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"SETTING UP A SYSTEM OF BENCHMARKING TO MEASURE THE SUCCESS OF INTEGRATION POLICIES IN EUROPE"

Civil Liberties, Justice and Home Affairs

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Directorate-General Internal Policies

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PREFACE

Millions of immigrants and refugees have sought education, employment, family life and protection in the European Union. Where they have been able to access these opportunities, they have settled across Europe and embarked on the long-lived process of building lives and livelihoods in their new communities.

Citizens across Europe have begun the simultaneous process of acknowledging that they live in cities and countries of immigration. If Europe recognises its role as a 'continent of immigration,' how can it learn to become a 'continent of integration?' How can its cities and countries successfully address both the rewards and responsibilities that come with this diversity?

Whilst some policymakers approach integration in the abstract as an economic necessity, social cohesion and cultural exchange, integration is, at its core, about people—their lived experiences and their personal development. Polices should value immigrants as people who, having crossed a border, have the potential to become full members of their local, national and European communities.

All residents, regardless of background, should be encouraged to become full and indivisible parts of a diverse society. The private and public sector can learn how to provide services for a diverse clientele. Stakeholders can learn how to mobilise its residents through diverse forms of citizenship. All members of society can learn how to exercise these comparable rights and responsibilities at all levels of participation. They can also learn how to live with diversity in their everyday interactions through the acquisition of intercultural competencies.

As the representatives of all Europe's citizens, the European Parliament is dedicated to the safeguarding of fundamental rights and the promotion of active participation among all citizens. For this purpose, the European Parliament commissioned the Migration Policy Group to investigate what system could support Europe's cities, countries and citizens in their efforts to learn from and advance a 'citizens-centred' approach to integration.

Benchmarking is such a tool to systematically identify impediments, set standards and learn from and adapt good practice. Most significantly, policymakers and stakeholders undertake these exercises together as a community. Similar impediments to integration across Europe have made many citizens form European benchmarking communities in order to learn in solidarity with and from one another. Such partnerships pool expertise, resources and diverse experiences together and maximise outcomes. They often generate innovative policy solutions that are transferable horizontally across borders and sectors and vertically up to the European level.

The European institutions and Member States have already developed legislative and cooperation mechanisms that have some, but hardly all, of the trappings of benchmarking. Empowering communities within this infrastructure would incorporate the very principles of a citizens-centred approach into a more democratic system of European cooperation on immigrant integration.

Such a system carries great promise the implementation of the Hague Programme, which has inspired a common European strategy and must now inspire action across Europe. A benchmarking system would deliver the resources and infrastructure for those who in turn want to deliver better integration policies, inspired by the highest European standards and the best European practices.

Jean-Marie Cavada
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EXECUTIVE SUMMARY

Benchmarking: the willingness to learn and to improve

Benchmarking emerged in the private sector and migrated to the public sector as a strategic management tool to systematically and continuously improve methods, standards and the quality of goods and services. Businesses, but also governmental and non-governmental actors, can strive for higher performance by comparing themselves to and learning from one another.

Benchmarking breaks down into four basic stages: planning, mapping, analysis and implementation. The key elements include the identification of key areas of improvement, setting standards, the search for and study of 'good' practice that best meet those standards and the adaptation of lessons learned from best practices to meet and exceed these standards.

Benchmarking should become a key tool for all levels of governance and civil society stakeholders to form benchmarking communities together, identify strong integration policies and learn from and with each other. Given sufficient resources, benchmarking communities can strive for superior levels of excellence in the formation and implementation of policies and practices, which set the conditions for successful integration. Benchmarking should not replace, but strengthen parliamentary control. Likewise, parliaments should benchmark aspects of their own integration policy work as well.

Benchmarking with active citizens in diverse societies

Part I outlines the process of benchmarking in integration policies in order to identify good sources and practice, anticipate impediments and recommend solutions for potential benchmarkers.

Benchmarkers must select the categories of migrants that concern their mandates, capacities and objectives. Migration is contributing to the diversity of Europe's population, with an immigrant population that is itself extremely diverse, according to personal characteristics, experiences in the country of origin, admission channels, settlement conditions and legal status in the country of residence. The report's statistical portrait of Europe's diverse population should be used as a starting-point for further benchmarking investigations of areas of convergence and divergence.

The mapping stage of benchmarking depends on disaggregated, comparable data on the immigrant and overall population. The search for existing EU-wide data may prove quite desperate, due to significant gaps in national and Community data collection. EU-wide benchmarking communities may ultimately be their own best resource for data and information-sharing. The European Institutions are strongly recommended to support current proposals for greater data collection at the European level on in the areas of life relevant to integration.

Benchmarking requires a user-generated definition of the process to be investigated. Benchmarkers must therefore ask; whom are we integrating into what? Although national experiences of migration given rise to differing integration models, the reports observes some convergence in integration debates and policies across Europe. Increasing European cooperation on migration and integration has bolstered this phenomenon, through the Council of Europe's rights-based approach and the European Union's traditionally socio-economic and juridical approaches.

The report links these European approaches together to develop a specific benchmarking definition of integration, founded on active citizenship and social cohesion in diverse societies. The benchmarking definition is a society's ability to integrate its population into new arrangements of active citizenship that ensure the long-term well-being of all members. A wide range of benchmarkers can adapt this definition to find the particular definition, target groups, and reference points that encompass their specific reality.

Benchmarkers must identify whose policies and with what partners to benchmark. The design of integration policies involves government in many different roles, such as legislator, role model and facilitator. Although Justice and Interior ministries tend to take the lead, many other ministries and special agencies design and implement specific policies.

Despite the considerable differences in the integration governance structure across the EU, all of these structures, robust or crude, are transforming. Various ministries and stakeholders are assuming new integration mandates, while longstanding ones are acquiring new, complementary and often managerial responsibilities. Because the multifaceted process of integration is a shared responsibility of government and a great many stakeholders, actors at many levels of governance are seeking to collaborate with each other and with civil society.

These actors are seeking to learn and improve their integration interventions across sectors and across borders. The collaborative governance landscapes offer immense potential for benchmarkers to find new policy and support structures, share their expertise and benchmark together on the basis of shared interests.

The report's framework for assessing integration debates allows benchmarkers to adopt a critical perspective to their particular contexts and public debates in which they are deeply invested. In the European context, benchmarkers can subsequently appreciate and compare national climates on integration. Benchmarkers can pull from these debates the overall goals, core values, basic principles, policy areas and strategies that are essential for analysis and setting standards.

The mapping stage identifies integration impediments. Impediments are the lived realities and policies (or lack thereof) that hamper integration, that is, a diverse society's ability to ensure the long-term well-being of all members through new arrangements of active citizenship.

Benchmarkers may prove the most authoritative sources on the impediments that they confront daily in their integration interventions. The report's identification of impediments should be consulted as a guide for benchmarkers to develop their own list, as a living catalogue of the new trends, current efforts and key priorities within the integration policy landscape. Impediments should be categorised according to different areas of life and the Council of Europe's four dimensions of well-being (non-discrimination, dignity, development and participation).

The analysis stage transforms these impediments into areas of improvement. The report's framework facilitates the development of clear-cut and action-oriented policy goals to eliminate impediments and enhance integration facilitators within each area of improvement. The report's framework for policy interventions assists benchmarkers in translating areas of improvement into various forms of public interventions.

Once benchmarkers establish their set of normative standards, indicators, targets and benchmarks can evaluate the policy situation on a given area of improvement. Analytical tools link the actual integration and policy situation with benchmarkers' definition of integration as a multifaceted, multi-generational and non-linear process. These tools may measure the successfulness of the integration process and the strengths and weakness of integration policies.

Depending on their specific benchmarking definition, successful integration should generally strive for the active participation of all residents in the exercise of comparable rights and responsibilities and the acquisition of intercultural competencies. The basic comparative measure is convergence between immigrants (and groups within the immigrant population) and the overall population, as successful integration aims for an equality of outcomes.

Strong integration policies should achieve a level playing-field that equips both immigrants and nationals with the tools to willingly pursue integration. Here the basic comparative measure is the equality of inputs, which can be assessed in terms of policy relevance, efficiency, effectiveness, sustainability and impact.

The lessons learned from these standards and the search for good practice will initiate changes in policies and practices, which indicators can also track in the implementation stage. Benchmarkers should use the full toolbox of indicators at their disposal, which have been and should be bolstered by European cooperation on integration policy indicators.

EU Legislation and Open Methods of Coordination as benchmarking instruments

Part II explores how benchmarking exercises can and should shape cooperation on integration policies at the European level. Each chapter examines to what extent a cooperation mechanism undertakes the crucial stages of benchmarking and how that benchmarking incorporates immigrants and areas of improvement on integration policies.

DG Justice, Freedom and Security (JLS) has taken the lead on civic citizenship, a core concept for successful integration policies, through the initiation of EU legislation. Transposition and then implementation can establish binding benchmarks for national legislation to adapt to new EU-wide standards and to learn from good policies and practices.

Benchmarking through the EU Directives on long-term residence, family reunion and anti-discrimination has produced mixed results. The anti-discrimination Directives serve as a true benchmark for benchmarking; a benchmarking community of European officials, several Member States, NGO stakeholders and academics mapped, analysed and designed new common measures based on high international standards and best practices. The implementation stage was reinforced with national and European enforcement bodies, dedicated resources and ongoing mappings, assessments and dialogues. Ultimately, the directives lead to substantial improvements in national legislations towards higher EU-wide standards.

Conversely, transposition of the Directives on long-term residence and family reunion do not fulfil the criteria for benchmarking's implementation stage. Their minimum standards and weak enforcement mechanisms did not stimulate a learning process around good practice or high common standards. Nor did they induce any substantial improvements in EU Member States, whose policies on long-term residence and family reunion lack coherence within the EU and within their own legal frameworks. The light implementation stage is responsible for a lack of learning and improvement and indeed may cause a progressive lowering of policies to minimum common standards.

Despite planning and implementation stage shortcomings, EU legislation on civic citizenship exhibits significant potential for benchmarking. DG JLS has exerted continued efforts to improve structural weaknesses in its planning infrastructure. Some fundamental factors for successful benchmarking concern the development and future operation of the Fundamental Rights Agency and the Integration Forum as well as the design of analytical tools to map and evaluate the civic citizenship situation of immigrants in Member States. DG JLS should direct this more comprehensive benchmarking process towards gaps in the transposition and the effectiveness of existing hard legislation. It should also launch new soft initiatives on other core elements of civic citizenship, such as naturalisation administrative procedures and language tests.

The European Employment Strategy (EES) and its Open Method of Coordination aim to address the inclusion of immigrants and anti-discrimination measures in the labour market. Within these core subject areas, the EES has identified a number of impediments. Full benchmarking in the EES is generally frustrated by a lack of complete, comparable or reliable data, a limited use of targets and indicators, a weak implementation stage and the questionable will of some Member States to learn from good practice and improve their policies.

Benchmarking immigrant integration suffers acutely from the endemic shortcomings of the EES' partial benchmarking structure. No EES targets relate specifically to immigrant integration and national target-

setting remains rare. Due to the significant data gaps, the two narrow and quantitative indicators measure less the identified impediments than the information available. The EES implementation measures do not devote sufficient resources to the exchange of good practice and the formation of benchmarking communities on immigrant integration.

The EES should enhance EES benchmarking in immigrant integration through a more extensive list of areas of improvement, a forceful identification of Member State reporting gaps, a diversification of sources for disaggregated data, an EU-wide target for immigrant labour market participation, varied supporting targets and indicators and a more inclusive and intensive implementation stage.

DG Enterprise's Ethnic Minority Entrepreneurs programme has adhered to the initial benchmarking stages of planning and mapping, only to so far forego translating the identified areas of improvement into indicators or benchmarks. On such a subject of mounting political interest, public and private organisations have demonstrated a marked willingness both to learn and then to improve their policies. At the European level, the programme should intensify the use of its established benchmarking mechanisms to facilitate the former. The adoption of analytical tools and benchmarks, one of the programmes' core objectives, can achieve the latter.

The Open Method of Coordination on Social Protection and Social Inclusion (OMC/SPSI) has developed an inclusive cooperation structure and methodologies for identifying areas of improvement and developing indicators. Benchmarking in immigrant integration succeeds well in the planning and implementation stages, which express the heightened political importance that Member States and stakeholders attach to poverty and social exclusion among immigrants. Notwithstanding these strong intentions, the OMC/SPSI does not provide benchmarkers with the information and tools to pursue mapping and analysis with great intensity at the European level.

The OMC/SPSI must treat immigrants as a disaggregate group in its guidelines definitions, within which Member States can refine their specific national definitions, while maintaining a level of comparability. Stronger collaboration between data collectors and supplementary Community statistics should plug data gaps on immigrant poverty, social inclusion and social protection. The programme should also introduce new common EU indicators and targets to facilitate the search for good practice and implementation measures on identified areas of improvement.

On education, the European Community's Eurydice network gathers, monitors and circulates reliable and readily-comparable information on education systems and policies. Eurydice generally stops short of making assessments of the effectiveness of national practice and/or identifying best practice or standards, leaving this stage up to the discretion of its members.

Eurydice does not routinely concern itself with immigrant integration. However, the network has previously examined policy responses to overcome barriers to immigrant integration in education. It has also acknowledged its potentially valuable role in the mapping and analysis stages of benchmarking integration in schools and more broadly in lifelong learning.

Setting standards and benchmarks lies beyond Eurydice's mandate. It could, however, enable its members and/or partners to engage in their own benchmarking exercises by assessing best practice and adjusting their own policies and practices themselves. This could be achieved by examining correlations between Eurydice's process indicators and outcome indicators, including on immigrant student's academic performance, motivation and sense of belonging at school.

Education & Training 2010 has brought together a benchmarking community to implement the EU's Lisbon goal of becoming the world's most knowledge-based economy by 2010. The EU benchmarks its performance against itself, its main international 'competitors' and over time.

Education & Training 2010 has no overarching structure to incorporate the concerns of immigrants. Furthermore, immigrant organisations have not been represented on the Working Groups or clusters. It is, therefore, not startling that immigrants tend to be included as beneficiaries only in a broader context as

'disadvantaged' learners. Working Groups have taken up Education & Training 2010's strong evidence-base on immigrant integration in rather limited peer learning activities. Furthermore, a lack of comparable and reliable indicators causes difficulties for informed assessments about outcomes. Education & Training 2010 requires a targeted and concerted approach to immigrants. Yet in light of its time-limited nature, it seems unlikely that the significant inroads will be made in addressing the areas for improvement.

Empowering benchmarking communities in a European system

A European benchmarking system on integration policies consists of two instruments: EU legislation, particularly on civic citizenship and other dimensions of immigrant integration, and mainstreaming immigrant integration into current and future Open Methods of Coordination.

These instruments will not function on their own as a European benchmarking system. A purely 'Community' focus would overemphasize the benchmarking exercises of Member State policymakers and subordinate the roles played by European social partners and other local, national and European stakeholders.

Some Member States have committed themselves voluntarily as active benchmarkers alongside stakeholders and experts. They regularly adopt clear definitions of target groups, collect disaggregated, comparable and reliable data, set and report on standards, targets and indicators and design implementation measures.

Nevertheless, other Member States have proven themselves to be benchwarmers. They display minimal interest in setting standards, learning and improving policies together. They choose to remain rather inactive in current structures and unreceptive to proposals for reinforced benchmarking at the European level.

As a result, a sole focus on mainstreaming and reinforced cooperation mechanisms will result in either partial or light benchmarking encompassing all Member States, or full benchmarking encompassing only the few willing and active Member States.

The mobilization of a greater number of benchmarking communities in EU legislation and OMC benchmarking would significantly strengthen a European benchmarking system.

Current European mechanisms have helped form and sustain active benchmarking communities. The report identified some benchmarking communities or clusters as the *core* machinery of a mechanism's benchmarking process. Other mechanisms have supported *micro*-benchmarking communities through their implementation stages. The report also identified benchmarking communities that, at this stage, have a *potential* role to play in particular mechanisms. These benchmarking communities have already pioneered their own benchmarking methodologies and produced a wealth of common measures, from reports and recommendations to indicators, indexes and projects and programmes.

The core of benchmarking is choosing partnership. A partnership between EU and national policymakers and benchmarking communities represents a win-win situation for both. European benchmarking communities would be empowered to benchmark successfully. In turn, these communities empower European and national policymakers to take full advantage of the European legislative and OMC benchmarking instruments.

The European Union must empower European benchmarking communities within the Community benchmarking system. This empowerment proposes a new arrangement of benchmarking at a European scale, where relevant actors, benchmarking communities and levels of governance actively participate in mutual learning and the improvement of integration policies.

The European institutions would play facilitator roles with a two-pronged strategy: promote a European culture of benchmarking on immigrant integration policy and establish a European infrastructure to invest in European benchmarking communities. DG Justice, Freedom and Security, with its core business on the fundamental rights of all forms of citizens residing in the EU, should take responsibility for building and leading this European system. In the lead, it can assume the roles of 'guardians' of a citizens-centred approach to 'inclusive' EU legislation and 'head mainstreamer' in the coordination of mainstreaming across all relevant OMCs.

The European culture and infrastructure could build awareness and capacities for policymakers and stakeholders to learn and to improve together. This infrastructure could implant common basic principles, data sources, facilities, forums, resources, services, standards and analytical tools on integration policies within existent European cooperation mechanisms. It could highlight the successes of model benchmarkers, like the three model communities identified in the report, and encourage current benchwarmers and potential communities to voluntarily take up these resources and undertake their own benchmarking exercises on a European scale.

INTRODUCTION

Migration and immigrant integration involve an exceptionally wide range of policy issues, assorted policy channels and various levels of governance and stakeholders, including immigrants themselves. Given this diversity of issues, mechanisms, levels of governance and actors, new methods of comparison are paramount if actors are to learn from each other, adapt policies to their own situation or develop successful integration policies.

Benchmarking is one method that can be employed for policy-sharing and policy-making. It has proven its usefulness in the private sector where it is regularly applied. The process of benchmarking involves: **the identification of key areas of improvement** for current policies; **the setting of standards** according to the best practices available; **an investigation of policies** that organisations can adopt to meet these standards; and finally **the adjustment of policies and practices** to meet and even exceed these standards.

This report explores to what extent this business technique can be used in the public sector to identify successful integration and improve public policies (**Part One**). It also describes and draws lessons from current European exercises that resemble benchmarking in policy realms and directly or indirectly concern immigrant integration (**Part Two**). From these mechanisms and from three concrete examples of benchmarking exercises, the report proposes an organised and targeted European system for benchmarking integration policies (**Part Three**).

Part One

The complex and long-term processes of migration and immigrant integration are often played out at the local level, where policies directly impact the lives of immigrants and many groups within the population. Great discrepancies of experience with migration and integration exist across the European Union, country-by-country and city-by-city. In their new roles as countries and cities of immigration, some have only recently begun to confront these issues.

Despite each European country's unique migration history, migrant communities, politico-philosophical traditions and policy approaches, each undergoes a rather similar process. They cope with comparable problems, for which similar solutions are designed across Europe. This report sets some terms for debate and comparison and identifies potential areas of cooperation that lend themselves to benchmarking and the development of benchmarks across the European Union.

Comparing policies and practices in the area of migration and integration faces well-wrought difficulties over common definitions and concepts (about whom and what are we talking?) as well as data collection and comparability (are we talking about the same?).

For instance, the use of legally resident foreign citizens as a proxy for the number of immigrants builds comparisons upon a relatively 'clean' data set. Yet this category is evidently unsatisfactory as it excludes nationals of immigrant backgrounds. The inclusion of 'foreign born' persons as well as their children in the data set would offer a clearer picture for comparative analysis. Nevertheless, the objections of many countries to maintaining special records of naturalised 'foreign born' citizens render comparisons problematic. A lack of statistical records and a subsequent reliance on wide estimates for undocumented and short-term migrants add further complications.

Divergent concepts of integration also pose challenges for policy comparison and cooperation. For decades, debates in Europe on immigrant integration centred around the

differences between the classic integration models in France, the United Kingdom and Germany, the three big member states with relatively long traditions of immigration and sizable immigrant populations. Their integration approaches are often summarised and juxtaposed as respectively assimilationist, multiculturalist and pluralist. These concepts are also used to qualify policies of smaller member states with an equally long tradition of integration policies, such as Belgium, Luxembourg, the Netherlands, Sweden and Denmark. Some newer immigration countries among old and new member states have also positioned themselves along similar lines.

The report introduces a working **benchmarking definition of immigrant integration** (Chapter III) that takes into account the complexity of integration, focuses on the actors, namely citizens with and without an immigration background, and looks at the ultimate goal, namely **the well-being of all members of increasingly diverse societies.**

The report does not attempt to resolve contentious political debates over integration models. Rather, this working definition brings to light a new citizens-based approach emergent in many national debates over integration. The debates have begun to shift away from ideological positioning over broad integration models towards more pragmatic discussions of access, participation, capacity and competence. The latter offers the report a point of departure to articulate specific integration objectives for benchmarking, while leaving the former definition of integration models to more theoretical deliberations.

The working benchmarking definition rests on a **citizens-centred approach** to the integration process. This approach focuses on the elimination of the persistent and often considerable inequalities between immigrants (first and subsequent generations) and the 'native' population. These inequalities occur within the policy realms of economic integration and mobility, educational attainment and career development, the provision of tailor-made health and social services for a diverse population and participation in political, volunteer and cultural life. A citizens-centred approach also attaches great importance to **the life-long acquisition of skills and competences** enabling citizens to become active in all spheres of life in Europe's dynamic and rapidly changing societies.

What makes *integration* successful? Integration can be deemed successful when citizens are actively engaged in society and societal outcomes of the immigrant and native population begin to converge.

The citizens-centred approach to integration as a **convergence of outcomes** emphasises the value of diversity as well as the challenges for achieving social cohesion. Indicators of successful integration can be developed which range from **equality indicators to competence indicators** and they can refer to persons (and groups of persons) and organisations (and society as a whole). Various stakeholders can select integration benchmarks in accordance with their mandate, interests and perspectives. For that purpose stakeholders can form **learning and benchmarking communities**.

