigration policies and their impact on migrants' integration capacities.

However, a widespread agreement has now emerged among EU institutions and other stakeholders on the need to overcome the previous "silo" mentality, which has too often prevented from grasping the links that exist between integration and related policy fields. This implies first of all undertaking a thorough assessment on the impact of immigration policies over integration and, secondly, to adapt EU and national policies and concepts where they negatively impact on further integration capabilities. It also implies addressing the main challenges the EU is currently facing in different migration-related fields, as a preliminary condition for assuring the success of integration efforts.

The interconnections between integration and asylum policies are particularly evident. Organizational inefficiencies, lack of implementation of current legislative instruments and the absence of proper solidarity mechanisms at the EU level are likely to produce structural imbalances in the EU asylum system, which risk jeopardizing integration efforts. The negative impact of asylum seekers' detention on their future integration that was highlighted in this Note should be taken as a reference point of the strict relation that exists between these two policy areas. Addressing the current asylum challenge through a holistic approach is thus crucial to ensure the effective integration of the rising number of people who have been granted international protection both in the EU and in third countries.

The same holds true in the field of legal migration. Since 2003, the EU has adopted several Directives which define the admission criteria and rights of different categories of TCNs. While clearly circumscribed in their scope and objectives, these legislative instruments touch upon areas that are closely linked to integration, such as equal treatment, access to the labour market, education and healthcare. Also in this case, the priority of correctly implementing existing legislation has been widely recognized by EU policy-makers. There are currently a number of conformity studies being conducted by external contractors for the European Commission on the long-term residence, family reunification, single permit and highly skilled workers directives. It is crucial that the outcome of these studies is properly assessed by the Commission in dialogue with the Member States: a special attention should be given to provisions included in those instruments that directly impact on integration. This is the case, for example, of compulsory integration requirements that Member States are allowed to introduce in the context of the Family reunification and the Long-term residence directives. As ruled by the European Court of Justice, those integration requirements shall not be used as a way to restrain access to rights deriving from those two directives and they should always comply with the general principles of Union law.

Addressing migration and integration issues through a holistic approach also implies increasing synergies and cooperation between all actors at the EU level. With regard to this, the organization of the new European Commission presents some interesting changes. First of all, the appointment of a Vice-President in charge of the rule of law and the EU Charter of Fundamental Rights represents a new and strong assurance that all Commission and Member States initiatives in the field of migration fully comply with EU legislation and fundamental rights. Secondly, the envisaged cooperation between the Commissioner in charge of Migration and Home Affairs and the one in charge of Employment, Social Affairs, Skills and Labor Mobility is expected to produce more coherent policies in the field of legal migration, in particular with regard to access to the labour market and intra-EU mobility. The previous are examples of increased coordination at the EU level

that, if properly implemented, could facilitate migrants' access to rights, with a positive impact on their integration process.

In the context of the previously described political and institutional scenario, the Common Basic Principles on Immigrant Integration continue to be a valuable tool to grasp the multiple relations that exist between integration and related policy fields. The relevance of the CBPs as the basis for future EU action and the importance of improving their implementation have been recently confirmed by the Council of Ministers in its Conclusions of 5-6 June 2014. Building on tenets enshrined in the CBPs, what is needed now is the elaboration of comprehensive policy responses that address the phenomenon of integration along all its main dimensions – legal-political, socioeconomic, and cultural-religious – and provide adequate support and steering to actors involved in the integration process at the local, national and supranational level.

Due to the complexity of the integration phenomenon and the number of policy levels it involves, it is here recommended to build future actions around three overarching strategies: antidiscrimination, mainstreaming and monitoring. A wide array of initiatives linked to those three strategies has already been undertaken by Member States at the national level and through the EU framework. Evidence presented in this Note, however, has shown that there is a wide room for improvement, in particular by introducing better legislation, implementing existing one, and increasing the coordination of national responses at the EU level. The three above-mentioned strategies could hence be used as the building blocks of a EU roadmap for integration, something that is urgently needed in reason of the rapidly evolving nature of European societies and the increasing level of diversity they will have to cope with in the future.