What makes integration *policies* successful? Integration policies can be deemed successful when policymakers achieve an equality of inputs and when evaluations and assessments determine policies to be relevant, efficient, effective and sustainable. These four criteria are fulfilled by investing in people, irrespective of their social, ethnic or national background, levelling their playing fields and creating a favourable environment for them to pursue integration.

Indicators of successful policies can be developed ranging from **(legislative and non-legislative) policy indicators** (i.e. pertaining to the number and types of measures), **context indicators** (i.e. levels of investments in education, health, etc.) **to input indicators** (i.e. the distribution of investments among the various groups among the population).

The results of policy evaluations are increasingly structuring policy debates. They crop up as scoreboards and indexes based on scientific research, the exchange of best practice, peer review and benchmarking. **Output indicators** and benchmarks can be designed to compare and measure policies along four criteria: relevance, efficiency, effect and sustainability.

Part Two

The report identifies **good benchmarking practice at the European level** pertaining to four crucial areas of immigrant integration, namely: civic citizenship, social cohesion, economic participation and education. Part Two describes a few European mechanisms that identify good benchmarking practices of identifying areas of improvement, setting and implementing standards, best practice exchange, impact assessments and peer review mechanisms.

The chapter on **civic citizenship** identifies core issues in this area: the securing of residence rights, the right of family reunion, equality and anti-discrimination and access to citizenship. The chapter explores whether Community legislation can be seen as a benchmarking exercise and evaluates the transposition of the Long-Term Residence, the Family Reunion and Anti-discrimination Directives. It also considers administrative practices in the area of naturalisation.

The chapter on **economic participation** describes the European employment strategy and the Open Method of Co-ordination underpinning this strategy. It examines the applicability of these mechanisms to issues relevant to integration by framing issues of immigrant integration in the wider context of increasing productivity, enhancing employability and improving the (life-long) acquisition of competences. The chapter also investigates DG Enterprises' programme intended to address the entrepreneurship of immigrants.

The chapter on **social cohesion** investigates the well-developed EU Open Method of Co-ordination on Social Protection and Social Inclusion and its design of social inclusion indicators. The chapter presents the merits of the mechanism and considers to what extent it addresses integration concerns of (distinct groups of) immigrants.

The chapter on **education** analyses how the EU addresses issues of immigrant integration and examines the value of the Eurydice network and the Education and Training 2010 Work Programme for benchmarking the outcomes of educational policies for young immigrants.

In all these chapters, the case will be made for policies addressing the needs of Europe's entire and increasingly diverse population. To that end immigrant integration needs to be **mainstreamed,** that is: needs to be rigorously addressed in general policies and firmly embedded in existing policy mechanisms.

Part Three

Once a few current mechanisms are examined, the report describes three examples of benchmarking exercises, which can be used as benchmarks for benchmarking.

The first is an initiative to make hospitals more migrant-friendly, namely the European project "Migrant-friendly hospitals" (MFH), co-sponsored by the European Commission, DG Health and Consumer Protection. MFH brought together hospitals from 12 member states of the European Union, a scientific institution as co-ordinator, experts, international organisations and networks.

The second example is the Australian Charter for Public Services in a Culturally Diverse Society. It is a benchmarking tool that can be used by governmental or non-governmental service providers at national and local levels.

The third is the European Civic Citizenship and Inclusion Index, an example of the development of a normative framework for a rights' based approach to integration. The project received support of the European Commission under the INTI programme. It is undertaken by a group of non-governmental agencies across the European Union and entails research, identification of strengths and weaknesses of civic citizenship policies and development of benchmarks.

A final chapter draws the lessons from the current mechanisms and examples and proposes **a European benchmarking system** that promotes effective integration policies in Europe.

Methods

The preparation of this report relied upon a number of methods. The available time and resources did not allow for the execution of extensive original research. Current studies and official reports were analysed, in particular those from countries with a longer tradition of immigration. The report relies on European comparative studies and policy reports for its recommendations to flow into ongoing European policy debates. In addition, the research concentrated on ongoing European policy mechanisms that can be qualified as integration benchmarking exercises or are at least relevant to immigrant integration.

Independent experts were extensively consulted through interviews and a questionnaire. In addition, an international seminar was organised in Brussels (June 2006), which was attended by at least one expert per member state and other experts and officials. The authors had the opportunity to present and discuss some preliminary outcomes of the research at two other occasions, namely in Berlin and in Vienna. Finally, the outcomes of a series of seven international technical seminars on integration, held under the auspices of the National Contact Points and the European Commission, were studied. Regular meetings with the European Parliament maintained the research's focus.

The report is written in such a way to assist potential benchmarkers to engage in benchmarking as it undertakes steps, which benchmarkers also have to undertake. It also highlights the role of the European Union in stimulating the creation of learning communities and facilitating benchmarking exercises.

PART ONE

Part One of this report argues that benchmarking can be used as a public policy tool. It demonstrates how the benchmarking process can be adapted and used in the policy field of immigrant integration. It will guide benchmarkers through the various steps in the process and occasionally demonstrate it by performing examples of critical steps. This part (and its Annexes) will specify good sources and practice to benchmarkers, make them mindful of complications they may encounter and recommend potential solutions. It will describe who are the categories of immigrants affected by integration policies (Chapter II) and the process to be benchmarked, namely integration (Chapter III). This part then turns to considering whose policies are benchmarked and what potential partners exist for benchmarking (Chapter IV). The identification of integration impediments and their transformation into areas of improvement (Chapter V) concludes with the methodology for the development of indicators for successful integration (Chapter VI).

CHAPTER I. BENCHMARKING AS A POLICY TECHNIQUE

Benchmarking is strategic management tool used in the private sector to improve the quality of goods and services and the ways they are produced. As will be argued in this chapter, benchmarking can be adapted and used in the public sector to support the formation and implementation of public policies. It first presents a definition of benchmarking, characterises the various types of benchmarking and then distinguishes between various roles of governments and corresponding policy processes and outcomes. The second part of this chapter describes the process and core elements of public policy benchmarking.

1.1. Transferring benchmarking from the private to public sector

Benchmarking originated in the private sector and is commonly described as the continuous and systematic search for and implementation of best practices, which lead to superior performance. It usually contains the following elements:

(i) **identifying key areas for improvement;**
(ii) **setting standards according to the 'best' practice found;**
(iii) **finding out how the 'best' companies meet those standards;**
(iv) **adapting and applying lessons learned from those approaches to meet and exceed those standards.**

Benchmarking systematically compares an organisation's business practices and standards against an industry leader in order to create new and improved business practices and standards that lead to a better products or services[1]. Benchmarking can help a particular business to achieve sustainable business excellence.

There are **four types of benchmarking, internal, competitive, functional, and generic**. Internal refers to benchmarking between business units within the same company, while competitive benchmarking compares one business with its competitor. Functional benchmarking involves comparing similar processes within an industry, and generic benchmarking compares business operations between industries that are unrelated. In most cases, benchmarking refers to the competitive type of benchmarking, measuring products, services, and practices against competitors.

Businesses may undertake the benchmarking themselves, or commission an independent agency or a consultancy firm to carry out the benchmarking. It is also possible that third parties compare different businesses and rank them on the basis of a set of indicators, for example on their economic performance[2], working conditions[3], environmental record[4] or corporate responsibility[5]. Fundamental to all types of benchmarking is the willingness to learn from other organisations and to change one's own policies and practices. Indeed, it would be useless for organisations that are not eager to learn and change to partner in a benchmarking exercise.

Can governments use benchmarking as a strategic management tool to measure and improve public policies? The answer to the question is rather simple and affirmative in so far as governments themselves operate as a business when they employ people, produce public

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[1] See Annex 6 and EFQM, Excellence One Toolbook for Benchmarking (Brussels: EFQM 2003).
[2] "Fortune 5000" (Wikipedia, 25 October 2006) http://nl.wikipedia.org/wiki/Fortune_500.
[3] Ernst & Young. http://www.ey.com/global/content.nsf/International/Home.
[4] "Environmental Performance Measurement Project" (2005) http://www.yale.edu/esi/.
[5] Johan Graafland, S.C.W.Eijffinger and H. Smid, "Benchmarking of corporate social responsibility: Methodological problems and robustness" (Journal of Business Ethics vol. 53, n.1-2, 2004) 137-52.

goods and deliver public services. In that case they can undertake benchmark exercises of all four types. As a matter of fact some governments, (semi-) governmental and intergovernmental agencies are already involved in benchmarking([6]).

To the extent that governments act as policy-maker, arguably the core business of government, the question is more difficult to answer. First, public policies come about in a democratic process of decision-making and are subject to democratic control. Parliaments play a key-role in those processes and benchmarking should in no way been seen as a substitute for democratic decision-making and control. It can, however, become an instrument part of democratic decision-making as a means to improve (a) the policy-formation and (b) the quality of its programmes and projects as well as (c) legislative enforcement and (d) policy implementation. In the same way that the results of private sector benchmarking informs company policy, so could the results of public policy benchmarking inform the policy process and its outcomes.

Second, public policies and its constituent parts are supposed to reinforce each other and in that regard a management tool from a competitive environment may not seem appropriate. However, governments and governmental departments or agencies operating at different governance levels and with different mandates may actually be competitors of sorts. Whereas private companies may wish to improve their market position, governmental agencies may want or have to demonstrate that they are better service providers than private sector organisations. Governments operating at different governance levels may also for competitive reasons benchmark as a way to find out which level of governance is better positioned for achieving public goals. More importantly, benchmarking is not only and not exclusively a tool to become a formidable competitor. There are after all methods for co-operative benchmarking which aim to improve the quality of goods and services and the way they are produced.

Benchmarking in its simplest form is about choosing a point of reference from which everything else is measured. It is therefore difficult to see why this could not apply to public policies. How this business tool is adapted and used as a policy technique depends on what shape policies take and what is benchmarked.

1.1.2. Shaping benchmarking to policy with integration examples

Public policies take different shapes according to what role governments play and what policies aim to achieve.

Policies formulate a global vision of its goals and rationale, often based on a set of values and principles that policies aim to realise.

For example, a country or a city describes itself as an area of immigration and sets goals to attract migrants on the basis of openness and equal chances for everyone. Alternatively, a country or city does not see itself as an area of immigration but accepts that people come nevertheless and therefore describes itself as an area of settlement. It sets integration goals on the basis of inclusiveness and diversity.

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[6] See for example the web-based benchmarking tool for public authorities: "Public Sector Benchmarking Service" (UK Government, 2006) http://www.benchmarking.gov.uk/default1.asp#. Furthermore, see Jean-Philippe Cotis, "Benchmarking Canada's Economic Performance" (International Productivity Monitor, vol.13, Fall 2006) http://www.oecd.org/dataoecd/13/36/37716931.pdf.

Countries can be compared regardless of whether or not they have the same visions. However, benchmarking is more than comparing policies at a general and rather abstract level. The maximum that can be done at this level is indeed *comparing* countries on the basis of agreed global indicators for what it means to be a country of immigration or of settlement (or both). Another possibility is that the outcomes of benchmarking exercises undertaken 'lower' in the policy chain are brought together, compared, analysed and summarised. Either way, this is not benchmarking in the real sense of the word as will be explained below.

National policies can be inspired by international norms and standards, but can also be designed with a view to comply with these standards.

For example, countries adhere to human rights, migrants and refugee conventions and ratification can be monitored. Equally, Community law is binding upon Member States of the European Union and the transposition and implementation of Community law can be monitored.

Policies at one level of governance may set the conditions for or limits of policies at another level.

For example, European anti-discrimination law is incorporated into national anti-discrimination law that binds governments at all other levels. Or, national and not local policies usually determine who and how many people can enter, but the consequences are felt and have to be addressed notably at local level.

It is possible to benchmark compliance with international rules and standards just as it is possible to benchmark policy consistency and co-ordination between governance levels, because both policy processes can be broken down in identifiable steps (from inputs to outputs and outcomes).

Normally, general policies are broken down into identifiable and separate areas for which various and different actors are made responsible.

For example, to promote integration the economic participation of immigrants must be enhanced (for which ministries of labour are responsible), their full enjoyment of education should be secured (the task of education ministries) and they must be kept in good health (that is where health ministries come in).

One ministry may be the immigrant integration lead ministry. The choice for one gives a clear indication of the overall vision on immigrant integration or the priority area at a given moment in time. Ministries may compete with each other for this position.

Figure 1 (a) Policies contributing to integration and integrated societies
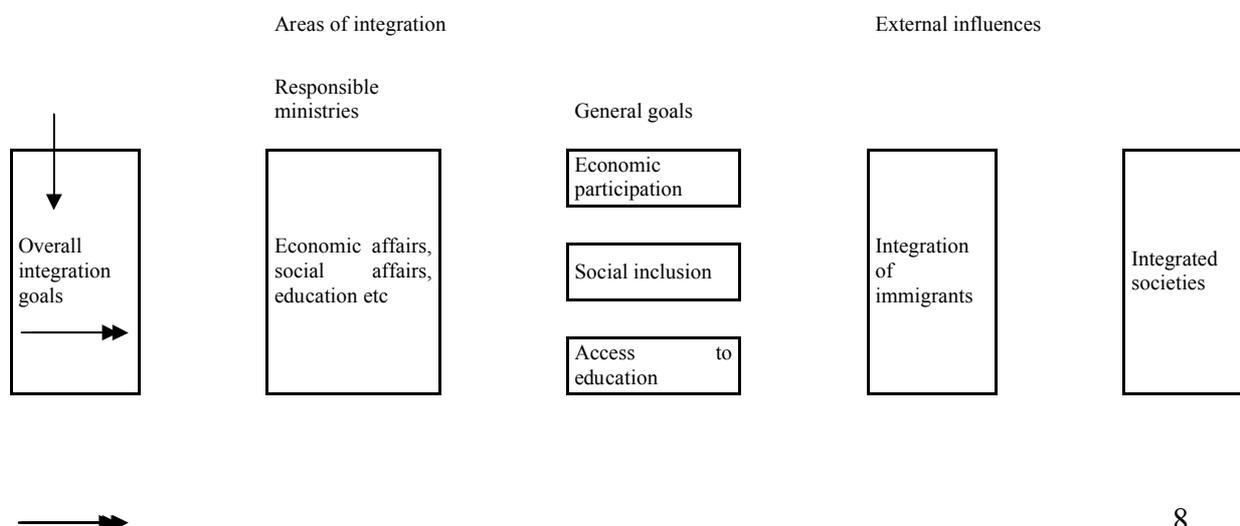
Once the division of labour between ministries and other actors is agreed, these agencies design their own (sub) general goals and objectives. Arguably this is still done at a level at which benchmarking is not really possible and the same applies what is stated under point 1. Benchmarking policies must become more tangible and practical and laid out in terms of input, process and output.

Benchmarking opportunities arise when general goals are translated into concrete measures and which take different forms depending on the role government is playing. They include:

- Laws and enforcement processes
- Policy measures and supporting programmes
- Financial support
- Facilitation
- Services

In varying degrees these measures are taken after a mapping and assessment of the situation. The target groups are mapped, their situation is assessed; areas of improvement are identified; possible remedies for problems and shortcomings are searched for; examples of what works and what does not work are studied; standards are selected and responses developed. Interestingly, all these steps show striking similarities with core elements of benchmarking. Benchmarking can thus fairly easily support the policy formation and implementation.

For example, laws and regulations are increasingly based on prospective Regulatory Impact Assessment (RIA)([7]). Community law is often based on an inventory of existing laws in the Member States or gaps in national laws. Laws set standards and aim to effectively change situations, practices and behaviour.

Law enforcement is an important policy output and that can be undertaken by government itself or by special agencies.

For example, specialised agencies (such as Equality Bodies) can be partially or entirely entrusted with the enforcement of anti-discrimination law. These agencies can benchmark their activities (all four types).

Integration policies often take the form of **concrete programmes and projects** and their implementation can be benchmarked, irrespective whether these are carried out by governmental agencies or by non-state actors.

For example, specialised agencies can support governments with the implementation of certain integration programmes. These agencies can benchmark their activities (all four types).

General policy measures may also have a direct or indirect impact on integration. This impact can be assessed before they are launched. These assessments provide useful information for a benchmarking exercise.

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[7] OECD, Regulatory impact analysis inventory (2004)
http://www.oecd.org/document/49/0,2340,en_2649_34141_35258801_1_1_1_1,00.html. and European Commission, Impact Assessment Guidelines (SEC (2005) 791).

For example, a Social Impact Assessment (SIA)([8]) of general housing policies establishes how policies address vulnerable groups, including immigrants. An Equality Impact Assessment (EQIA)([9]) establishes how general educational policies promote or hinder equality for all.

Governments may support financially integration projects and **funding schemes** can be benchmarked to find out what kind of subsidies make people dependent or on the contrary self-reliant and what kind of subsidies enhance sustainability.

For example, welfare to work programmes, or financial and tailor-made support for ethnic minority entrepreneurs can be benchmarked on their effectiveness and efficiency (all four types of benchmarking).

Governmental policies often aim to **facilitate co-operation** between stakeholders and the various programmes and projects in this area can be benchmarked.

For example, projects to engage immigrants and other stakeholders in integration programmes can set benchmarks for intensity and quality of participation, for the quality and effectiveness of dialogue and negotiation mechanisms.

Last but not least, government provides services and as is the case with all **service providers**, their activities can be benchmarked. In some instances the services concern the provision of health, education and security for all citizens. Hospitals and schools and the police can benchmark the way they work and produce the desired goods and services. In other instances, services are more of an administrative character (for example, the issuing of permits in time, expeditiously and without bureaucratic hassle). Ombudsman institutions play an important role in ensuring that this is done correctly and these offices can enhance their impact by benchmarking. In yet other instances governments outsource the provision of certain services to the private sector where benchmarking is an accepted practice.

In short, as far as service provision is concerned governments, semi-governmental and non-governmental agencies can benchmark service provision.

To benchmark policies it must be clear what is benchmarked. Irrespective of the shape policies take, a distinction should be made between policy results, processes and standards. Benchmarking policy results compares outcomes and outputs of different policies. For that purpose, output and outcome indicators are developed. Benchmarking policy processes analyses policies and its programmes and activities, which turn resource inputs and outputs into outcomes. For this purpose performance indicators of effectiveness and efficiency are developed. Benchmarking can also establish standards that policies aspire to achieve. These standards are often expressed in global indicators and they serve as targets or benchmarks.

In general terms, inputs are resources that contribute to a programme activity and could include financial and human resources. Activities are what an organisation does with the inputs in order to achieve its mission. Outputs are tangible products of these activities. In themselves, they are not the objectives of the organisation. Outcomes are the benefits or changes for the intended beneficiaries. They tend to be less tangible and therefore less countable than outputs. Outcomes are usually planned and are therefore set out in an organisation's objective. Outcomes may be causally and linear related, meaning that one outcome leads to another and so on, forming a linear sequence of if/then relationships. Impact is all the changes resulting from an activity, programme or a policy. It includes intended as

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[8] International Association for Impact Assessment (IAIA), "International Principles for Social Impact Assessment," (2003) http://www.iaia.org/Members/Publications/Guidelines_Principles/SP2.pdf.
[9] See for instance "Equality and Diversity Impact Assessment Toolkit" (Scottish Executive, 2006) http://www.scotland.gov.uk/Publications/2005/02/20687/52421.

well as unintended effects, negative as well as positive, long-term as well as short term[10]. What is benchmarked and what type of indicators and benchmarks can be developed is summarised in fig 1 (b).

Figure 1 (b)Performance measurement: inputs, outputs, outcomes and impact([11])
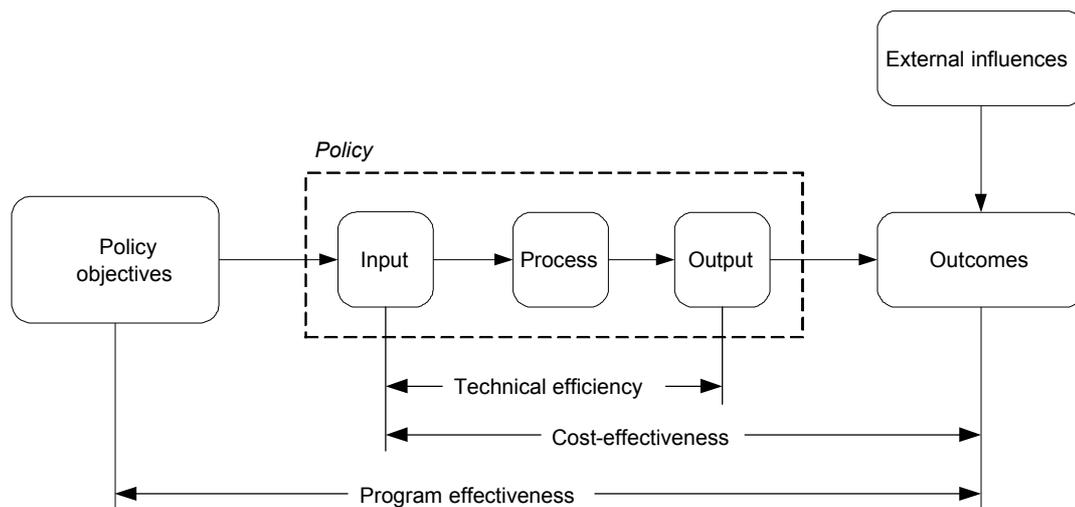
To conclude, public policies and thus integration policies can be benchmarked provided that they are broken down into policy objectives, inputs, process, activities, outputs, outcomes and impact.

1.2. Core elements of benchmarking policy

Benchmarking public integration policies can only take place when declared integration policies exist and public actors and supporting agencies formulating and implementing them. The what can be called the **integration governance structure** (Chapter IV) must be mobilised in order to: decide on what and when to benchmark, to allocate resources, to generate knowledge; to identify and select partners, to mobilise stakeholders and to implement the recommendations resulting from the benchmarking. There are a number of core elements which are part of every benchmarking exercise and which can be captured under the headings **planning, mapping, analysis and implementation**. These elements will be described in term of stages and steps taken in benchmarking exercises([12]).

The first stage of benchmarking public policy concerns planning. The decision to benchmark is undertaken by the leadership of an organisation. They allocate their resources and commit themselves internally and externally. Internally, the first step involves selecting the subject area (what is the integration policy or elements thereof to benchmark?). Secondly, they must set out the process of benchmarking. Externally, they then must identify potential partners, such as ministries, agencies and/or civil society stakeholders. The internal and external planning is then pooled to establish a mutually agreed benchmarking protocol of engagement

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[10] Susan Wainwright, Measuring impact. A Guide to resources (NCVO, 2005).
[11] Based on Australian Productivity Commission's approach to performance measurement. See, Steering Committee for the Review of Government Service Provision, "Report on Government Services 2006" (Austrian Government Productivity Commission, 2006) http://www.pc.gov.au/gsp/reports/rogs/2006/index.html.
[12] Based on Robin Mann and Steve Welch, "The development of a benchmarking and Performance Improvement Resource" (Benchmarking: An International Journal, vol. 8 Issue 5, 2001).

and code of conduct with partners([13]). This agreement will put in place a structure for cooperation on benchmarking if a pre-existing structure cannot be exploited instead.

The second stage concerns assessments, through two stages of mapping and then analysis. Mapping commences with the identification of the target group of the subject area (integration policy). This definition is followed up by an identification of relevant available data sources from scientific analysis of available data to undertaking research on, for example, customer satisfaction (clients and beneficiaries) voting patterns (among citizens). Data sources can also extend to forward-looking studies on the changing needs among citizens (customers in business terms) and the existence of vulnerable groups (underserved markets in business terms).

The next step involves collecting the data and mapping the beneficiaries. After the investigation of beneficiaries, benchmarkers must agree on a specific definition of the policy and its goals. The policy situation is subsequently also mapped. This second mapping determines the gaps (impediments and areas of improvement) within the given subject area.

The second stage then moves on to its next stage, analysis. The effects of governmental action are assessed in different ways from performance and output and outcome assessments to retrospective and prospective impact assessments; from self- assessments and evaluations by third parties. The central idea behind the mapping and analysis stages is that goods and services, but also policies should and can be improved as well as the way in which they are produced or designed.

Benchmarking then moves on from policy assessments to the setting of standards. Potential partners should be aware from the outset that benchmarking is not a neutral exercise, but very much a normative exercise. The setting of standards is a core element of the operation. Sometimes standards are already set, for example by international organisations. Service providers, for example, declare that they want to comply with ISO norms and the benchmarking exercise starts with formulating in practical terms how a certain governmental branch or private sector service provider could comply with a particular ISO norm. Adherence to international conventions (for example, on human rights) and policy standards (devoting a certain percentage of GDP to international aid) are other examples. Standards may also be developed on the basis of identifying and studying good policies and practices. The best policies and practice will then serve as the norm. In either case, benchmarkers set standards according to the 'best' practice that can be found.

After analysis comes implementation. Finding out, describing and understanding how organisations actually meet the standards is another core element of benchmarking. A number of techniques are used for that. A simple method is the study of publicly known information (for example, annual reports of governmental departments and agencies). Team-visits and seminars is a method universally used both in the public and private sectors. More sophisticated methods are peer review and personnel exchanges.

Acting on the outcomes of the benchmarking exercises probably constitutes the most challenging element of benchmarking. It represents the design and implementation of measures, indicators, targets and benchmarks, which help to close or substantially narrow the gaps between current policies and practices and the desired policies and practices. Core elements of implementation are communication among the benchmarkers, the adjustment of goals and review, which requires an environment open to learning and change. Afterwards, partners must also commit to review the process in order to re-calibrate and refine their system with the aim of reporting the results of the exercise and recycling the process over time and over new subject areas.

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[13] For example, Annex 6, EFQM's Benchmark Code of Conduct.

The stages and steps can be summarised as follows:

(a) Planning
- identify subject area
- define the process
- seek potential partners
- establish a benchmarking structure

(b) Assessment

(i) Mapping
- define the policy beneficiaries
- identify data sources
- collect data and map beneficiaries
- define the specific policy
- map the policy situation (impediments and areas of improvement)

(ii) Analysis
- undergo retrospective or prospective policy assessments
- set standards
    - identify international standards
    - search for and study best practice

(c) Implementation
- Identify and study best practice organisations
- Engage in team visits, seminars, peer reviews, personnel exchanges
- Design measures, indicators, targets and benchmarks
- Implement measures
- Maintain communication channels
- Adjust benchmarking goals
- Report, review and re-calibrate process

Ideally any benchmarking exercise will contain all core elements and take all the necessary steps. However they may vary in terms of comprehensiveness and intensity. Based on the comprehensiveness of the process, a benchmarking process can be judged as either full or partial when only a few of these elements. Likewise, one can distinguish between profound or light benchmarking depending on the resources and time involved. This framework can be employed to assess benchmarking or benchmarking-like process at different levels of governance and to suggest improvements in their mechanisms and methodologies.

Conclusions

- Governments can benchmark and partner in all types of benchmarking when they act as a 'business', that is when they employ staff and produce goods and services
- Governments at all levels of governance can also benchmark policy formation and implementation and partner with governmental agencies and other stakeholders
- For that purpose, policies must be broken down into policy objectives, inputs, process, activities, outputs, outcomes and impact
- Integration policies can be benchmarked with a distinction between policy processes and results. It can become an instrument to support the formation of integration policies and reinforce implementation
- In this way, benchmarking can become a means to identify and learn from successful integration policies as a contributing factor to successful integration

Recommendations

- Benchmarking should become a more widely accepted instrument for public policy formation and implementation; it should not replace, but strengthen parliamentary control

- Various stakeholders can benchmark integration policies and practices in accordance with their mandate, interests and perspectives

- Parliaments should encourage governments and non-governmental stakeholders to use benchmarking to improve the quality of public goods and services

- Resources should be made available for the comprehensive and full benchmarking of integration policies. The recommendations resulting from the exercise should be made public

- Parliaments should benchmark aspects of their own integration policy work as well

CHAPTER II. BENEFICIARIES: MIGRATION AND EUROPE'S DIVERSE POPULATION

Who are we addressing when we benchmark integration policies?

Migrant populations are becoming increasingly diverse and undergoing complex demographic shifts. These changes they share with the populations of which they become a part, as Europe continues to address its diversity and long-term demographic transformations. The first part of the chapter describes the immigrant beneficiaries of integration policies. It builds a definition of migrant categories from an investigation of the migration-integration nexus. The chapter identifies sources of information for these categories of migrants that are pertinent to benchmarking and describes in generic terms the quantitative and qualitative datasets available across the EU. It then considers gaps in terminology, data collection and comparability as well as academic and EU-sponsored endeavours to remedy these shortcomings.

The second part of the chapter undertakes this data collection and comparison exercise to provide a **map of Europe's diverse population as a starting point for potential benchmarkers** and further statistical investigation. It examines immigrants first as part of the sizable group of international migrants and then as part of the changing population of the European Union as a whole and of individual member states. Where appropriate and when possible, data concerning immigrants is compared across the EU 25 and contrasted with data concerning the overall population in Member States. The exercise demonstrates the importance of **disaggregated data on various groups within the immigrant population**. It aims to distinguish between various immigrant groups by migration motive, country of origin, gender, age, employment, education and social position. This consideration of origins, competencies, access and attainment levels speaks to the convergences of outcomes among immigrants and with native populations that bring about successful integration processes.

2.1. People in the migration - integration nexus

Reliable, comparable and recent data is critically important for any benchmarking exercise. In order to establish the relevancy of data and its sources, the report maps the migration pathways and policy streams that create the conditions for integration policy. This approach allows integration policies to be considered in the context of the divergent migration situations that exist in EU Member States and how they engender diverse challenges and opportunities for integration policies.

This section on migration-integration nexus describes a number of different categories of migrants. The impediments and opportunities to integration for each of these groups will differ in type and intensity. It is essential that the differences in migration category be taken into account when interpreting the performance of immigrants in any benchmarking exercise. This is particularly important when benchmarking the participation of immigrants in the labour market or their usage of welfare and other services, where the outcome has the potential to reinforce negative stereotypes.

Figure 2(a) shows in the left column the pathways of individual migrants: from (reason of) their **mobility**, via **entry** and **settlement** to **adjustment** and **participation**. The left column summarises the **corresponding policy fields**: from international relations and needs and impact assessments to migration policies, socio-economic policies and citizenship and integration policies. Brief descriptions of each of the two columns are followed by an identification of related information sources.

Integration into receiving societies greatly depends on the individual's **reasons for migration** and their aspirations and capacities to migrate and a build a new life elsewhere. Migration can be a survival strategy, as a response to harsh situations and harmful circumstances, such as poverty, uneven distribution of income and opportunities, the breakdown of the economic and social fabric and political repression. Migration can also be an opportunity strategy, as a means to find the best place to realise one's life and livelihood and to match personal skills with favourable circumstances abroad. In both cases, it is evident that global economic disparities and opportunities gaps between countries act as the key drivers of international migration. Those individuals who chose to migrate, men and women alike, tend to be young, entrepreneurial and risk-taking. Their motivations, aspirations and capacities contribute to receiving societies and could enhance their integration.

The corresponding policy stream on (cross border) mobility reasons concerns **questions of international relations**. The international agenda touches on questions of motivation through cooperation on population issues such as urbanisation, balanced population growth, etc. and the promotion of human rights: from civil to political rights, to socio-economic rights and cultural rights.

Intergovernmental cooperation regulates aspirations towards forced and voluntary migration through distinct channels: refugee protection, establishment of and support for migration regimes (in receiving countries as well as in regions of origin and transit), fight against human trafficking, working on security issues, etc. The elimination of barriers for the free movement of labour and service provision is also an issue on the international agenda.

Figure 2 (a) Migration – integration nexus

Migration pathways	*Policy streams*
1 Mobility reasons	**International relations and development**
Motivation	Population and human rights policies
Aspiration	Acting on forced or voluntary movements
Capacity	Transferability of capital, knowledge and values
2 Migration purpose	**Needs assessment and admission**
Migrant workers; students;	Economic migration
Family members;	Social Migration
Refugees	Protection
3 Settlement	**Immigration rules and procedures**
Entry conditions	Degree of free movement
Residence conditions	Security and transparency
Rights and responsibilities	Access and equality
4 Adjustment	**Socio-economic policies**
Adaptation to socio-economic requirements	Assessing human resources needs
Acquisition of new competences	Matching supply and demand
Risk-taking and entrepreneurship	Bridging conflicting interest
5 Participation	**Citizenship and societal integration**
Economic contribution	Dynamic economies
Socially engaged	Open societies
Active citizen	Diversity

The capacities of migrants are addressed in the design of international codes for employment and self-employment, the promotion of transferability of human capital and the recognition of skills and qualifications. The capacities of immigrants are affected by the events and developments in their countries of origin (i.e. educational levels, employment opportunities, exercise of democratic laws and civil society freedoms). Conversely, migrants contribute to capacity-development in their countries of origin (transfers of money, knowledge and values).

Conditions for integration are also determined by the different purposes for migration: employment, family reunification, study and international protection. This set of migrant purposes lead to differential treatments by host governments and societies. Governments certainly approach integration differently for a newcomer with a work contract and paid plane ticket in hand and a newcomer with a dangerous journey behind them and a long stay in a reception centre ahead of them. Public perceptions and sentiments towards these various groups of migrants depend on their purpose and skill-sets as migrants, which also impacts pathways to integration.

The **purposes of migration** stream provide a useful context for interpreting the integration outcomes. Immigrants are given permission to reside in a Member State on the basis of their skills in order to meet labour market needs. Therefore, it could be expected that skilled and labour migrants should have higher rates of employment and labour market participation than natives.

People with a need for international protection, on the other hand, are given permission to reside in a Member State on the basis of its commitment to universal human rights principles and international law. People genuinely in need of international protection will have experienced trauma, and perhaps torture, and may have had little access to basic services such as health and education. While every effort should be made to ensure that people in need of international protection could become productive members of the host society, it would be unreasonable to expect them to have the same outcomes as natives.

The corresponding policy stream deals with defining migrants by their purpose and **establishing the rights and responsibilities of both immigrants and state authorities**. International refugee law and jurisprudence establish the definition of a refugee and national authorities are bound to humanitarian commitments to offer protection. European and national law also includes definitions of humanitarian and temporary protection. The definition of a migrant comes from the United Nations, whereas European conventions and national laws dictate categories of migrants for employment, family reunification and study. The national and regional levels provide assessments of demographic developments and labour market mismatches, which may lead to the design of a pro-active immigration policy.

Migrants who fall into the different established categories meet **different settlement conditions** through subsequent entry and residence requirements. Immigration policies and law determine the degree of free movement entitlements for immigrants depending on their conditions of entry. Often they make distinctions between nationals, EU and EEA nationals and third-country nationals, providing them different opportunities to integrate. National authorities also usually distinguish between a stay shorter or longer than three months (visa policies) and shorter and longer residence. Five years represents a turning point in many instances, where immigrants acquire greater and more secure rights (permanent residence).

The necessary permits range from entry permits to work and residence permits; from family reunion to family formation, from applying for asylum to acquiring refugee status. These permits are allocated through a variety of procedures of different length, criteria and cost. They can be acquired expeditiously or, in many instances, with long waiting periods and bureaucratic hassle. **Immigration rules, procedures and permits** can either capture or diminish opportunities for integration. Ideally immigrants obtain with these permits a secure

and transparent legal status underpinned by principles of access and equality. Security of status and equal opportunities, rights, and obligations enhance integration. Immigrants are allowed in such settlement circumstances to learn the language, adapt and improve their skills, and invest economically and socially in the host country.

Settled immigrants work and employ their skills under **different adjustment circumstances**. Their skills may be undervalued or under-utilised at work, where they may equally be vulnerable of exploitation and discrimination. In such cases, immigrants must repeatedly prove their value and adjust their working methods to new and rapidly changing labour situations. Against these pressures, many assert an entrepreneurial spirit to take risks and acquire new skills and competencies. Earning their living as employee or entrepreneur and taking care of their families fulfil their migration aspirations and enhance their integration.

Assessments of human resources needs should inform socio-economic policies. Instruments to match supply and demand include reducing unemployment, removal of employment barriers for specific groups (women, minorities, the elderly etc.), promotion of life-long learning and acquisition of competences, and the recruitment of foreign labour (selective immigration). Conventional assessments consider the impact of immigration in terms of the effect on wages and the employment rates of certain categories of workers. These investigations aim to reconcile any conflict of interest between low-skilled native workers and immigrants or between categories of native and immigrant high-skilled workers. National policy approaches perceive an exchange between the economic benefits of immigration and its social costs on the overall population([14]).

The independence and self-reliance that emerges from the economic participation of immigrants lays the foundation for their societal integration. Employment and self-employment imply that immigrants interact with their local environment and may expand their participation beyond the labour market to actively contribute to an open and diverse society's well-being, as volunteers and members of trade-unions, religious groups, and community and political organisations.

In a review of this migration-integration nexus, the interconnections demonstrate that open and dynamic economies mobilise human resources and increases competence levels of all members (life-long learning). Inclusive societies offer equal opportunities for all through anti-discrimination policies and social inclusion strategies. Therefore policies can at once capitalise on diversity and address its challenges. The integration of immigrants begins with the opening up of mainstream institutions for people with different cultural backgrounds, religious belief and ethnic and racial background. The mobilisation of human resources and competences hinges on the tailoring of public and private services to the needs of a diverse population.

To summarise, there are many factors that play a role and must be taken into consideration when integration policies are designed and implemented (see fig 2 b).

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[14] See Thomas Bauer, Magnus Lofstrom and Klaus Zimmermann, "Immigration Policy, Assimilation of Immigrants and Natives' Sentiments towards Immigrants: Evidence from 12 OECD-Countries," (Bonn, 2000).

Fig 2 (b) Integration factors and policies

Migration-Integration Nexus	Policy Streams	Integration Policy Goals	External influences
Mobility	International relations, development, population and human rights	Economic participation	
Migration purpose	Needs assessments, admission and protection	Social inclusion	Integration of Immigrants
Settlement	Immigration and residence rules, procedures and rights	Access to education	Integrated Societies
Adjustment	Socio-economic policies Assessing and improving skills	Civic citizenship	
Participation	Citizenship and societal integration		

2.2. Legal definitions of migrants

The migration-integration nexus brings to light many categories of migrants, some of which do not fall under the scope of all integration policies. This section presents **definitions of these different categories of migrants** and how these **fluid categories change over time**.

Figure 2 (c) presents the different categories of non-nationals that live in EU Member States based on legality and their nationality. Two definitions are relevant for these categories:

- A non-national is a person who is not a national of a given State.

For non-nationals, the determining factor is citizenship. A non-national need not have crossed an international border.

- A migrant is a person who moves to a country other than that of his or her usual residence.

For the purposes of this report, the term migrant is used to designate "international migrant", that is, a person who has crossed a state's international border. Most migrants in a given state are non-nationals, but can also include nationals born abroad.

Figure 2 (c) Categories of Migrants and Target Groups for Integration

Legally-resident non-nationals   *Legally-resident migrants*

Legally-resident third-country nationals

Stateless Persons
EU Citizens

Migration for Employment, Family reunification, Humanitarian reasons, Study and International Protection

Returned Emigrants

Bold = personal scope of EU Integration Policy

non-legally-resident migrants

undocumented migrants

All of the following groups are residents in a given state. The two spheres above represent those immigrants with legal residence. Undocumented migrants, who are non-nationals without an authorisation to enter, stay or work in a given state, fall outside the spheres of legality and are classified as '**non-legally-resident migrants**.'

The left sphere concerns '**legally-resident non-nationals**,' who are authorised to live, stay and work in a given state without possessing its citizenship. The first group, stateless persons, like the Baltic Russians, possess no nationality. These groups may not have crossed international borders; instead, international borders have crossed them and shifted citizenship laws. Questions have arisen over the recognition of these groups as national minorities and our facilitated avenues to citizenship in Latvia and Estonia. It is worthy to note that the grouping of non-nationals does not include **recognised national minorities**, who have been granted citizenship and additional legal arrangements codified under international and European human rights agreements.

This sphere also includes **non-nationals with EU citizenship**, who are sometimes referred to as second-country nationals or EU internal migrants. **EU citizens living in another EU country** are considered under EC law as citizens exercising their right to free movement, and not as migrants. While this legal status implies that EU citizens should not be classified as non-nationals just as other non-nationals, statistics of national and international organisations usually treat them as such. Figures that use the number of non-nationals or foreign-born as a proxy for the immigrant population counts them.

EU Citizens of eight of the 2004 enlargement countries, excluding Cyprus and Malta, are subject to **transitional restrictions** on their free movement as workers. Since 1 May 2006, eight of the EU 15 Member States had decided to lift these restrictions, five promised to lift them gradually before 1 May 2009 and two (Austria and Germany) will maintain them until at least 1 May 2009. Bulgarian and Romanian citizens will also be subject to transitional restrictions upon accession in 2007 for at most five years.

The right sphere includes '**legally-resident migrants**,' who crossed an international border to enter the given state. **Returned emigrants** are foreign-born nationals who repatriate after years or generations, according to the perimeters of national citizenship laws.

The overlap between these two spheres represents '**legally-resident third-country nationals**.' Within the European context, the term EU non-national is often replaced by third-country national. The European Union defines a third-country national as a person who is not a citizen of the Union within the meaning of Article 17(1) of the EC Treaty. This group includes all migrants, both foreign nationals and stateless persons, who legally crossed the state's international border for the **purposes of employment, family reunification, humanitarian reasons, study and international protection**.

This definition of 'legally-resident third-country nationals' (TCN) **changes over time** and becomes **differentiated into different sub-groups**. This differentiation depends on the rates at which TCN gradually acquire new rights and responsibilities and take on new statuses throughout their residence. **TCNs pursue different pathways over time through the various stages of status that lead towards naturalisation.** Migrants pass through bureaucratic procedures and obtain documents that serve as channels into each new status.

With the border crossing as the first channel, legally-resident third-country nationals are **migrants** according to the previously stated UN and EU definition:

- A migrant is a person who moves to a country other than that of his or her usual residence for three to twelve months

The title of migrant, and not immigrant, suits this group of TCNs who largely maintain the assumption of return within this transitory 3-month to 1-year period. DG Justice, Freedom and Security (JLS) often refers to these migrants as **newcomers**. The visa and/or work permit entitling the individual to cross the border reinforces the rights associated with this status.

Those migrants who stay longer than one year begin to outgrow the UN and EU definition and pass into a new status as **immigrants**. Their continued residence constitutes a statement of their intention to stay and undertake the process of settlement. The renewal of a residence permit is likewise a statement of the host society's intention to receive them as legally settled residents. This exchange of commitments between the individual and the host society transforms this group into immigrants.

After less than one-year in some cases, TCNs become not only immigrants, but also **sponsors** through the right to family reunification, which the European Union has codified in the 2003 Family Reunification Directive([15]). Family reunification implies that policies should not merely consider immigrants **not as individuals, but as members of a family**, which may include registered partners, minor children and other members of the extended family depending on national law. These two statuses of immigrant and sponsor are mutually reinforcing, since bringing together a family in the country of residence confirms that settlement is unlikely to be temporary. The European Union regards the exercise of family life in the country of destination as an essential facilitator of integration and social cohesion, which will be examined in detail in Chapter VII.

Between the three- and five-year marks, new pathways open up to assume new statuses, rights and responsibilities. Depending on national laws, immigrants may choose to raise and secure their status as **long-term residents**. The Council Directive concerning the status of third-country nationals who are long-term residents establishes minimum standards for the rights and responsibilities of this status([16]).

- Long-term residents are third-country nationals who comply with certain conditions: stable resources, sickness insurances for themselves and their family and possibly further integration conditions, such as language proficiency.

The status of long-term resident accords immigrants equal treatment with nationals as regards the realms of employment, education, welfare benefits, social assistance, social benefits, freedom of association and union membership, free movement within the territory as well as protection against expulsion. Member States must recognise long-term resident status at most after five years' continuous legal residence through the granting of a long-term or permanent residence permit.

At this same channel, citizenship becomes available to immigrants depending on national law. The length of residence required for the naturalisation of first-generation immigrants extends from three and four years in Belgium and Ireland respectively to ten years in Austria, Italy and Spain([17]). The preconditions for naturalisation may include a clean criminal record, stable resources, sickness insurances and usually integration conditions, such as knowledge of a country's language, history and/or constitution. Naturalised immigrants disappear from the dataset of third-country nationals altogether since become indistinguishable from the general population as **citizens** with equal status, rights and responsibilities.

These two new statuses, long-term residence and citizenship, cause immigrants to become differentiated over time with differing legal statuses. Some remain immigrants by renewing their residence permits; some become long-term residents by securing a permanent residence permit; while others choose to become citizens by acquiring a passport. The completion of integration measures may be a precondition for both of long-term residence and citizenship, which marks the two statuses as the culminating processes in the wider integration process.

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[15] 2003/86/EC.
[16] 2003/109/EC.
[17] Rainer Bauböck, Eva Ersbøll, Kees Groenendijk, Harald Waldrauch, The Acquisition and Loss of Nationality in 15 EU States (NATAC, 2006).

Figure 2 (d) Categories of legally-resident third-country nationals over time

Migrant *Immigrant/Sponsor* 1 2 *Citizen* 3 *Long term resident* 4 *Immigrant* 5

0m 3m 1y 2y 3y 4y 5y 6y 7y

Visa/work Permit

Border Crossing

1 Year Renewed Permit(s)

3 to 5 Years Long-Term/Permanent Residence Permit

3 to 10 Years Citizenship/Passport

m = months, y = years
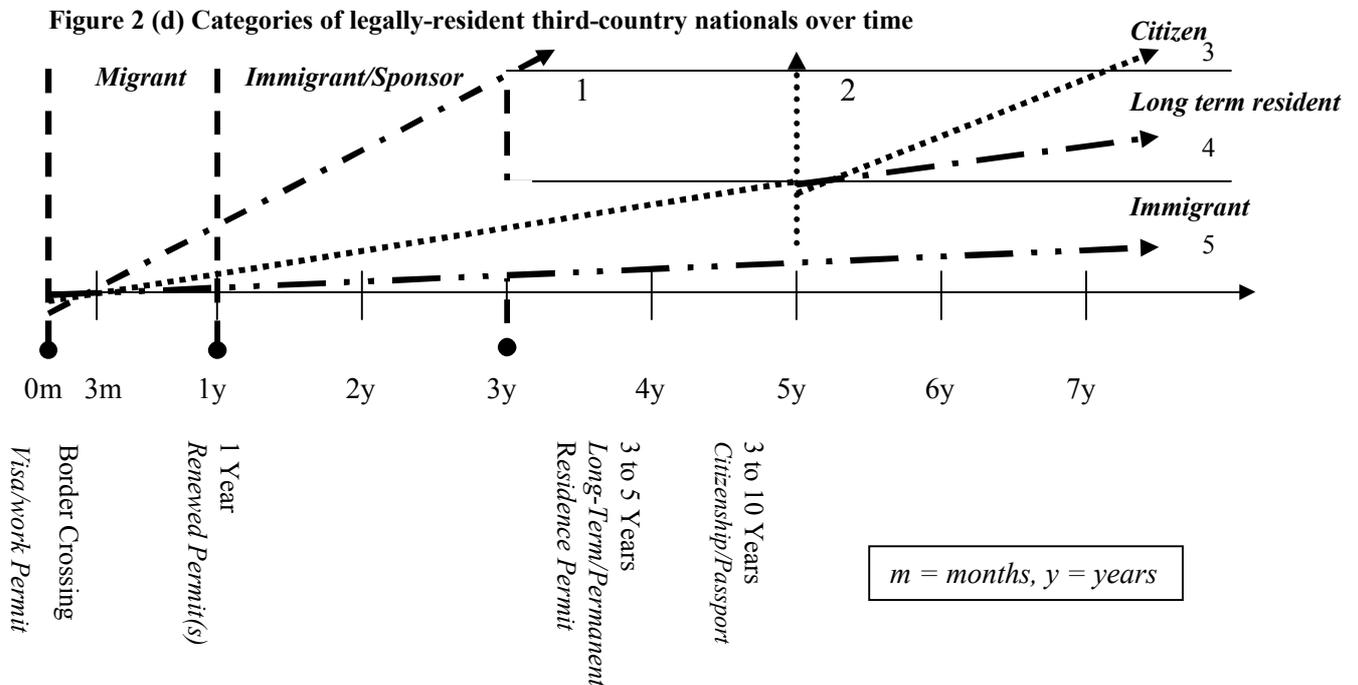
The five trajectories illustrated in Figure 2(d) reveal the different pathways that TCNs may pursue at different rates depending on their personal choices and national law. In a country like Belgium, Immigrant 1 can obtain citizenship in three years, before a long-term residence permit is even available. Or, in the case of Immigrant 2, immigrants may choose between an application for long-term residence or for citizenship. Others like Immigrant 3 may approach them in a sequential manner progressing from immigrant to long-term resident to citizen over a longer period of time. Although this gradual acquisition of rights over period of residence culminates in the right to naturalisation within three to ten years, the pathways of many third-country nationals do not culminate in citizenship, whether by choice, complications or circumstance. Immigrants 4 and 5 may remain long-term residents and immigrants respectively for the rest of their lives or periods of residence.

This section has offered a **set of legal definitions of migrant categories** from returned emigrants, stateless persons, EU citizens, undocumented migrants and legally-resident TCNs. The category of TCN has been **differentiated by migration purpose** (employment, family reunification, humanitarian reasons, study and international protection). Likewise, TCNs become **differentiated by legal status over time**, based on length of residence and pathways towards citizenship (migrants, immigrants, sponsors and long-term residents).

As figure 2(b) suggests, not all categories of migrants will fall under the scope of a given integration policy. Justice, Freedom and Security (JLS) has selected a specific European Union target group within its integration framework, as other European benchmarkers must also do within any benchmarking exercise.

Benchmarking involves not only Justice and Home Affairs, but also Ministries like Education, Culture, Health or Housing or stakeholders like migrant organisations, religious societies, or trade unions. These potential benchmarkers will select different categories of migrants as their target groups for data collection, according to the actors' contexts, institutional mandates, capacities and services provided.

For instance, Interior Ministers may decide to examine access to the right to long-term residence. This decision sets their target groups as immigrants and their families, based on

disaggregated data on different lengths of residence, living and family situations and stages of life. Health care providers, on the other hand, care less about legal status and thus would select a wider group, including asylum seekers, irregular migrants and second and third generations. They may investigate questions of accessibility through comparable statistics on age, gender and language ability. Educational bodies may consult integration benchmarking for the development of foreign student orientation programs, while the same process may occur with employers for introductory programs for seasonal workers and reception centres for asylum seekers. Given the wide range of actors involved, all categories of migrants may be relevant to suit different benchmarking exercises on integration policy. To that end more information on the often very diverse background of the various groups of migrants is needed than their legal status

Chapter III will explore the emergence of integration target groups at the European level and consider its implications for benchmarkers in the process of selecting their own target groups.

2.3. Sources of Information

2.3.1. Finding information

After an explanation of the information and legal definitions relevant for benchmarking integration, the report describes the sources of information in generic terms on the different categories of migrants.

With references to the migration pathways and corresponding policy streams in figure 2(a), the **sources of information on mobility reasons** include life stories of migrants and refugees, national and international governmental and non-governmental reports as well as scientific literature. Information on the country of origin can be found in reports of development and human rights agencies. These sources provide general background information on migrants as well as person specific information such as gender, age, education, etc.

The UN' Office of Population Studies publishes useful information and operates a few on-line databases([18]) on **migrant flows and stocks**. The Office puts population developments, international migration and urbanisation in a global and comparative perspective. Over rather long periods of time the same sort of information is gathered and presented in an easy accessible way. The same definitions are used for all regions in the world and the same sources of information consulted.

Sources of information regarding the **purposes of migration** include global and regional human rights instruments and reports of treaty bodies (including the European Court of Human Rights case law), overviews prepared by international specialised organisations, and country-by-country overviews. Demographic information on the composition of the overall population and immigrants and economic outlooks can be found in statistical yearbooks.

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[18] "What's new?" (U.N. Department of Economic and Social Affairs: Population Division, 2006) http://www.un.org/esa/population/unpop.htm.

Figure 2 (e) Sources of information

1 Mobility and international relations

UNFPA and other population reports
UNDP Development Index
Reports on Human Rights prepared by governments and parliaments
Global and regional Migration and Refugee reports publishes by official agencies
Reports by NGOs and interest groups on development and human rights issues

2 Migration purpose needs assessments and admission

Reports prepared for and/or by International Human Rights Treaty bodies
International case law and soft law
International overviews or studies on immigration and asylum policies and law
International reports on implementation of immigration related issues
Demographic reports and statistical economic yearbooks

3 Settlement and immigration rules procedures

Compendiums of national immigration and naturalisation law
International comparative overviews
Population register
Aliens register
Residence Permit database

4 Adjustment and socio-economic policies

Labour market statistics
Labour market and household surveys
Employment reports and national action plans
Observatories on policy implementation
Reports of interest groups and NGOs

5 Participation, citizenship and societal integration

National action plans on employment and inclusion
Employment rates and other related information
Overviews of policy measures
Situation and policy monitors
Surveys

Data on **settlement and immigration policies** and law can be found mostly at national level (compendiums of national law). These highly complicated areas are the terrain for lawyers and other specialists. International comparisons are difficult to produce, but some reports compiled in preparation of new international or European legislation have been assembled. Others are the creation of associations of lawyers, specialists or interests groups who compare particular aspects of immigration law. Various national and official registers monitor the size of the population, number of foreigners and the issuance of residence permits.

Adjustment and socio-economic policies come from labour market statistics prepared by national and European statistical offices and labour market surveys. The European observatory on small and medium enterprises contains valuable information on self-employment. The European Commissions' annual Employment report complements this information and place it in a broader policy context. National employment action plans provide additional information. Non-governmental agencies and interests groups make their own assessments of the situation from their particular perspective.

The sources of information on **participation, citizenship and integration** are manifold and differ enormously at local, national and international levels. National action plans on employment and social inclusion contain policy and qualitative information. A variety of sources can be examined for information on school participation, educational attainment, etc. National information is reasonably and increasingly comparable internationally. Information on participation in civil and political life is more difficult to compare and is often more qualitative than quantitative. The Council of Europe offers a useful overview of cultural policies. Finally, 'situation' and policy monitors in areas, which are directly or indirectly of importance for integration, provide valuable information applicable in benchmarking exercises. In this context various surveys should be mentioned dealing with social and cultural issues([19]).

2.3.2. Comparing information

Because migrants are defined under many different, flexible categories, recording the migrant population in a country is a complicated undertaking. The **major impediment** in compiling and comparing statistics arises from the **definition of migrants as either foreign-born people or foreign nationals.** The use of foreign-born counts EU citizens and returned emigrants (nationals born abroad) as migrants. Alternatively, the use of foreign nationals includes migrants and their second or third generation descendents who cannot obtain citizenship in their country of residence. It also incorporates those who do not choose to do so. The differential naturalisation rates across countries and migrant groups further confounds a foreign-national definition's attempt to statistically capture the country's migrant population.

The differences that emerge from the statistical use of these two definitions are significant. In some countries the foreign national population amounts to less than half the foreign born population. The foreign national population of Portugal constitutes 2.3% of the population, while the foreign born population represents 6.3%. In the Netherlands 4.3% are foreign nationals while 10.1% are foreign born. Consequently, the definition applied in statistics influences produces significant variations in the size of the migrant population. Furthermore, data compiled on foreign-born migrants in one country is **not readily comparable** with data on foreign nationals in another.

The different inclusions of affiliation with nationality or ethnic background in population censuses illustrate how definition and data collection mismatches can frustrate searches for comparable data sources([20]). The last population censuses of 9 of the 25 EU Member States (CZ, EE, HU, LT, LV, PL, SI, SK, UK) recorded nationality or ethnic background. Other relevant information on immigrants was recorded in 10 Member States (AT, CZ, ES, FI, HU, IE, LT, PL, SI, SK) regarding languages and 7 (AT, CZ, HU, IE, LT, SK, SI) regarding religion. Only 5 collected data on all three categories (CZ, HU, LT, SI, SK). On the contrary, the population censuses of 8 Member States (BE, DE, DK, EL, FR, LUX, NL, SE) do not collect any data on ethnicity, language, nationality or religious affiliation. Furthermore, the accuracy of this data is called into question whether these questions are mandatory (EE, PL, SK, UK) or explicitly optional (CZ, HU, SL. Benchmarkers are therefore unlikely to find comparable information from the same type of source and must pick and choose in order to manoeuvre around these mismatches.

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[19] Van Tubergen brought many of them together in the so-called International File of Immigration Surveys. See F. Van Tubergen, The integration of immigrants in cross-national perspective (Utrecht, 2004).
[20] Thematic Comment N 3 : The Protection of Minorities in the European Union : CFR-CDF.ThemComm2005.en (EU Network of Independent Experts on Fundamental Rights CFR-CDF, 2005).

Further difficulties arise when immigration statistics record the migrant population as those subject to immigration control. Although information is generated regularly on the number of work permits issued or asylum applications lodged, these figures often conceal differing numbers of dependants and proportions of the migrant population that are not subject to such controls.

The problem of those outside immigration controls begs the fundamentally paradoxical question of how to record the number of **undocumented migrants**, who by definition remain unrecorded([21]). The 'Residual' method examines the difference between official census and other registries of immigrants. This method is only applicable where undocumented migrants have a strong incentive to register for these inspections. Spain's provision of free health care provision in exchange for local registration provides a recent example of this inducement for undocumented migrants. In the majority of European countries, censuses and local registries undercount the undocumented population and invalidate any application of a residual method. A 'demographic' method argues that undocumented migrants still leave traces, however limited, in statistics and rates in the health care sector, for instance, where service-providers are less concerned with legal status.

Other methods search for indirect indicators that provide a postulated correlation to the undocumented migrant stock. Yet these indirect indicators also depend on the availability of reliable and relevant data. The Dutch 'capture-recapture' method relies on data from police in-country apprehensions. A similar method employs information from labour inspection apprehensions. Both fail to take into account the quality of data and enormous variability of the intensity of police and labour enforcement. These methods also ignore changes in undocumented behaviour over time, which are all influenced by a variety of exogenous factors like local surroundings, political climates, policies, etc. Indirect indicators based on apprehensions describe more about the efficacy of immigration law enforcement than the size of the undocumented population itself.

Indirect indicators based on regularisation are often judged to be the 'best' source of data on the undocumented migrant population in Europe. The number of undocumented migrants could be estimated from regularisation regimes as a proportion of the immigrant population using previous proportions as a guide. However, these estimates cannot properly account for changes in migration patterns over time. Likewise, the regularisation method overlooks those newly regularised migrants who, if given limited residence permits, may fall back into irregularity as overstayers.

Few official sources or scholars of undocumented migration even venture a scientifically superficial guesstimate of the number undocumented entrants or legal entrants with subsequent undocumented residence (visa and regularisation over-stayers). Jandl's 'rough picture' produces an estimate based on the combination of several statistical methods. Jandl's figures are presented alongside a few pulled from the OECD's 2006 International Migration Outlook.

In order to address the **urgent need for available and comparable data on asylum and immigration**, the Commission has set out a September 2005 proposal for a **Regulation on Community statistics on migration and international protection**. The Regulation would establish common and comparable statistics on migrant flows, stocks, naturalisation and administrative procedures. The Regulation would put in place common rules for the collection and complication of such statistics through common European definitions of the different categories of migrants, sources, quality strands, datasets and disaggregations sought. The migrant population would be disaggregated by age, sex, citizenship and country of birth.

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[21] Michael Jandl, "The Estimation of Illegal Migration in Europe," (<u>Emigrazione/Migration Studies</u>, vol. XLI No.153, 2004) 141-155.

The Commission could also have the right to set down other disaggregations based on employment status, occupation, industry, level of education and training, year of first arrival and region of current usual residence.

Proposal for a Regulation of the European Parliament and of the Council on Community statistics on migration and international protection COM/2005/0375
• Seeks to improve the quality, timeliness and comparability of Member State statistics to further the exchange of information on migration and asylum at the European level
• Would establish common rules for collection and compliation of Community statistics on immigration flows, stocks, naturalisation and administrative procedures
• Would set down disaggregations by age, sex, citizenship, country of birth, employment status, occupation, industry, level of education and training, year of first arrival and region of current usual residence

Towards the proposal's goal, the EU has funded two projects to make immigration data more reliable, available and comparable. The 'Comparing National Data Sources in the Field of Migration and Integration – COMPSTAT' project aims to overcome a knowledge gaps surrounding currently available datasets by compiling them into a meta-dataset. This meta-set is accompanied by descriptions of national systems for data collection that detail the institutions, methods and concepts involved. The COMPSTAT project covers eight countries Austria, Belgium, Germany, Hungary, Italy, the Netherlands, Norway and Switzerland. COMPSTAT leaves evaluations of the comparability of the various datasets in the meta-dataset to the researchers who are intended to use the database for broader and improved comparative investigations.

The 'THESIM: Towards Harmonised European Statistics on International Migration' project approached the same problem with a greater degree of stocktaking and accountability. This one-year project produced a series of 25 country reports, each of which documents the national sources of international migration data, related administrative procedures and registration systems in each EU Member State. This identification of data sources that meet or have the potential to meet the regulation requirements was intended to prime the implementation of an EU regulation on international migration and asylum statistics.

THESIM's recommendations provide valuable lessons for future data collection and comparability exercises in benchmarking integration policies. THESIM project concludes that the implementation of the EU regulation is a feasible goal, despite fundamental challenges on data-reliability, coverage and comparability. In its search for comparability, the EU could match up different but complementary data from different Member States that are unified by specific EU definitions of the different classifications of migrants. Member States should strictly apply the EU and UN definition of an international migrant, that is, based on twelve-months of intended or actual duration of stay. An in-country data-set requires registered emigrants to be separated out of these migration statistics. Migrants renewing their residence status should not be re-counted in order to count people instead of cases or documents. This segregation of data will permit statistics to reflect the number of persons who currently live in the country.

Likewise, statistics on asylum seekers should reflect their presence in the country and not solely their status. In keeping with a strict application of the EU definition, THESIM proposes that asylum seekers be counted as international migrants after one year of stay and similarly as emigrants after a final negative decision. "Disappeared" rejected asylum-seekers should not be discounted from the in-country statistics for the sole reason that that their case was closed and labelled as 'returned.' These methods would bring to light statistics on the actual numbers of migrants and asylum-seekers in-country by removing the classifications imposed on them by migration and asylum procedures.

THESIM project concludes with a call for greater investigation at the European level of integration statistics. It recommends the implementation measures of the EU regulation to devote "particular attention to hitherto unexploited data sources on the socio-economic characteristics of migrants"([22]), especially comparable statistics for integration indicators. However, THESIM interestingly considered that integration data collection should not to be organised by Eurostat but by Member States. The data required for the implementation of the integration fund, for instance, will issue from ad hoc data requests to Member States.

2.4. Mapping migrant flows and stocks

The report carries out its own preliminary search for reliable, comparable and recent data to provide a map of Europe's diverse population. This statistical exercise will flesh out the defined target group for benchmarking integration policies. The selected figures emphasise the **main characteristics of Europe's migrant populations that shape integration policy**. Particular aspects draw the attention of benchmarkers to **discrepancies in conditions and divergences of outcomes that merit greater statistical investigation**. This portrayal puts into perspective the integration policy required to surmount integration challenges by benchmarkers in particular countries.

This section follows Figure 1's migration pathways with an initial investigation of mobility reasons and purpose with information on migrant flows as an international phenomenon and countries of origin. It progresses to settlement conditions with a mapping of migrant stocks and countries/cities of immigration. Lastly, it addresses adjustment and participation through differential perspectives when possible based on age, gender, education level as well as economic, cultural and civic well-being. Disaggregated data must play a fundamental role in the mapping of immigrants.

This section highlights the major conclusions of each dataset, with a focus on comparisons of migrant populations across EU Member States and within States to the pre-existing population.

This exercise also serves potential benchmarkers as a lesson in the search for sources of information, data selection, comparison and their significant shortcomings specified in the previous section. **Comparable figures on third-country nationals across all 25 Member States were unattainable for most categories.** The map had to settle with certain uncharted areas where data is lacking from certain Member States or where data collectors employ different definitions depending on their different national (i.e. France) or institutional (i.e. OECD, UNHCR) methodologies. The mapping exercise indicates where figures possess limited scopes or include categories of migrants or non-nationals other than third-country nationals.

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[22] Michael Poulain, Nicolas Perrin and Ann Singleton, <u>THESIM: Towards Harmonised European Statistics on International Migration,</u> (Louvain, Belgium: Presses Universaitres de Louvain, 2006) 378.

2.4.1. Mapping migrant flows

International migrant and refugee flows in the World and in Europe
Table 1: International migrants and refugees globally and in Europe, 1980-2005
Source: Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat, "Trends in Total Migrant Stock: The 2005 Revision" (2005) http://esa.un.org/migration.
Scope: Migrants as foreign-born (including returned emigrants, EU citizens) or foreign-nationals, depending on national census

- The number of international migrants globally doubled in 25 years to 2000 million in 2005

- In Europe the number of total migrants tripled between 1980 and 2005

- The number of female migrants doubled as well and represents a minority of migrants globally but the majority of migrants to Europe since 1990

- The overall population has grown from 4.4 billion to 6.4 billion globally and from 480 million to 720 million in Europe

International migration by category of entry
Table 2: International migration by category of entry, selected OECD countries, 2004, harmonised data
Source: OECD, International Migration Outlook (2006).
Scope: Foreign-born (including returned emigrants, non-EU citizens) 10 EU Member States

- Over 50% of migrants to Portugal and Denmark enter for work purposes

- This figure is over 25% in the United Kingdom, Finland, Italy and the Netherlands

- Holders of humanitarian visas comprise over 20% of migrants in France, the Netherlands, Italy and Finland

- National migration (repatriation of nationals born abroad) plays a negligible role in the 10 EU Member States sampled, except Germany where it accounts for approximately 30%

Countries of origin: migration
Table 2 Ten Top source countries of immigration, 2000 and 2004, OECD Europe
Source: OECD, International Migration Outlook (2006).
Scope: Foreign-born (including returned emigrants, EU citizens), 18 EU countries + Bulgaria, Norway, Romania, Switzerland and Turkey

- Of the top ten countries of origin in the OECD Europe, three are EU-25 countries and half are EU-27

- The major third countries of origin in both 2000 and 2004 were Bulgaria, Morocco, Romania, Russia, Turkey and Ukraine

Countries of origin: asylum

Table 3 Origin of asylum applications lodged in the European Union, 2004 and 2005
Source: UNHCR, <u>Asylum Levels and Trends in Industrialised Countries,</u> (2005).
Scope: 25 Member States, Asylum Seekers

- The top five countries of origin for the EU 25 were Serbia and Montenegro, Russia, Iraq, Turkey and Iran

- Of the forty listed countries, one quarter are located along the EU's external border, one quarter in Asia, 9 in Africa and 4 in the Middle East and North Africa

- Significant degree of fluctuation exists in the number of applications from one country from one year to the next, with an average change of 25%

- Statistics on number of asylum applications lodged may over-represent the number of asylum seekers in the EU through double-counting, as THESIM conclusions suggest.

Indexed countries of origin

Figure 2(e) considers the conditions in the major countries of origin for migrants and asylum seekers to EU Member States, which often reflects the background, experiences and competences of newcomers. The UN Development Programme's Human Development Index measures the average achievements in a country based on life expectancy, education and standard of living. The UNDP's annual human development report also provides information on the constituent indicators that make up the index, such as life expectancy, literacy rates, educational attainment and GDP per capita. The report includes other country of origin information in the report that also influences migration pressures and integration policies, such as population growth, health and nutrition, trade, inequality, human rights and gender. The Bertelsmann Stiftung's 2003 Transformation Index measures the current status of a country's transformation towards a democracy and market economy. The 1-5 range considers the degree of political participation, a balance of powers, civil society and civil rights, economic development and social compensations.

Figure 2(f) Index on Major Country of Origin of Migrants and Asylum Seekers in Europe	HDI rank (UNDP)	BTI 2003: Political Participation	Rule of Law	Political and Social Integration	Overall Political Transformation	Socio-economic Development	Welfare Regime	Overall Economic Transformation
Albania	65	4	3	4	3.2	3	2	2.9
Algeria	108	2	2	2	1.8	2	2	2.1
Bosnia	66	3	2	3	2.6	3	3	2.9
Brazil	72	5	3	4	3.6	3	3	3.4
Bulgaria	56	4	3	4	4	4	3	3.7
Cape Verde	105	N/A	N/A	N/A	N/A	N/A	N/A	N/A

	HDI rank (UNDP)	BTI 2003: Political Participation	Rule of Law	Political and Social Integration	Overall Political Transformation	Socio-economic Development	Welfare Regime	Overall Economic Transformation
Peru	85	5	3	2	3.4	3	2	2.7
Romania	69	4	3	4	4	4	3	3.3
Russia	57	3	2	3	3	3	3	3
Serbia and Montenegro	N/A	4	3	4	3.6	3	3	2.9
Somalia	N/A	2	1	2	1.2	1	1	1
Turkey	88	4	3	3	3.4	3	3	3.3
Ukraine	70	3	3	3	3.2	3	2	2.7
Venezuela	68	3	2	3	2.8	3	2	2.4
Vietnam	112	1	1	1	1.4	2	2	2.4

Sources: UNDP Human Development Index, 2003, Bertelsmann Transformation Index, 2003

- The major countries of origin vary significantly in terms on the Human Development Index ranking (1-177) and the Bertelsmann Transformation Index (1-5).

- Across the two indexes, Albania, Brazil, Bulgaria, Romania, Russia and Turkey score the highest.

- Countries of origin with the lowest score tend to hold some of the lowest positions worldwide, including the Democratic Republic of Congo, Nigeria, Pakistan, Morocco and Vietnam

- Other countries that would most likely receive low scores often lack statistical information, such as Cape Verde, Iraq, Serbia and Montenegro and Somalia

2.4.2. Mapping migrant stocks

Countries of immigration

Table 2(e) national and non-national population in the EU Member States, around 2004 and 1990
Source: Eurostat, Statistics in focus, (2006) and OECD, International Migration Outlook, (2006).
Sample: Non-EU nationals, no information on largest non-EU national group in Cyprus, Malta and Poland

- The countries are ranked from largest to smallest in terms of non-EU citizens as percent of total population

- Non-EU nationals make up between 2 and 7.2% of the total population in fifteen Member States

- Eurostat and the Groupe d'étude de Démographie Appliquée UCL (GéDAP UCL) estimate that the EU-25 contains about 10 million non-EU nationals, or 4.1% of the total population

- Non-EU nationals make up less than 2% of the population in eight EU countries, 6 of which belong to the EU-10

- In all Member States, except Belgium, Cyprus, Ireland, Luxembourg and Malta, the majority of foreigners are citizens of non-EU countries (third-country nationals)

- EU citizens living abroad in another Member State are estimated to compose 1.6% of the EU 25's total population, with sizeable shares in Luxembourg, Belgium and Ireland

- The numbers of Eastern European countries underestimate the number of foreigners by including permanent residents only and the figures for Estonia and Latvia include permanently residing citizens of the former Soviet Union

Largest groups

- Turkish citizens in Denmark, Germany and the Netherlands

- Citizens from countries with former colonial ties in France (Algerians), Portugal (Cape Verdeans), Spain (Ecuadorians) Malta and the UK (Indians)

- Among EU-10, Russia (Cyprus, Estonia, Latvia, Lithuania), Ukraine (Czech Republic, Poland, Slovakia)

- In EU States neighbouring Southeast Europe, the largest groups come from Balkan countries like Albania (Greece, Italy), Bosnia and Herzegovina (Slovenia), Romania (Hungary) and Serbia (Austria)

- As concerns linguistic and cultural similarities between immigrant and pre-existing populations, the largest non-national groups speaks one of the country of destination's official languages in 7 out of 25 (Belgium, France, Ireland, Malta, Portugal, Spain and the UK)

Figure 2 (g) Estimation of the non-national population in the EU 25 and the share between EU & non-EU

citizens (1st January 2005)

	% Non Nationals	% EU of Total	Non EU-citizens	% non-EU of total	Largest Non-EU population
Latvia	21.1%	0.2%	482,415	**20.9%**	Russia
Estonia	18.6%	0.4%	*245,000*	*18.2%*	Russia
Greece	8.1%	0.9%	*800,000*	*7.2%*	Albania
Austria	9.6%	2.4%	*592,000*	*7.2%*	Serbia and Montenegro
Germany	8.8%	2.5%	5,188,468	**6.3%**	Turkey
Spain	7.8%	1.6%	2,671,207	**6.2%**	Ecuador
Cyprus	13.1%	7.3%	43,400	**5.8%**	Russia
Luxembourg	39.0%	33.5%	*25,000*	*5.5%*	Serbia and Montenegro
EU 25	5.8%	1.6%	*10,047,490*	*4.1%*	
Italy	4.1%	0.4%	2,195,508	**3.8%**	Albania
Denmark	4.9%	1.3%	199,384	**3.7%**	Turkey
France	5.8%	2.1%	*2,200,000*	*3.6%*	Algeria
United Kingdom	5.0%	1.8%	*1,958,900*	*3.3%*	India
Sweden	5.3%	2.3%	272,183	**3.0%**	Iraq
Netherlands	4.3%	1.4%	471,210	**2.9%**	Turkey
Belgium	8.3%	5.6%	286,122	**2.7%**	Morocco
Ireland	6.1%	3.9%	*90,000*	*2.2%*	United States of America
Slovenia	2.2%	0.1%	43,050	**2.2%**	Bosnia and Herzegovina
Poland	1.8%	0.0%	*685,000*	*1.8%*	Ukraine
Portugal	2.5%	0.7%	*190,000*	*1.8%*	Cape Verde
Czech Republic	2.5%	0.8%	174,046	**1.7%**	Ukraine
Finland	2.1%	0.7%	72,990	**1.4%**	Russia
Hungary	1.4%	0.1%	130,398	**1.3%**	Romania
Malta	3.0%	2.0%	*4,000*	*1.0%*	India
Lithuania	0.9%	0.0%	30,876	**0.9%**	Russia
Slovak Republic	0.4%	0.2%	11,375	**0.2%**	Ukraine

Source: Eurostat, GéDAP UCL - Groupe d'étude de Démographie Appliquée (2005).
Italic figures are estimations done by GéDAP UCL and based on previous data

Cities of immigration
Table 2(f) Cities with highest concentration of non-EU nationals per Member State
Table 2(g) Top 5 Cities with highest concentration of EU nationals, 2001
Table 2(h) Top 10 Destination Cities for non-EU nationals in 1999-2001
Source: Urban Audit (2001).
Sample: EU-25, except UK

- The major cities of immigration are concentrated in the major countries of immigration with German cities among the top ten destinations for migrants and newcomers

- Only six cities have non-national concentrations over 10%

- National capitals tend to have largest concentration of non-nationals in the country (11 out of the 19 listed)

- However, the top destinations for newcomer non-nationals appear not to be capitals

Figure 2 (h) Cities with highest concentration of of non-EU nationals per Member State, 2001

Rank	City Name (Member State)	% Total
1	Tallinn (EE)	27.8
3	Athens (GR)	16.7
4	Frankfurt am Main (DE)	16.3
6	Vienna (AT)	14.4
17	Brussels (BE)	12.1
25	Paris (FR)	10.2
32	Amsterdam (NL)	8.9
33	Dublin (IE)	8.9
34	Copenhagen (DK)	8.8
40	Luxembourg (LU)	7.8
44	Malmo (SE)	7.3
47	Liepaja (LV)	6.9
50	Milano (IT)	6.3
56	Madrid (ES)	5.9
58	Lefkosia (CY)	5.5
83	Banska Bystrica (SK)	4.0
97	Ljubljana (SI)	3.7
110	Turku (FI)	3.2
115	Setubal (PT)	3.2

Note: UK data not included

Source: Urban Audit (2001).

Figure 2 (i) Top 5 Cities with highest concentration of EU nationals, 2001

Rank	City Name (Member State)	% Total
1	Luxembourg (LU)	45.9
2	Brussels (BE)	14.6
3	Charleroi (BE)	10.8
4	Liege (BE)	10.3
5	Munich (DE)	7.5

Table 2(j): Top 10 Destination Cities for non-EU nationals in 1999-2001

by Ranking and Newcomers as % of Total Population

Rank	City Name (Member State)	% Total
1	Karlsruhe (DE)	7.6
2	Luxembourg (LU)	5.9
3	Freiburg im Breisgau (DE)	5.9
4	Munich (DE)	5.8
5	Darmstadt (DE)	4.6
6	Mainz (DE)	4.3
7	Paris (FR)	4.1
8	Linz (AT)	4.0
9	Frankfurt am Main (DE)	3.8
10	Galway (IE)	3.7

Migration for protection

Table: Refugees, Asylum Seekers, Stateless Persons and Humanitarian Visa Recipients per Member State
Source: UNHCR, 2005 Global Refugee Trends, (2002) (2003) (2004).

- The population of all migrants for protection (refugees, asylum seekers, stateless persons and humanitarian visa recipients) is greater than 0.1% of their total population in only 8 of 25 EU Member States

- Only 7 have populations greater than 1.0% (1.4% in Cyprus and Sweden and approx. 1.0% in Austria, Belgium, Germany, Sweden and the United Kingdom)

- 11 of the 25 regularly issue humanitarian visas

Migration for study
Table: Students from non-EU Countries in EU Tertiary Education (2004)
Source: OECD, Education at a Glance, (2006).
Scope: Non-EU Nationals, 18 EU Member States

- In the 18 Member States sampled, the size and significance of non-EU national students in tertiary education varies greatly

- Non-EU students make up between 5-10% of the tertiary student population in Austria, Belgium, Denmark, France, Germany and the UK

- Non-EU students represent a negligible percent of the total student population in Poland, Greece, Slovakia, Italy and Spain

- They constitute over 60% of the foreign student population in 12 of the 18

Undocumented migration
Table: Range of estimates of undocumented migrant stocks in 11 EU countries in thousands (2003)
Source: Michael Jandl (2003).
Scope: Undocumented Migrants, 11 EU countries

- Estimates range from 2.6 to 6.2 million undocumented migrants in the eleven examined EU Member States

- The average deviation of the high and low estimates per country is 285,000

- Low and high estimates place Germany, Greece, Italy and the UK as the countries with the largest undocumented migrant population

2.4.3. Different perspectives for mapping Europe's migrants

Age and Gender

Migrants by Age and Gender
Table: Nationals and non-nationals by age, EU-25, 2002
Source: Eurostat, Statistics in Focus, (2006).
Scope Non-nationals, 25 Member States in aggregate

- The non-national population tends to be younger than the national population

- Few differences emerge for the proportion of children and adolescents

- The young adult group dominates the non-national population with the 25-29 and 30-34 age groups, the two largest groups within the non-national population, and is 8 percent higher than the same groups among nationals

- The largest relative difference exists for the 65 and over group, where non-nationals amount to less than half (8%) the figure for nationals (17%)

- Eurostat lacks statistics on the gender structure of the migrant population

- Available data suggests that the ratio of males to females is significantly higher among non-nationals in some EU countries

Migrants by Economic Well-Being

Participation Rates
Table: Participation rate by birth status in some OECD countries, 2003-2004
Source: Eurostat, EU Labour Force Survey (2004) and Population Register (Denmark, 2004).
Scope: Foreign-born (including returned emigrants and EU citizens), 19 EU Member States

- Parity in Austria and Slovakia and near parity in France and Ireland

- Major Discrepancies for Poland (30%) and Denmark (20%)

- Minor Discrepancies (0-5%) for remaining 13 EU Member States

Employment/Unemployment Rates
Table: Labour market situation of foreign- and native-born in EU OECD, 2004
Table: Share of long-term unemployed in total unemployment by birth status, 2003-2004 average
Source: Eurostat, EU Labour Force Survey (2004).
Scope: Foreign-born (including returned emigrants and EU citizens), 17 EU Member States

- For these 17 EU Member States, the average discrepancies were minimal. The employment rate of foreign-born was 2% lower than that of natives and unemployment rates 6% higher. The figures for native and foreign-born women were 4% and 6% respectively.

- The range however was significantly broad with higher discrepancies in Belgium, Denmark, Germany, the Netherlands and Sweden

- This range intensified for foreign-born women in those countries as well as Finland and the UK

- Long-term unemployment rates for foreign-born were notably higher than for natives in the Czech Republic and the Netherlands, whereas rates were lower for foreign-born in Italy and Greece

- Near parity of long-term unemployment rates occurred in Austria, Germany, Ireland, Luxembourg and the UK

Segmented Labour Market
Table: Employment of foreign-born by sector
Table: Share of temporary employment in total employment by birth-status, 2004
Source: Eurostat, EU Labour Force Survey (2004).
Scope: Foreign-born (including returned emigrants and EU citizens), 13 EU Member States in first, 18 EU Member States in second

- Across the 13 EU Member States sampled, foreign-born workers tended to be concentrated in the health, hotels and restaurants sectors

- Foreign-born workers are also over-represented in construction, domestic services, mining, manufacturing and energy in France, Germany, Greece, Luxembourg and Spain

- They are under-represented in education and administration as well as surprisingly agriculture and fishing in the 13 EU countries except Spain

- The share of temporary employment in total employment for foreign-born and native population is nearly equivalent in Austria, France, Germany, Ireland and Luxembourg. In these countries, temporary employment is rare for both foreign-born and native populations between 4 and 12%

- In Denmark, Greece and the Netherlands, levels of temporary employment are as low as in the previously listed countries, but the foreign-born share is five to ten percentage points higher

- This gap between foreign-born and native workers rises where temporary employment is more prevalent, particularly in Portugal and Spain where the discrepancies are between 20 and 25 percentage-points

Employment and Education
Table: Differences between employment and unemployment rates of native- and foreign-born populations by level of education, 2003-2004, percentages
Table: Overqualification rates of the native- and foreign-born populations in EU OECD countries, 2003-4
Table: Percentages of women (15-64) in jobs for which they are overqualified, by birth status, EU OECD countries, 2003-2004
Source: Eurostat, EU Labour Force Survey (2004).
Scope: Foreign-born (including returned emigrants and EU citizens), 19 EU Member States

- Foreign-born individuals with medium and high educational attainment were underemployed across the selected EU countries, particularly in Belgium, Denmark, Finland, Ireland, Poland and Sweden.

- Foreign-born with low educational attainment compared to nationals had higher employment rates in several countries (Greece, Italy, Luxembourg, Slovak Republic) and significantly lower in others (Denmark, the Netherlands, Poland and the UK)

- Unemployment rates for all educational levels of foreign-born tended to be higher than for natives, particularly for low education foreign-born in Belgium, Denmark, Finland and Sweden

- The percent of the foreign-born population in jobs for which they are overqualified tends to be 5 to 10 points greater than that of the native population

- This difference in overqualification is greatest in Italy (17.1%), Spain (18.7%) and Greece (30.3%)

- This divergence widens with foreign-born women, whose percentage tends to be 10 to 25 points greater

- The divergences for the three aforementioned countries also rises to 26.9, 32.2 and 53 respectively

- Parity or near parity between foreign-born and national women can be observed regarding qualification rates in France, Hungary and the United Kingdom

Employment and Entrepreneurship
Table: Foreign-born in self-employment in EU OECD countries, 2004
Source: Eurostat, EU Labour Force Survey (2004).
Scope: Foreign-born (including returned emigrants and EU citizens), 19 EU Member States

- Foreign-born entrepreneurs make up a large share of the self-employed in Luxembourg (38.7%) as well as Belgium, France, Germany, Sweden and the UK where they constitute 10-14%

- Self-employment is a sizeable source of employment within the foreign-born population in the Czech Republic, Belgium, the UK, Ireland and Portugal

Employment and Age
Table: Unemployment rate of young workers by birth status (15-24), 2003-2004
Table: Unemployment rate of older workers (55-64) by birth status, 2003-2004
Source: Eurostat, EU Labour Force Survey (2004).
Scope: Foreign-born (including returned emigrants and EU citizens), 15 EU Member States

- Higher foreign-born youth unemployment rates were problematic for eleven of fifteen EU Member States sampled, particularly Belgium, France and Finland were the rate was 15% greater than for native youth

- Youth unemployment rates for foreign-born and native populations converge in the Czech Republic, Greece, Italy and Spain

- The divergences in unemployment rates for foreign-born and native older workers were less dramatic with parity or near parity in Belgium, Finland, France, Germany and Spain.

- Modestly higher unemployment rates for foreign-born older workers appeared in Greece, Italy and Luxembourg

Employment and Gender
Table: Female Employment by Sector and birth status, Women 15-64, 2003-2004
Table: Percent of women in highly skilled occupations, native- and foreign-born (15-64), 2004
Source: Eurostat, EU Labour Force Survey (2004).
Scope: Foreign-born for first, foreign-born non-OECD (excludes Australia, Bulgaria, Canada, Japan, Korea, New Zealand, Norway, Romania, Switzerland, Turkey and the United States), 19 EU countries

- Foreign-born women tend to be over-represented in the hotel, restaurant and household sectors and under-represented in wholesale and retail trade, education and administration.

- A near equal percentage of native- and foreign-born women hold highly skilled positions in Belgium, Hungary and the UK

- However, divergences occur in eleven of the EU Member States selected with a gap of 30 percentage-points in Greece and 20 in Austria, Finland, Italy, Luxembourg, Spain and Sweden

Migrant Well-Being and Health

The effects of migration on particular health conditions vary widely according to country of origin, country of destination, age, gender and reason for migration. Mental health conditions place a particular emphasis on reason for migration, distance for host culture, ability to develop mediating structures and legality and security of status. The confluence of all these environmental and behavioural factors makes treating migrants as a homogenous group impossible in the physical and mental health sector. The environment in the country of origin, the living, working and integration conditions in the country of destination and the process of migration exert strong influences on the health of migrants.

Work surrounding the 2004 European Commission report on The state of mental health in Europe([23]) illustrates the effects of these three stages through the lens of mental health. Post Traumatic Stress Disorder (PTSD), the most common mental health problem among refugees and asylum seekers, originates from conditions in the country of origin.

The hard and often unbearable process of migration itself has given rise to a specific form of progressive mental stress known as Chronic and Multiple Stress Syndrome (Ulysses syndrome), a depressive state mixed with anxious, somatoform and dissociative symptoms.

During the integration process, every immigrant experiences an affective loss similar to a long, intense grief process, based on physical and environmental risks and the loss of status, family and friend connections, language and cultural roots. This grief process is offset psychologically by a certain hope for the future in the country of residence. Framing migration as a process of stress and integration as a psycho-social process of loss and change draws out the enormous impact of health on a migrant's overall well-being and future prospects.

Little comparable data in Europe has been produced([24]). Few national health statistics distinguish between migrants and natives in their samples or collect this information systematically. Therefore, this scarce amount of raw data has led to few case studies in Europe (except the Netherlands, Sweden and the UK) compared to a denser body of statistics from Australia, Canada, New Zealand and the United States. The findings from the six countries (Belgium, France, Germany, Italy, the Netherlands, Spain) of the 2004 Study of the Epidemiology of Mental Disorders have been scrutinised by a number of individual researchers and institutes.

- Health officials have historically expressed concern over migration as a means of transmission of communicable diseases across borders

- Little evidence can be found that any potential communicable diseases carried by migrants pose a significant health risk for host communities

- Instead, concern focuses on transmission within migrant communities

- Migrants do not necessarily display worse mental or physical health than natives in their countries of origin or destination([25]). Migrants do tend to exhibit the factor profiles of at risk groups for particular conditions

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[23] Mauro Carta et al., "Migration and mental health in Europe (the state of the mental health in Europe working group: appendix I)" (Clinical Practice and Epidemiology in Mental Health, 2005).
[24] See European Commission, Council of Europe, Health conditions of migrants and refugees in Europe (Rec 1503, 2001) and Manuel Carballo, Jose Julio Divino and Damir Zeric, "Migration and health in the European Union" (Tropical Medicine and International Health, vol. 3, 12, 1998) 936.
[25] Laura McKay, Sally Macintyre and Anne Ellaway, Migration and Health: a review of the international literature (Glasgow, 2003).

- Findings in France, Belgium, Germany and Switzerland report that migrant workers are proportionally over-represented in the number of industrial accidents and injuries

- Occupational accident rates are approximately two times higher for immigrant than native workers in Europe[26]

- In terms of physical diseases, case studies in Spain, France, Italy, the Netherlands, Sweden and the United Kingdom suggest higher mortality and heart disease rates among migrants depending on country of origin[27]

- Migrants across Europe are more likely than natives to be subject to asthma, hypertension, chronic conditions and obesity[28]

- Studies in Belgium, France, Germany, the Netherlands, Spain and the United Kingdom have flagged reproductive health, i.e. prenatal and neonatal mortality rates, as an area of concern among vulnerable groups from the Caribbean, North Africa, sub-Saharan Africa, India and Turkey

- An increase in drug and alcohol abuse among immigrant youth has been linked to difficult social integration, despite a lack of data on immigrant alcohol dependence in national sources or the EU Strategy on Drugs

- Stress-related symptoms and other serious disorders can include anxiety, depression, dermatitis, hypochondria, impairment of work performance, paranoia, peptic ulcers, severe headaches and sleeping disorders

- Refugees and asylum-seekers demonstrate a high incidence of Post Traumatic Stress Disorder, depression, panic disorder and agoraphobia

- Admission rates of migrants for psychiatric illness tend to be higher than for non-migrants, varying according to country of origin and condition of arrival

- As concerns gender, questions that arise from reproductive and sexual health as well as mental health issues for migrant women (i.e. stress, anxiety and depression) have been under-researched[29]

- Schizophrenia is the most disturbing of these psychiatric illnesses. Studies in the United Kingdom, Germany and the Netherlands suggest that males, ages 16-29, from particular vulnerable groups (i.e. Caribbean, India, Poland, Ireland) experience higher hospital admission rates

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[26] P. Bollini and H. Siem, "No real progress towards equity. Health of migrants and ethnic minorities on the eve of the year 2000" (Social Science and Medicine, 41, 1995) 819-28.
[27] McKay, Macintyre and Ellaway (2003).
[28] See footnote 25, page 40.
[29] WHO Regional Office for Europe, Health Issues of Minority Women Living in Western Europe (Copenhagen, 1997).

Migrant Well-Being and Education
Table: Distribution of foreign and national population aged 25 to 64 years, by level of education, 2002-2003
Source: OECD, International Migration Outlook, (2005).
Scope: Foreign-born (includes EU citizens)

- The foreign-born and native populations in Denmark, Finland and Sweden appear to share a comparable distribution of educational attainment

- The foreign-born are significantly over-represented among those with less than an upper secondary education in Austria, Belgium, France and Germany

- They are drastically under-represented among those with upper secondary education in Austria, the Czech Republic, France, Germany and Luxembourg

- At the tertiary level, significant gaps of more than 15 percent do not occur, except in Ireland and the UK where the foreign-born is over-represented

Sketches from the OECD PISA Study

The OECD 2003 PISA study, which will be discussed in greater detail in Chapter VIII, provides landmark research of the performance of first- and second-generation migrant students in seventeen countries, including eight EU Member States with sizeable immigrant populations, (Austria, Belgium both Flemish and French communities, Denmark, France, Germany, Luxembourg, the Netherlands and Sweden). By virtue of its innovative nature, the PISA study has few counterparts against whom its statistics and results can be compared, substantiated or, conversely, refuted. Its findings are consistent with other estimates. But the PISA study provides the disclaimer that it cannot corroborate the accuracy of its sample as representative of the immigrant student population at large. Instead, the study speaks to the general shapes and trends of this population. The educational indicators provided by the PISA study should consequently be taken not at face value, but as points of departure for reflection, general comparison and further statistical inquiry.

- The OECD average age of first-generation students at the time of immigration was approximately six, with Austria, Luxembourg and Sweden at five and Belgium significantly higher at eight

- The number of students who spoke a different language at home than the language of instruction varied significantly. The range of first-generation students stretched from 32.2% in Belgium to 83% in Luxembourg, with Austria (74.7%) and Sweden (77.1) near the high point and all other countries (Denmark, France, Germany, the Netherlands) clustered near 50%

- For second-generation students, these percentages lay below 50% for most countries except Luxembourg and Austria. Similar language figures persist in Austria (63%) and Germany (44.8%) for the second-generation

- Students arriving at an older age in the country of destination perform worse than native students or longer-settled immigrant children, particularly in Denmark, France and Luxembourg

- A positive relationship between educational performance and speaking the language of instruction at home exists in the selected EU countries, especially in Belgium, Denmark, France, Germany, the Netherlands and Sweden

- First- and second-generation females tend to outperform their male counterparts in reading, particularly in Austria, Belgium, and France, where the gender gap is larger for immigrant than native students

- Immigrant parents have received fewer years of education than native-parents, particularly those of second-generation children

- Austria, Belgium, Denmark and the Netherlands witnessed similar averages for the parents of first-generation children. The difference for parents of first-generation children was more pronounced in France, Germany and Luxembourg

- The parents of first-generation children are more educated than those of second-generation in Belgium, Denmark, France, Luxembourg and the Netherlands

- Many immigrant students attend schools where at least half of the students are also first- or second-generation immigrants. This clustering occurred for 40% of second-generation students in Austria and the Netherlands and 30% in Germany. Among the EU countries, these figures were lowest for France and Sweden at below 20%

- Immigrant students attend schools with less socio-economically advantaged student populations, with significant differences in Austria, Belgium, Denmark, France, Germany and the Netherlands

- Immigrant students tend to receive the same physical and educational resources as well as teacher behaviour at these schools as native students attending largely native schools

- Immigrant students, on the other hand, attend schools with less favourable disciplinary climates and student behaviours; the former for Germany, the latter for the Netherlands and Sweden and both for Austria, Luxembourg and Belgium

Migrant Well-Being and Citizenship
Table: Acquisition of nationality in EU OECD countries, 2004 and annual averages, 1993-7, 1998-2002
Source: OECD, International Migration Outlook, (2006).
Scope: naturalised non-nationals, 16 EU Member States

- 1998-2002 witnessed a near doubling of naturalisations compared to 1993-7 in Austria, Belgium, Denmark, Finland, Germany, Spain and the UK

- For this same period, naturalisation rates decreased in Hungary and the Netherlands

- In 2004, the largest non-EU group among naturalised immigrants came from the largest non-EU group in the given country, except in France, Italy, the Netherlands and Spain (Moroccans) as well as Portugal (Brazil) and the Slovak Republic (Vietnam)

2.5. Mapping migrants country-by-country

Austria

In 2005, non-nationals constituted 9.6% of the population and non EU-nationals 7.2%, which makes Austria tied with Greece for the third largest percentage of non-EU nationals. A rising share of the foreign national population was born in Austria (21.6%). There has been a significant rise in naturalisations since 1999 since immigrants from the late 1980s and early 1990s becoming eligible for citizenship. The largest naturalisation group was of Turkish origin (35%) followed by those from the former Yugoslavia (31%) and Central and Eastern Europe (11%). Net migration has been increasing since 1998 and stood at 26,100 in 2002, the highest level in several years. Inflows are currently dominated by family reunification and humanitarian categories. Austria's refugee, asylum seeker, stateless and humanitarian visa recipient population counted around 64,206 in 2004 with the second largest population of asylum seekers in the EU.

Belgium

Belgium's non-national population represents 8.3% of the population. Only 2.7% of the total population are non-EU citizens, as over two-thirds of non-nationals in Belgium possess EU passports. Brussels indeed has a higher concentration of EU nationals (14.6%) than non-nationals. Likewise, three of the five cities with the largest concentration of EU nationals living abroad are located in Belgium. Following several years of decline, the foreign national population increased slightly in recent years. The drop in the foreign national population is attributable to the automatic acquisition of Belgian nationality for children of third generation migrants. Inflows of migrants have risen to 70,200 in 2002. The largest groups were Moroccans, Dutch and French. Asylum applications fell by 23% from 2001-2002 with the total refugee, asylum seeker, stateless and humanitarian visa recipient population at 0.3% of the total population.

Czech Republic

Difficulties arise for data comparability with the Czech Republic, as the definition of immigrant changed in 2001 to include foreigners with long-term visas and asylum applicants. In 2005, foreign nationals made up 2.5% of the population. Of these, a third were permanent residents with the main countries of origin as Vietnam, Poland and the Slovak Republic. The majority of the non-national population, 1.7% or 174,046, are non-EU citizens. 90% of these had come on family grounds with over 60% through marriage to a Czech national. Nationals from the Slovak Republic and the Ukraine dominate among long-term visa holders. Asylum migration is a new phenomenon since the dissolution of the former Czechoslovakia. In 2002, asylum applications fell by 53% returning it back to 2000 levels. The main groups of asylum applicants come from the Ukraine, Vietnam and the Slovak Republic (predominantly Roma). These groups have been replaced Afghans, Sri Lankans and former Yugoslav among asylum applicants.

Cyprus

The percentage of non-nationals and non-EU nationals in Cyprus is above the EU average, standing fourth at 13.1% and seventh at 5.8% respectively. Cyprus also represents one of the few EU countries where majority of non-nationals come from other EU Member States, at 55.8%. The largest group among non-EU citizens is composed of citizens of the Russian

Federation. The number of recognised refugees is quite low, at less than 0.1% of the population. In raw numbers, Cyprus' refugee population is the EU's seventh lowest. On the contrary, its asylum seeker population in 2004 represented the EU's eighth and the industrialised world's twelfth largest, at 13,067. In terms of population per 1,000 inhabitants, it ranked first. The major countries of origin for asylum seekers in Cyprus consisted of Bangladesh, Pakistan, Ukraine, Syria, Russia and India.

Denmark

There was a small decrease in the foreign national population in 2002 to 4.9%, a figure that has remained steady to 2005. Over the preceding decade the proportion of foreign nationals grew rapidly increasing by 70% since 1992. 3.7% of the total population are non-EU citizens. About 25% of foreign nationals and their descendants come from Nordic, EU or North American countries, but this share has been declining. Outside this the main groups come from Turkey (12%), Iraq (6%), Lebanon (5%), Bosnia-Herzegovina (5%), Pakistan (4%) and Somalia (4%). Since 2001, asylum applications have been declining. The main groups of applicants are from Afghanistan, Iraq and Serbia and Montenegro, although applications from the first two have declined significantly since 2001, while applications from Serbia and Montenegro are up 980% over the same period. There has been a sharp increase in the number of naturalisations in 2002 (45%). This may be partly explained by a rush in applications before more stringent nationality laws come into force. Inflows of long-term immigrants began to increase in 2000 but dipped slightly in 2002 to 33 800. Of the inflow 67% were from Nordic countries, the EU or North America.

Estonia

Problems with statistical data on immigration compelled the Statistical Office of Estonia to stop publishing such data in 2000. The immigration system in Estonia is also in a particular situation due to the high number of inhabitants of 'undetermined citizenship'. This derives from historical links to the Soviet Union, which resulted in migration and settlement in Estonia from Soviet territory. In 2002, aliens of 'undetermined citizenship' made up 12% of the population (down from almost a third of the population in 1992). Following an alien documentation campaign, this number has now stabilised. However, Estonia's membership in the EU may lead to another increase in naturalisations. Asylum applications are still small in number, although Estonia has developed a new asylum processing system in line with EU standards.

Finland

Stocks of foreign nationals have been gradually increasing since 1998. In 2005, they constituted 2.1% of the total population and non-EU citizens 1.4%. The largest groups are ethnic Finns from the former Soviet Union (Russian Federation and Estonia), Swedish nationals and refugees from Somalia and the former Yugoslavia. The gender balance of the foreign national population is changing as women now make up 60% of newcomers from the Russian Federation and Estonia. The Russian Federation, Estonia and Sweden also remained the three main source countries among immigrant inflows. These inflows decreased in 2002 in comparison to previous increases. Asylum applications doubled in 2002 from 2001 with Romania, the Slovak Republic and Bulgaria providing the largest numbers of applicants.

France

The number of foreign nationals in France was estimated at 3.5 million, or 5.8% of the total population, in 2005. Of these, 83.6% held a 10-year permit. 3.6% of the total population were non-EU citizens. In 2002, 45% of the adult foreign population was African, 35% came from EU-15 nationals and 12% were from Asian countries. In terms of inflows, people from African countries again predominate (63%). Inflows have been increasing by 10% a-year since 1999. Most of the inflows were related to family migration, this was as high as 70% among non-EU nationals. France's refugee, asylum seeker and stateless population represented 0.2% of the population in 2004. Figures were not available on the number of humanitarian visa recipients. Asylum applications have also been on the rise. The main increase is among 'conventional' asylum applicants with 'territorial' asylum applicants remaining fairly constant. Convention applicants increased by 8% between 2001-2002 with people from the Democratic Republic of Congo making up the bulk of that increase.

Germany

The foreign national population in Germany stood at 8.8% of the total population in 2005, with non-EU citizens composing 4.1% of the total. This level has remained relatively stable since 1995. Among the foreign national population, EU nationals make up about 25%, while the major non-EU groups come from Turkey (26%) and the former Yugoslavia (8%). Two thirds of this immigrant population has been in Germany for more than 10 years and, of those, a further third have been resident for at least 20 years. In terms of inflows, net migration of foreigners is down for the first time since 2000. Among the inflows of foreign nationals the largest inflows are from Poland (81,600). However, this number outstripped by the inflows of ethnic Germans from the former USSR (90,600) although this Aussiedler population are not counted as foreigners because they are German nationals because German nationality law is based on ethnic ties. Germany's total refugee, asylum seeker, stateless and humanitarian visa recipient population amounted to 790,882 or 1.0% of the total population in 2004. That this time, Germany possessed the largest asylum seeker population in the EU at 71,624. Asylum applications in 2002 have also fallen (by 19% since 2001). The highest numbers of applicants come from Iraq and Turkey. Although Germany does not collect data on ethnic, religious or linguistic composition, numbers are available for those religious minorities with a corporation status under public law.

Greece

Immigration is a fairly recent phenomenon in Greece and suffers from a lack of reliable data. Non-nationals represented 8.1% of the total population in 2004. Its non-EU national population, 7.2%, was tied with Belgium as the third largest in the EU. Immigration to Greece has mainly been driven by the disintegration of the USSR and the economic crisis in Albania. The largest groups come from Albania, Bulgaria, Georgia and Romania, with Albanians representing more than half the immigrant population. The majority of the foreign population migrated for employment purposes. Undocumented migration makes up a large proportion of immigration in Greece. Amnesties organised in 1998 an d2001 allowed those who had been in Greece for at least a year to regularise their status. The 2001 regularisation attracted 350,000 applications and revealed the presence of new nationalities such as Ukrainians, Chinese and Peruvians among immigrants in Greece. The refugee population in Greece constitutes less than 0.1% of the total population.

Hungary

Only 1.4% of the population of Hungary were non-nationals in 2005, of which most are non-EU citizens. In 2002, almost half of the foreign national population was from Romania. Other large groups include people from the former Czechoslovakia, the former USSR and the former Yugoslavia. Figures on inflows indicate a continuing decline in immigration to Hungary. Among inflows, the largest group are again Romanians (57%), followed by Ukrainians and Chinese. Asylum applications and the number of naturalisations have both decreased. Asylum applications have been falling since 1999 and in 2003 numbered 2 400. Naturalisation rates are also in decline since 1999 and in 2002 reached its lowest level since 1990 at 3 200. Most naturalisations have come from persons whose parent or spouse was a Hungarian national. The largest groups were Romanians, followed by people from the former USSR and former Yugoslavia. In terms of asylum migration applicants come from further afield. Since 2000, the largest groups of asylum applicants are no longer from the former Yugoslavia. Instead, main countries include Afghanistan, Iraq and Iran. The vast majority of asylum seekers enter Hungary irregularly. It is widely assumed that most irregular entrants consider Hungary a country of transit to another final destination in the EU, except for those from the former Yugoslavia who tend to settle in the country.

Ireland

The foreign national population has been increasing in recent years to 6.1% of the population in 2005. 64% of this population are EU nationals, but the proportion of non-EU nationals is increasing rapidly through asylum claims and work permits. The largest non-EU national group were Americans largely of Irish ancestry. Among work permits, the main groups in 2002 were from central and Eastern Europe (nearly 30%) or South Africa and the Philippines (almost 15%). Ireland's refugee population has remained modest at 0.2% of the total population. Among asylum applicants, just over a third came from Nigeria and 14% from Romania.

Italy

Figures for the total immigrant population remain disputed. Eurostat statistics place the non-national population at 4.1% of the total population and the non-EU national population at 3.8% in 2005. The foreign national population in Italy is extremely varied, with the top five source countries (Morocco, Albania, Romania, the Philippines and China) accounting for only 37.4% of the immigrant population. Inflows have been increasing since 1998, with an increase of 60% in 2002. Two thirds of immigrant inflows come from work permits and the main source regions being Central and Eastern Europe (42.2%), North Africa (16%) and Central and South America (10.7%). Italy's refugee population remains very low at less than 0.1% of the population. Asylum applications to Italy are modest with 8,210 applications made in 2002. The main countries of origin for asylum seekers are Sri Lanka (17%), Iraq (15%) and Serbia and Montenegro (14%). Naturalisation rates also remain low, as eligibility criteria are high, 91% of naturalisations in 2002 were granted on the basis of marriage to an Italian national. Undocumented immigration continues to be high. In 2002, a regularisation regime was implemented which initially focused on domestic workers but was later extended to workers whose employers were willing to offer them a contract.

Latvia

A high proportion of the Latvian population are foreigners (21.1%) due to the particular historical circumstance of Latvia's incorporation in the Soviet Union for 50 years. In this sense, the situation is similar to that of the other Baltic States (Estonia and Lithuania). Since 2004, most foreigners came from Russia, the Ukraine ands Belarus. Latvia is currently experiencing negative net migration and its population has decreased by 0.89% due to a combination of negative net migration and negative natural increase. Undocumented migration exists largely from the Russian Federation and the Ukraine. Membership of the EU has made Latvia more attractive to undocumented migrants.

Lithuania

Changes in immigration definitions and immigration laws create difficulties for data comparability. Only 0.9% of the population are non-nationals, of which nearly all are non-EU citizens. Among these the most common national group were from the Russian Federation (65%), followed by nationals of Belarus (11%) and Ukraine (8%). In terms of migration flows, outflows outstrip inflows although net immigration did increase slightly between 2001 and 2002. Large numbers of Lithuanians left the country between 1990 and 1999 (278 100) while this outflow is slowing down it does represent a complex migration pattern heading both east -to Russia and Belarus- and west -to Germany and the USA. Asylum remains a new but emerging phenomenon with small but increasing numbers of applicants (550 in 2002). A large proportion of these originate from Chechnya in Russia.

Luxembourg

Immigration is an essential component of Luxembourg's population (39.0%) and growth is largely the result of immigration and naturalisation. Yet these population flows are largely composed of EU nationals. At 33.5%, Luxembourg has the highest proportion of EU nationals living abroad in the European Union. EU citizens predominate the foreign-born population, with Portuguese nationals as the largest group (almost a third), followed by Italians (11%). Nationals of neighbouring countries (France, Belgium and Germany) account for around 28% of all foreigners and 10.6% of the total population. Cross-border employment is also widespread and increasing with 77% of all jobs created from 2002-2003 filled by cross-border workers. Nevertheless, since 2000, immigration has declined and the proportion of immigrants from the EU is falling. In 2001, a regularisation scheme was implemented to register undocumented migrants. By 2002, almost 3,000 people had applied. Just over two thirds of applications were accepted and granted temporary resident visas. Of these, 75% were from the former Yugoslavia. Luxembourg's refugee population remains modest at only 0.2% of the total population. Asylum applications doubled from 2001 to 2002 to number 670 applications. The government has begun to forcibly repatriate failed applicants: the majority returned to Montenegro.

Malta

Malta's non-national population represented 3% of the total population in 2005. Two-thirds of this group consisted of EU citizens living abroad, of which Great Britain, the former colonial power, was the most common country of origin. Of the 4,000 non-nationals, the largest group also originated from the Commonwealth, India. Net migration between 2000-2005 remains quite modest in Malta at 1,000 people or 2.8 people per 1,000 inhabitants. According to UNHCR, Malta's refugee population represented 0.5% of the total population.

Combined with asylum seekers and those receiving humanitarian visas from 2000-2004, this figure rises to 0.8%. The total number of asylum seekers more than doubled between 2003 and 2004, with the largest determinable flow from Somalia. Although Malta's asylum seeker population ranked only 26 out of 50 nations in 2004 in terms of raw numbers, the percentage per 1,000 inhabitants was the industrialised world's third highest.

Netherlands

The impact of definitions on immigration statistics is made clear in the Dutch figures, which count immigrants as foreign nationals, foreign born and people of foreign descent ('allochtnous'). Non-nationals compose 4.3% of the total population and non-EU nationals 2.9%. This figure rises to 10% when examining the foreign-born population and rises further to 19% when counting the allochtonous population. The groups that predominate among immigrant stocks also vary depending on the definition adopted in statistics. Increases in inflows from Turkey, Suriname and Morocco since 1997 make these groups the largest among foreign-born immigrants. However, if the allochtonous is employed, the largest immigrant groups come from Indonesia, Germany and Turkey followed by people from Suriname and Morocco. In terms of flows, net migration fell by 52% between 2001and 2002. 56% of inflows are from non-Western countries and 25% from the EU. The decline in net migration is mainly due to a decline in asylum seekers, which dropped by 43% in 2002. The Netherlands' refugee population constituted 0.7% of the population, or 118,189, in 2004. The number of humanitarian visa recipients from 2000-2004, 43,932, also represented a significant population. The number of asylum seekers from Angola, Sierra Leone and Afghanistan all showed steep declines. The number of people entering the Netherlands on temporary work permits increased by 14.5% with the main inflows coming from Poland, the former Soviet Union, the USA and China. Naturalisations have been declining steadily since 1996. It is thought that this decline is due to changes in Dutch naturalisation policy introduced in 1997. These changes have restricted opportunities for dual nationality.

Poland

The non-national population in Poland in 2005 represented 1.8% of the total, of which the vast majority are non-EU citizens. In 2002, 60% of foreign nationals in Poland held permanent resident status. The largest group came from the former USSR (40%) with other large groups coming from Germany, the USA and Vietnam. Poland is am emigration country rather than and immigration country. In 2002 net migration was negative 17,900. The majority of the outflows were destined for Germany, the USA and Canada. Emigration tends to be work related therefore there is a strong likelihood that Poland's accession to the EU will mean that migration outflows will be re-directed to those countries that are currently admitting accession state nationals into their workforce. While in-migration remained stable, the number of asylum applications is increasing (from 5 200 in 2002 to over 6 900 in 2003). The majority of applicants come from the Russian Federation (Chechnya).

Portugal

In 2005, the non-national population was 2.5% and non-EU nationals 1.8% of the total population. The proportion of nationals of Brazil, Eastern Europe and Russia has been growing. Eastern Europeans now represent a quarter of the foreign population. The amount female migration represents a significant recent trend, particularly from Latin American countries. Women make up 44.4% of foreign nationals, compared to 41.5% in 1995. Net migration has been positive since 1993, before which Portugal was an emigration country.

However from 2001 to 2002, Portuguese emigration has once again increased. Portuguese emigrants predominantly live in the USA, Brazil and France. Inflows of foreign nationals in 2002 were dominated by nationals of Lussophone African countries, (32%, principally Angola, Cape Verde and Guinea-Bissau), EU countries (in particular Spain – 6.0%, the United Kingdom – 7.0% and Germany – 5.1%) and Brazil (10%). Nearly half of these new entries were for reasons related to employment and family reunification. Asylum migration remains minimal (between 200-250 applications per year) with asylum seekers coming from diverse countries but West Africans being to most frequent. In 2001 the government introduced a regularisation programme for undocumented migrants with employment contracts. This led to the issuance of nearly 180 000 permits between 2001 and 2003 with most going to people from Eastern Europe, Russia and Brazil. Naturalisations followed an increasing trend between 1998 and 2001 but declined slightly in 2002. The majority of nationalisations involve non-Europeans: Brazilians 25%, Lussophone Africans 35.6% and Venezuelans 16%.

Slovenia

In January 2005, Slovenia's non-EU national population consisted of 2.2% of the population, roughly the entire non-national population. Along with Hungary, Lithuania and Poland, Slovenia possesses a population consisting of few EU nationals living abroad, roughly 0.1%. Bosnians constituted the largest group within Slovenia's 43,050 non-EU national population. Slovenia is at the threshold of being a country of migration, as net migration between 2000 and 2005 amounted to 2,000 people or 1 person for every 1,000 inhabitants. Slovenia's refugee, asylum seeker, stateless and humanitarian visa population comes to 970, less than 0.1% of the total population and only 2.2% of non-EU nationals. Nearly half of this population consists of stateless persons. The major countries of origin for asylum seekers in Slovenia according to size in 2004 were Serbia and Montenegro, Albania, Turkey and Bosnia and Herzegovina.

Slovakia

According to Eurostat figures of 1 January 2005, Slovakia's non-national population represented 0.4% of the total population, of which one fifth of residence permits were temporary. One half of this non-national population consists of EU citizens from neighbouring countries; in order of size, the Czech Republic, Poland, Germany, Austria and Hungary. The other half, non-EU nationals, numbered 11,375, which represents the smallest proportion of non-EU nationals in the EU. The major countries of origin for non-EU nationals in 2004 were in order of size the Ukraine, Russia, Macedonia, Romania, the United States and Vietnam. Naturalisations from 2000-2004 represent 5.1% of the foreign-born population, of which the largest non-EU groups are Vietnam, Ukraine, Serbia, Romania and China. Slovakia represents a country of emigration, as net emigration flows have doubled in 2004. The number of asylum seekers has steadily increased from 0.3 applicants per 1,000 inhabitants to 2.1 or a sevenfold increase. Applicants can be grouped together as South or East Asian (India, Pakistan, Bangladesh, Afghanistan and Vietnam) or former USSR (Russia, Georgia and Moldova). The number of non-EU students, 1,025, remains quite modest at 0.6% of the student population. Indeed, it is important to reiterate that both net immigration, emigration and asylum seeker flows remain quite low.

Spain

In 2000 the foreign population numbered around 1.6 million or 4.7% of the total population. In 2005, Eurostat reported figures of 3.4 million or 7.8%. Nearly 80% of that population are non-EU nationals, or 6.2% of the total population. Regularisation regimes in 2000 and 2001 have contributed to this demographic change as the number of non-EU nationals increased by 20% in 2002. The proportion of men has also risen sharply to 55.2%. In terms of overall stocks, Europe remains the main region of origin, followed by Latin America and Africa. By country, the main places of origin are Moroccan (282,432), Ecuadorian (115,000), British (90,091), Colombian (71,238) and German (65,823). Inflows increased eight fold between 1998 and 2002. Latin American remains the source of the largest number of inflows (Ecuador, Uruguay, Venezuela, Argentina, and Bolivia). However 2002 figures show an increase in the number of immigrants from eastern European countries - particularly Romania, Ukraine, Bulgaria and Lithuania). Regularisation programmes have revealed large numbers of undocumented migrants. The refugee population in Spain remained quite modest in 2004 at less than 0.1% of the total population. The number of asylum seekers fell from 2002 to 2003 to just under 5,800. Marked falls in the number of applications were seen in relation to applications from Sierra Leone, Cuba, Armenia and Romania. Naturalisations increased in 2002 with two thirds of those taking up Spanish nationality coming from central and South America. This preponderance is probably explained by less stringent naturalisation criteria applying to these groups.

Sweden

In 2005, 5.3% of the total population or 481,141 were non-nationals. Of these, a third came from Nordic countries. For non-EU citizens, this figure was 3.0%. These other main groups were nationals of Iraq (8%), Serbia and Montenegro (4%) and Germany (3%). The foreign born population was much larger numbering over a million (60% of the foreign born population are Swedish nationals). Inflows of workers, students and family members have been increasing. In 2002, the net inflow of foreigners who intend to stay for more than one year and excluding asylum seekers was 33 400. Asylum applications saw particularly steep increases (40% from 2001 to 2002). The main source countries are the former Yugoslavia and Iraq. The number of asylum applications in 2002 was 33,000. 37,800 foreigners became Swedish nationals in 2002. The main group taking up Swedish nationality was from the former Yugoslavia (20%). Other large groups were Iraqis (6%) and Poles (7%).

United Kingdom

Non-nationals constituted 5.0% of the total population in 2005 and non-EU nationals 3.3%. The non-national population witnessed an increase of 0.3 percentage points from 2002. Europe comprises the largest source region with 43.5% of foreign nationals coming from European countries, followed by Asia (25.9%) and Africa (16.8%). However the share European immigrants among the total immigrant population is declining. In terms of countries of origin the largest was Ireland (13%). The countries supplying the next largest groups are India (5.5%) and the USA (4.7%). Net migration has been positive since 1994 although the number of immigrants from Commonwealth countries has been declining. 103,000 asylum applications (including dependants) were received in 2003. The main nationalities applying were from Iraq, Zimbabwe and Afghanistan. The number of people granted British citizenship in 2002 was at a record high of 120 145 this probably represents a spike in advance of new citizenship laws proposed in 2002.

Conclusions

- International migration enhances the diversity of Europe's population with immigrant populations that are themselves extremely diverse
- Integration policies therefore apply to a wide range of different groups in terms of their background from the country of origin, admission channels and settlement conditions (living, working, political) in the country of destination
- In some cases the same or similar policy measures are taken to include different types of groups. In other cases artificial distinctions are made and are certain groups excluded from integration policies because of their legal status
- The need for information on the entire spectrum of the migrant population groups makes mapping the population an essential and sensitive exercise
- Benchmarkers will find the search for existing comparable data quite desperate due to differences in definitions and a focus in official statistics on migrant flows and border management rather than migrant stocks and integration
- Some available statistics are in the public domain; however many are only accessible by payment or upon (sometimes repeated) request

Recommendations

- Benchmarkers must decide on the scope of their integration target group from among the many categories of migrants based on their institutional mandate and capacities
- They may have to turn for statistics to individual researchers, their national statistics bureaus or regional and international bodies other than the European Union
- In the current statistical environment, benchmarkers may ultimately be their best resource for data and information-sharing
- Benchmarkers should use this report's statistical portrait of Europe's migrants as a starting point that indicates major areas of divergence
- This solution to data collection and comparability may lead to European, but not EU-wide comparisons
- The Council and the Parliament are strongly encouraged to pass the Commission Regulation on migration statistics to establish common, comparable statistics disaggregated by age, sex, citizenship, country of birth and migration or protection category
- Data sources according to age, culture, educational level, gender, health and social indicators are particularly in need of examination
- The Council and the Parliament should therefore press the Commission to adopt the other disaggregations by employment status, occupation, industry, level of education and training, year of first arrival and region of current usual residence, which are essential for benchmarking integration policy
- Along these lines, the report echoes the conclusions of THESIM project and the 20 April 2006 opinion of the European Economic and Social Committee that greater investigation at the European level of integration statistics, especially on the social and educational background of migrants, is essential for integration policymaking

CHAPTER III.   INTEGRATION CONCEPTS: ACTIVE CITIZENS AND INTEGRATED SOCIETIES

Europe's population is dramatically changing in composition and size. It is getting older and will eventually shrink. These demographic changes pose serious challenges for how European societies are kept together, that is how they are integrated. How will Europe in a globalising economy generate sufficient income and maintain the same level of productivity and standard of living. Are the same services required? Will they be delivered by the state and private sectors in the same manner? And who will deliver them? How will (inter-generational) solidarity be organised and social bonding take shape? How does diversity work and how can people with multiple identities share basic values and develop a sense of belonging? How can international mobility foster relations between countries in an increasingly borderless world? How can events in one country constructively influence community relations in other countries?

This chapter puts immigrant integration in the wider context of Europe's socio-economic development that set the terms of the migration and integration debates. The complexity of integration as a societal process stems from the number of actors involved and the impact it carries for society as a whole. Benchmarkers cannot begin to think of benchmarking integration without creating **a shared definition of integration**, which represents a rather daunting task.

The report builds on European framework definitions of integration to propose a broader benchmark definition of integration that covers a variety of policy areas and stakeholder perspectives. This definition brings together the legal and social dimensions in a citizens based approach to integration.

3.1. The terms of the debates in their historical context

Migration and integration debates are inextricably linked and evolved over time when different types of migrants settled in European countries and policy responses were formulated at national and European levels. **This chapter first explores the divergent experiences of migratory waves across Europe and their effect on the definition and evolution of integration policy since the Second World War.**

3.1.1. The post-war political flux and economic recovery

As the map of Europe was redrawn and borders shifted, post-war Europe was first faced with **massive migrations for political purposes**. The new geopolitical reality provoked many people to move through return and settlement migration in Eastern and Western Europe as well as 'migration sur place' (that is, people finding themselves in another country without moving).

A **curtailing of intra-European migration** followed the initial post-war flux. Because the police states of Eastern Europe framed migration as a security issue, the Iron Curtain was effectively employed to seal borders and provide strict migration controls between East and West. Some European migration occurred between Eastern-bloc countries and limited international migration flows developed between Eastern Europe from some African and Asian developing countries. Finally, de-colonisation also led to migratory movements between Western European motherlands and their former colonists and administrative elites.

Migration for work purposes emerged in Northwest Europe where countries actively recruited migrant workers from non-European neighbouring states and former colonies to fill gaps in the labour market. Migration was perceived as a temporary arrangement and migrants as temporary guests in some countries, (for example Austria, Germany and the Netherlands). This so-called **guest-worker system** was driven by the economic needs of the *host* countries and based on agreements between the social partners and the governments on the recruitment, working and living conditions of the migrant workers (in accordance with the rules of the Rhineland type of welfare states). Societal integration was therefore not considered an issue in countries that expected **migrant workers** to return.

Host country governments were bound however to provide **fair and equal treatment** to guest workers as with national workers. The governments of the host countries and countries of origin managed to a great extent the process of recruitment and made efforts to ensure a comfortable stay for these guest workers. Consulates and embassies were, for example, involved in the organisation of cultural events to maintain strong links between migrants and their country of origin. Outside of the public sector, migrant communities often depended upon churches and religious organisations to provide social assistance (for example, language courses and housing).

Other Northwestern European countries like Belgium and France adopted a different approach as self-identified countries of immigration. In the official discourse, migrants were not called migrant workers but **immigrant workers** who would be integrated through **equal treatment.** These policies also incorporated the possibility, but not the assumption, of return. This approach was also driven by economic needs, which officials may or may not have assumed to be temporary.

Both countries relied on their longer tradition of immigration and immigrant integration. Policymakers in both countries believed equality pertained to recruitment, working conditions, the law and access to citizenship. The more corporatist forms of welfare states were also founded on the consensus of all social partners, a task that provoked greater challenges and conflicts in the Rhineland welfare states. Integration in the two countries represented a strongly statist process between the welfare state and its future citizens. The French state played an important role in the provision of services, form recruitment to housing and education. Work, education (and the French army) represented the lynchpins of societal integration, as did participation in trade unions, political parties and church-life.

The United Kingdom's worker recruitment program made no assumptions about the temporary or permanent character of stay because of its fluid and robust relationships with countries of origin through the Commonwealth and free travel area with Ireland. Many migrants held residence and citizenship entitlements allowing them to travel back and forth between the UK and its former colonies. In many cases, the socio-cultural barriers between the migrant and native British populations were comparatively low. Migrants often spoke proficient or fluent English, studied at British universities or worked for the colonial administration. In the United Kingdom, their **communities** mobilised and organised around countries or regions of origin or ethnic and racial affiliations. In this framework of community relations, the process of integration mainly concerned race-relations and equality through the adoption of **anti-discrimination law**. Indeed, these laws became a benchmark for Community anti-discrimination law in the nineties.

In the north of Europe, migratory movements largely occurred **between the Nordic countries** with Sweden as the main destination notably for Finnish workers. Sweden and Denmark also recruited foreign workers from further away (Yugoslavia and Turkey, respectively). The Nordic welfare states incorporated newcomers on the basis of their **egalitarian principles**. The state played a dominant role and received the support of the powerful trade unions.

Post-war settlement and decolonisation migratory flows in North-Western Europe soon gave way to new flows of migration for employment. Demand during the post-war economic boom largely drove these flows, which were then **managed by both countries of origin and destination and in collaboration with the social partners**. An appreciation of the **mutual benefits of migration** underpinned this migration system; countries of destination, countries of origin and immigrants viewed themselves as its target group.

Integration represented a rather peripheral concern for most stakeholders. Migrants were well incorporated into expanding labour markets and equal and fair treatment represented the cornerstone of socio-economic policies. European welfare states concentrated on the incorporation of the political migrants, victims of the post-war and post-colonial state systems. Policymakers expected the stay of temporary workers to be largely temporary either because of return, naturalisation or post-colonial linkages.

3.1.2 The 1970s and 1980s: the end of recruitment and the beginning of integration

The termination of recruitment schemes in the mid-1970s replaced a predominately migration for employment system with **migration for family reasons**. This transformation in migratory flows led policymakers in the Netherlands, unlike Austria and Germany, to question the guest-worker system. After intensive consultations, the Netherlands adopted an integration policy based on its experience with the emancipation of (religious) minority groups and the working class (the so-called pillar system). Without declaring itself as a **country of immigration**, policymakers recognised that the Netherlands had become a **country of settlement of temporary migrants**.

Other European countries also began to **initiate integration policies** aimed at the settlement of immigrants. France for example facilitated the acquisition of nationality, immigrant integration and the criminalisation of racial discrimination as matters of human rights. Other countries followed suit and eased citizenship laws. National policies were gradually introduced to strengthen the legal position of aliens. A second and third generation of immigrants grew up and the word foreigner began to be substituted with immigrant or by ethnic or racial minority. Some countries began to call themselves multi-cultural societies and strengthened their anti-discrimination legislation (The Netherlands, United Kingdom and Sweden). Policies to promote the 'integration' of immigrants or minorities were considered to be more effective when immigration would be under strict control and be reduced (in some countries this was called zero-immigration).

3.1.3. The 1990s: New movements and new countries of immigration

Global political and economic circumstances initiated large migrant flows that affected all European countries. Similar to the initial post-war period, the political shifts into a post-communist world and the removal of the Iron Curtain again redrew the map of Europe and produced migratory movements, although smaller in size than prophesised and feared. Wars in Europe and elsewhere also produced large flows of refugees in search of international protection. Perhaps the biggest movements occurred from and within the Southern European region of the Balkans. The collapse of government and social fabric in many developing countries also produced migrants (for which the term economic refugees was used). The numbers of people looking for **international protection** continued to rise as this group became the largest immigration source and the subject of wide debate in most European states and European policy forums.

Other important flows included **smaller-scale return of nationals** to their country of (distant) origin, from ethnic Germans and ethnic Greeks, to Finns and Irish persons. In North-West

Europe, **family reunion** (and also family formation) remained the biggest immigration source and measures were introduced to limit family-based migration. Central and Eastern European countries became countries of transit for migrants on their way to Western Europe and North America. Western European governments assisted these and Southern European countries in designing a migration management strategy based on effective border control, where frontiers were considered to be porous. Irregular migration arose as an issue in other European regions, with varying forms of regularisation and tighter control measures taken hand-in-hand.

With these new migratory movements, so-called traditional sending countries transformed into receiving countries themselves. In southern Europe, these flows principally took the form of irregular migration. The introduction of legalisation programmes served as a kind of ex-post facto- immigration policy. In **newer immigration countries**, such as Greece, Italy, Spain, Portugal, Ireland and Finland, immigrant participation in particular sectors contributed to continued economic growth and in turn attracted more immigrants.

The debates in most countries in the 1990s conceived of these migratory flows as unsolicited and undesired. Asylum-seekers and refugees were indeed admitted in great numbers, but seen as a burden that had to be shared among countries. Policies became based on suspicion: asylum was granted when not proven manifestly unfounded. Spouses were reunited after the primary purpose of their marriage was established. Bogus asylum-seekers, economic refugees - terms frequently used in official parlance - and clandestine migrants were out to enter Europe's backdoor in order to benefit from the welfare state. Migration management and prevention came to mean migration restriction, border control and combating clandestine migration, trafficking in and smuggling of human beings.

Migration became associated with organised crime and terrorism (especially after the 11th of September) and immigrants were associated with criminals and terrorists. Security issues began to dominate policy agendas, just as re-admission began to appear prominently on the international co-operation agendas. Migration control came to mean restricting immigration for (self-) employment and family reunion, a less liberal interpretation of the Geneva Convention and less generous asylum policies.

In short, **migration was disconnected from the socio-economic debates and turned into judicial migration management debates**, which focussed on restriction and control. At the same time it became evident that national policy responses needed to be complemented by international policy responses, leading to increased international co-operation and debates.

3.1.4. European cooperation

For a long time, European co-operation on migration and integration took mainly place in the framework of the Council of Europe. Few countries were actively involved in shaping the migration agenda of the then much smaller Council. They included large and small receiving countries (ex. Germany, Sweden, the Netherlands, Belgium, France and the UK) and, interestingly, a number of countries of origin (ex. Turkey, Italy, Spain, Portugal and Finland).

Work on integration was firmly embedded in the Council's human rights framework. The Council adopted general and specific instruments to protect the rights of citizens and migrants (from the European Convention on Human Rights to the Social Charter). The rights based approach to migration and integration was supported by programmes on immigrant integration, which included what nowadays is called exchanges of best practices and peer reviews. In addition to publishing a series of practical guides, convening working parties and organising expert seminars the Council hosted ministerial conferences on integration.

Integration was labelled as **community relations**, a British term for what in other countries is called immigrant integration, which found its way to the Council of Europe. The French approach, with its emphasis on **individual human rights**, was later captured under the Council's work on **diversity**. The debates in the Council reflected to some extent the different approaches to integration of its member states. These were sometimes summarised as the French versus the British approach, a variation on what in scholarly debates is called the multiculturalist approach versus the assimilationist approach to integration. However useful these distinctions may be at times, it did not and still does not cover the more complex realities in countries were these approaches are claimed to be dominant.

The Council promoted policies across its membership, which aimed to safeguard the rights and dignity of immigrants, to secure their residence rights and right to family life. It designed anti-discrimination strategies and worked extensively on issues related to nationally. Work on immigrant integration also benefited from the Council's overall programmes on pluralism, cultural diversity, education, language and minorities. As a matter of fact the Council pioneered European co-operation on migration and integration in terms methods and themes and was instrumental in developing a European scheme for integration.

Whereas the Council of Europe's approach was very much human rights orientated with significant attention given to cultural issues, the European Communities angle was more socio-economic. Intra-Community migration was actually called free movement, the promotion of which is a major goal of the Communities and it is part of its programme to remove the obstacles of the free movement of capital, goods, services and persons. The competence to act on extra-Community migration was lacking and was left to Member States.

The **freedom of movement of workers** was enshrined in the founding Treaty of the European Communities very much at the instigation of the at that time single sending member state of the then six Member States counting Communities (namely Italy). According to this principle nationals of Member States have the right to move to another Member State and take up a gainful activity and establish themselves under the same conditions as nationals of that Member State. This provision in the Treaty had far reaching consequences. First, intra-Community migration would, taken to its logic conclusions, not be considered as migration and thus 'internal migrants would neither bee seen as immigrants.

With the **introduction of EU citizenship** in the 1990 Maastricht Treaty they would be European citizens exercising their free movement rights. This explains that migration debates intensified every time the Union increased its membership. Second, movement and settlement were combined and based on equality: every member state national has a right to move, work and settle in another member state. They could move back and forth after longer or shorter periods of stay (as Italian, Portuguese, Greek, Spanish as well as Irish nationals did).

European citizens can also move to a first Member State and then on to a second. EU worker migration became a benchmark for Member State nationals moving to another Member State for other purposes than taking up a gainful activity, namely for study and retirement purposes. It also became a benchmark for nationals of associated states. Turkey in the first place with which an Association Agreement was concluded already in 1963. Nationals of EEA Member States and Switzerland are nowadays to a great extent assimilated with EU nationals. Finally this type of migration also became a **benchmark for immigration and integration of so-called third-country nationals** since the 1999 Tampere European Council concluded that the legal status of third-country nationals legally residing in the Member States should be approximated to that of Member States' nationals, with 'comparable' rights and obligations.

With every enlargement of the European Union the number of persons enjoying free movement rights increased, removing issues from the immigration and integration agendas of individual Member States. European citizens moving from one Member State to another are

supposed to take up an economic activity or possess the means to support themselves. They have equal access to services and can participate in local elections. As economically self-supporting EU citizens who are in terms of rights almost entirely assimilated with nationals and they are not the target of integration policies which are designed for other nationals.

The right of free movement gradually developed through secondary legislation and implementing policy programmes which were firmly **linked to the Union's overall socio-economic goals and the completion of the internal market**. After stagnation of the internal market in the seventies the idea was re-launched in the early eighties following debates with major stakeholders on economic prospects, citizenship issues and institutional reforms proposals. The debates culminated in the adoption of a White Paper and the European Single Act. The former listed the measures to be taken to complete the internal market by 1992, the so-called '1992 Operation'; the latter provided its legal basis. The Single Act stated that 'the internal market shall comprise an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured'.

The **removal of internal borders** required agreements on the external borders as not only EU citizens could travel from one member state to another, but third-country nationals admitted in one Member State could do that as well. Common rules on the admission of third-country nationals thus became necessary. Although the rather successful '1992 Operation' was less successful in developing those common rules, it nevertheless expanded the free movement rights of nationals of Member States considerably and lifted travel barriers for resident third-country nationals. A limited of countries took the lead by concluding the Schengen Agreements, which aimed to remove internal border control.

This was a direct response to protesting lorry drivers at internal borders and a clear attempt to control the economic damage of costly procedures ate internal borders. The ensuing debates in European countries were very much on whether or not to sign up to these agreements and the list of signatory states became longer over time. The debates shifted from being primarily economic to being more on institutional issues (the Schengen agreements as an example of Europe of two speeds). Other governance issues such as openness and transparency of decision-making at European level were also hotly debated. Many human rights and immigrant associations considered the Schengen Agreements as prime examples of European 'behind -closed doors –policy-making' which fed strong anti-EU sentiments.

The economic aim to complete the internal market initially drove the EU's 'migration policy'. The expansion of free movement impelled further development of Community law and supportive programmes to promote mobility, to the benefit of an increasing number of EU citizens.

However, the broader disconnection of migration and integration with socio-economic development that occurred throughout Europe in the nineties also manifested itself at the EU level. Without any serious shortages on the labour market, the private sector exerted no pressure for the recruitment of foreign labour. They considered the promotion of the free movement of EU citizens sufficient to fill labour mobility needs. A low demand for foreign labour and an abundant EU supply caused a restrictionist tone to filter into European debate re-focused on preventing international migration.

For a few years, this disconnect remained invisible at the EU level. Any common approach to immigration from outside the European Union had been a case in the almost endemic institutional struggles between Member States and the European Commission on the powers of the European institutions. Most Member States insisted on preserving their sovereignty on matters related to the admission and residence of non-EU nationals to their territory, refusing to share it with the supranational European institutions. Neither did common integration strategies appear on the European political agenda, because, as was argued, integration takes

place at lower levels than the European level. In other words, **institutional issues took the upper hand in the European migration debates**. Subsequent Inter-Governmental Conferences on Treaty changes reinforced this tendency, as did, to some extent, the Convention that led to a proposal for a European Constitution.

Th**e transfer of immigration from socio-economic affairs to internal and juridical portfolios** reflected the dominant view that immigration was not desired. Justice and Home affairs ministries (and DG Justice and Home Affairs at the EU level) were considered the best equipped to stem the unsolicited arrival of immigrants and asylum-seekers. The justice and home affairs approach thus concentrated migration efforts on the control and security of so-called newcomers. Once on the Justice and Home Affairs agenda, this approach largely deterred the further development of a rights-based approach to migration or a citizens-based approach to integration.

To the extent employment and social affairs ministries (and DG Social Affairs and Employment at EU level) acted on migration and integration, their approach hardly considered migration as a complementary labour market strategy. Migration scarcely figured in the Employment Strategy and integration was likewise marginal in the Social Inclusion Strategy. This light treatment surfaces in the strategies' anti-discrimination programme where nationality is not included as ground of discrimination. The language used in those policy circles labelled **immigrants notably as a vulnerable group and not as economic and social actors.**

3.2. Framing definitions at the European level(s)

The manifold dimensions of integration, as well as the sometimes-ambiguous division of labour between governmental departments and European institutions, complicate any definition of integration. Agreement among policymakers is hard to reach on a common official definition, let alone one shared by other levels of governance and non-governmental stakeholders.

The socio-economic and juridical approaches should be pulled together in a common European definition of integration. Examples of joined-up policies exist at both national and European levels, such as policies that consider immigration as a complementary strategy to address population imbalances and labour market mismatches. In such instances, the private sector, business leaders, immigrant advocacy groups and religious organisations (a pleasant surprise to see them together) have together initiated this call for a different approach to migration. This motley coalition argues that clear, transparent, consistent and simple migration rules must replace policies that hamper geographic and social mobility.

A comprehensive approach to geographic and social mobility requires a shift away from the almost exclusive focus on immigrants as belonging to a vulnerable group that must be integrated into society. The actual and potential economic, social and cultural contributions of immigrants should be recognised and immigrants' pathways to becoming full and active citizens should be cleared. Another coalition of human rights and immigrant organisations, mainstream service providers and the voluntary sector (where the private sector is disappointingly absent) call for rigorous policies to promote civic and active citizenship, protect fundamental rights, promote equality and fight against discrimination.

Consequently, a common European definition of integration should situate integration policies within the broader context of sustainable economic development and social cohesion. Integration policies must encourage immigrants and nationals alike to become active citizens. It must promote solidarity and equality among all members of society.

This report proposes a benchmark definition of integration that can be used by benchmarkers across policy realms and across countries. The report will concentrate heavily on existing European framework definitions from the European Union, the Council of Europe and Eurocities.

The report will assist benchmarkers in extracting the core features of these European framework definitions, which bring together the integration target groups, common goals and basic principles of each European organisation. Analysis of the major features leads to a benchmarking definition of integration that permits benchmarkers to understand what can be benchmarked and what role they can play in the policy formation process.

3.2.1. Legal dimension: European Union perspectives

3.2.1.1. The personal scope

Justice and Home Affairs ministries were instrumental in the **selection of target groups** for the EU integration framework, which emerged within the context of an Area of Freedom, Security and Justice and the development of a common European asylum and immigrant policy. This interpretation of the target group for integration has been enshrined in EU Council Conclusions, Commission Communications, EU hard law[30] and the proposal for the 2007-2013 Integration Fund([31]).

The general target group focused on legally-resident third-country nationals, which excludes other categories of migrants (see Figure 2(b) in Chapter II), such as undocumented migrants, EU citizens and returning emigrants.

Because legality of status represented the most determining factor, justice and home affairs ministers considered undocumented migrants to fall out of the target group scope. Also conspicuously absent from the target group are returned emigrants, whose integration obligations are determined by national law. Likewise excluded are EU citizens, whose entitlement to automatic comparable rights, much like their right to free movement, is safeguarded under EC law.

Justice and Home Affairs ministries designated the **target group for the EU integration definition to be three categories of legally resident TCNs: migration for employment and self-employment, family reunification and humanitarian reasons**. These ministries have specifically concentrated the EU framework and its fund more on **newcomers than on settled immigrants or long-term residents.**

All legally-resident third-country nationals do not fall under the EU framework definition's target group. The proposal for the 2007-2013 Integration Fund explicitly excludes asylum seekers and refugees, whose integration programmes would be developed separately under the European Refugee Fund, thus disconnecting integration programmes for immigrants for international protection from all others. The Explanatory Memorandum of the Integration Fund proposal places students, researchers, seasonal workers and persons changing their status outside the EU scope, although Member States retain the discretion to include them as additional beneficiaries in programmes focused on the main target groups.

Not all migrants for employment, self-employment, family reunification and humanitarian reasons are necessarily included as beneficiaries. EU Member States may remove certain persons from the EU target group on integration. Article 6.1 of the Long-Term Residence Directive allows Member States to refuse to grant long-term residence status on grounds of

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[30] 2003/109/EC and 2003/86/EC.
[31] COM(2005) 0123 final.

public policy or security. To this list, Article 6.1 and 6.2 of the Family Reunification Directive adds public health as grounds for refusal to grant or renew a family members' residence permit([32]). The security, policy and health interests of Member States may tighten the personal scope of the EU framework definition at these two critical channels in the wider integration process.

Member States are tempered in their interpretation and exercise of threats to public health, policy and security. ECJ jurisprudence sets a strict interpretation of these grounds([33]) and the Directive obliges Member States to weigh the severity and type of offence and the threat of that person with "proper regard to the duration of residence and existence of links."

Nevertheless, this general exception proves the rule that the EU official target group ultimately remains at the discretion of national justice and home affairs concerns that may restrict or expand the personal scope of an EU framework definition on integration.

The official TCN target group has not gone uncontested by EU actors who promote broader definitions in non-binding documents at the European level. The 2004 Common Basic Principles for Immigrant Integration Policy (CBPs) encourage Member States to adopt broader target group definitions at the national level that would cover temporary workers, descendents, pre-admission migrants and even refugees. Reference to the 'descendents' of TCNs appears repeatedly in the original CBPs, though only once, concerning education, in the consequent 2005 Commission communication designed to put these CBPs into action. The 2006 European Parliament Report revived recommendations for the inclusion of immigrant descendents with their call for INTI funding for second and third generation immigrants([34]). Nonetheless, these broader interpretations have not been codified at the EU level.

3.2.1.2. The material scope and the gradual granting of comparable rights

The material scope of the EU framework definition received its core principles from the 1999 Tampere European Council. Tampere set four major aims for the European Union on the integration of TCNs, each with a particular realm, degree of equality and benchmark:

- **Comparable rights and obligations compared to EU citizens**
- **Fair treatment and non-discriminatory access and opportunity compared to national citizens**
- **Approximate legal status compared to national citizens**
- **As near as possible set of uniform rights for long-term residents compared to EU citizens, including the opportunity for the naturalisation**

Tampere's overall promise centres around integration through access to comparable rights and obligations, with EU citizenship as a benchmark and equal access, treatment and opportunity based on anti-discrimination law. Comparable rights and obligations offer immigrants the status and the instruments to pursue integration in the society and lead independent lives and livelihoods. Tampere initially specified the policy realms concerned with these rights and obligations included residence and legal status, education and employment. The lesser degree of 'approximate' is reserved for a higher benchmark for legal status, namely national citizens. The 'as near as possible' benchmark with EU citizens for

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[32] See Article 6.1. of 2003/109/EC and Article 6.1 and 6.2 of 2003/86/EC.
[33] See Case C-503/03 *Commission v Spain* [2006] ECR I-1097 and Case C-340/97 *Omer Nazli, Caglar Nazli and Melike Nazli v Stadt Nurnberg* [2000] ECR I-957.
[34] European Parliament, Report on a Common Agenda for Integration: Framework for the Integration of Third-Country Nationals in the European Union (2006/2056) 10.

long-term residence rights could be interpreted as closer to 'approximate', since both are linked to discussions of legal status.

15/16 October 1999 Tampere European Council Presidency Conclusions

A.   A Common EU Asylum and Migration Policy

III. Fair treatment of third country nationals

18. The European Union must ensure fair treatment of third country nationals who reside legally on the territory of its Member States. A more vigorous integration policy should aim at granting them **rights and obligations comparable to those of EU citizens**. It should also enhance non-discrimination in economic, social and cultural life and develop measures against racism and xenophobia.
…
21. The **legal status** of third country nationals should be **approximated to that of Member States' nationals**. A person, who has resided legally in a Member State for a period of time to be determined and who holds a **long-term residence** permit, should be granted in that Member State a **set of uniform rights** which are **as near as possible to those enjoyed by EU citizens**; e.g. the right to reside, receive education, and work as an employee or self-employed person, as well as the principle of non-discrimination vis-à-vis the citizens of the State of residence. The European Council endorses the objective that **long-term legally resident third country nationals** be offered the **opportunity to obtain the nationality of the Member State** in which they are resident.

Since Tampere, EU policy documents (see Figure 3(a)) have consolidated the framework definition of **integration as comparable rights and obligations and non-discrimination that are linked to specific benchmarks**. The 2003 Thessaloniki Conclusions reiterated that newcomers should garner new rights and obligations over time based on length of residence, which should culminate in a comparable status and ultimately the right to naturalisation.

Figure 3(a) Tampere's impact on the aims of an EU integration framework

2003 Commission Communication on Integration	Comparable rights and obligations to EU citizens
2003 Thessaloniki Conclusions	Comparable rights and obligations to EU citizens
2003 Family Reunification Directive	Comparable rights and obligations to EU citizens
2003 Long-Term Residence Directive	Legal status approximate to national citizens Uniform rights for long-term residents as near as possible to EU citizens
2004 Common Basic Principles (#6)	Equal Access/Fair Treatment as for national citizens
2004 Hague Programme	Equal Access/Fair Treatment as for national citizens
2005 Integration Fund	Comparable rights and obligations to EU citizens
2005 Common Agenda for Integration	Equal Access/Fair Treatment as for national citizens([35])

The two Directives on Family Reunification and Long-term Residence were intended to contribute to the implementation of these aims. The integration fund also intended to achieve comparable rights and obligations, while others have chosen to concentrate on delivering on Tampere's promise of equal access and fair treatment compared to nationals.

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[35] The CBPs, Hague Programme and Common Agenda have substituted the aim of *comparable* rights to EU citizens with a focus on *fundamental* rights. The Common Agenda identifies the key integration issues as non-discrimination, equal opportunities (both Tampere grounds) and *fundamental* rights. It chooses to speak not of comparable rights, but of an unspecified set of 'rights for migrants.' This attempted refocus loses sight of EU integration framework's foundation in pathways towards comparable rights and may shift the discourse towards an unspecified set of rights, without an ultimate benchmark. This trend should be monitored, as the Common Agenda suggests that a legal framework on the conditions for the admission and stay of TCNs must spell out TCN rights and responsibilities, but without making reference to any degree of equality or any benchmark.

Tampere laid the groundwork for an EU integration schema, which differentiates TCNs over time, as demonstrated in Figure 2(b). This figure illustrated how categories of migrants passed into channels to different legal statuses depending on their length of residence, choices and circumstances. Figure 3(a) reframes Figure 2(b) from the EU approach that considers migrants not only by their legal status, but also by the rights and responsibilities that they exercise in order to integrate over time.

Each legal status accords the gradually comparable rights and responsibilities crucial for an immigrants to pursue integration. Admission channels grant newcomers access to EU territory and access to many fundamental rights envisioned in the European Charter on Fundamental Rights, which universally apply to all legal residents. Fair treatment, non-discriminatory access and equal individual, social and juridical rights create conditions for newcomers to settle and initiate the integration process.

Figure 3 (b) Third-Country Nationals as Active Citizens
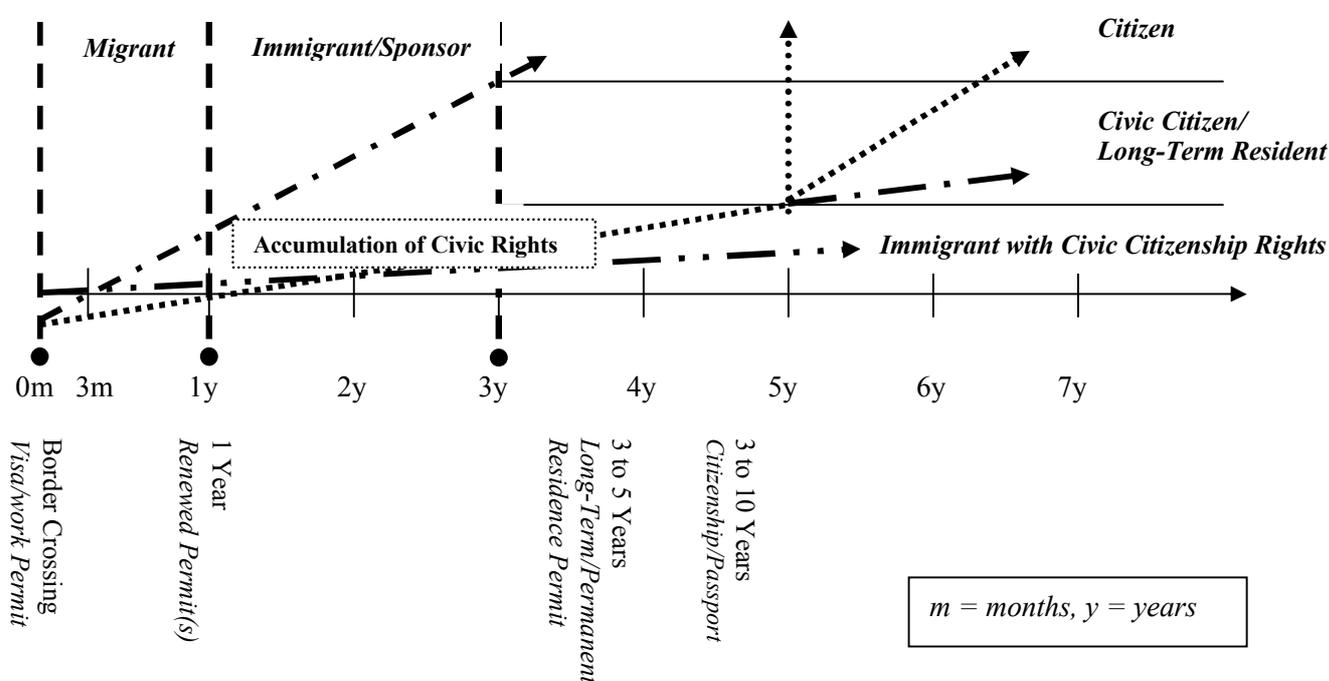
The granting of the right to family reunification after less than one year in some cases opens a second channel to a more 'approximate' legal status for immigrants as sponsors. Family reunification makes family life possible and helps, in the words of the Family Reunification Directive, "to create socio-cultural stability facilitating…integration." Depending on national law and administrative practice, rights accumulate over time for immigrants, even if these rights are not solidified in a new, more secure legal status.

The long-term residence permit transforms immigrants into long-term residents and civic citizens with comparable rights to EU citizens in the legal, economic social and welfare spheres. Long-term residence not only alleviates fears about the immigrant's future in the host country (through securer residence and better protection against expulsion), but also provides full access to rights and services. In some countries civic citizenship entails voting rights (at local level).

Integration continues to deepen through the naturalisation process, where immigrants move beyond a comparable status with EU citizens. Citizenship offers them identical rights and responsibilities as equals, which sets the final conditions for immigrant citizens to pursue integration and fully embed themselves in the political and social life of their new country.

3.2.1.3. Conditional comparable rights?

Member States have reserved the right to introduce nationally-defined integration measures that control family reunion and permanent residence. In two relevant pieces of EU legislation it reads that "Member States may require third country nationals to comply with integration measures in accordance with national law"([36]). Article 5.2 of the Long-Term Residence Directive and Article 7.2 of the Family Reunification Directive allow Member States to make the acquisition of the status of long-term resident and the right to family reunion contingent upon integration measures.

Some integration measures, like the recent Dutch Civic Integration Act test on language and society, make the completion of pre-admission integration tests abroad a condition for family reunification and the admission of religious personnel from particular countries([37]). This extension of integration measures to pre-admission has found its way into the Integration Fund. The target group is divided between those TCNs who are already resident on Member State territory and those who outside Member State territory:

> With a view to obtaining an authorisation issued by the authorities of a Member State
> to come and stay on this Member State's territory, [who] are complying with specific
> pre-departure conditions set out in national law, including those relating to the ability
> to integrate in the society of this Member State([38]).

In this manner, 'integration measures' are used as a means to control migration. Those persons entitled to the new status are restricted to those who qualify through a test of their individual 'integration.' This migration-control approach may well lead to a European practice of designing all manner of *national*, mandatory and conditional integration measures. In due course this will undoubtedly lead to calls for harmonizing national laws and practices. The question arises of what sort of benchmark will be evoked; will it entail the levelling up or levelling down of standards? Will it become easier or more difficult to acquire a certain status?

A similar situation exists with long-term residence and citizenship. The acquisition of the respective status may be hindered or even blocked in practice by integration measures, often in the form of tests that oblige immigrants to prove a certain degree of 'integration.' Each new legal status is reframed as a reward for compliance and successful completion of integration measures, which some policymakers treat as positive proof of an individual's 'integration.'

Limiting new legal statuses to those immigrants judged 'integrated' or 'capable of becoming integrated' by mandatory integration measures invites a circular logic; immigrants are supposed to be integrated before they can access the necessary conditions, processes, rights and responsibilities that make integration possible. Rather than preparing immigrants for later integration, these measures set up the expectation that successful integration happens within the limited scope of these measures.

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[36] 2003/109/EC and 2003/86/EC.
[37] The Dutch Civic Integration (Newcomers) test exempts foreign nationals from EU Member States, EEA countries, Switzerland, the United States, Canada, Australia, New Zealand and Japan.
[38] COM(2005) 0123 final.

Granting a new legal status as reward for 'successful' completion of integration measures carries the significant risk of framing family reunification, long-term residence and naturalisation not as a key tool for facilitating integration, but exclusively as a reward for completed integration([39]). Assessing integration before immigrants receive the proper status to invest in integration deprives immigrants of the new statuses to actively and fully pursue successful integration. It also deprives integration policymakers of invaluable tools to promote integration policies through the granting of new statuses to enable immigrants to actively invest in society.

A citizens-centred approach to integration is replaced with a migration-control approach at each critical moment of integration: right to secure residence, right to family reunification and the right to acquire citizenship.

Monitoring is necessary of policies and integration measures pertaining to each stage in the process (admission, the granting of long-term residence and other permits, family reunification and naturalisation). Monitors must consider questions of eligibility, conditions, security and rights associated with each status in order to ensure that national laws and practice do not obstruct viable pathways to civic citizenship and eventually naturalisation. Chapter V outlines a number of these impediments, while Chapters VII and XI illustrate this monitoring function on issues of civic citizenship.

3.2.1.4. Other characteristics of the EU framework definition

The Thessaloniki European Council called for migrants to be treated as a **disaggregate group with the needs of migrants considered according to their different conditions, sexes and stages of life**([40]). The 2003 Commission communication on Immigration, Integration and Employment and the 2005 Commission communication on a Common Agenda for Integration echoed this appeal for a focus on differentiated target groups of migrants.

This **more comprehensive personnel scope** logically resulted in a **more multidimensional material scope of integration policies** which consider the disaggregate needs of migrants and that embraces all possible policy realms and engages a variety of stakeholders. With a view towards mainstreaming integration, Thessaloniki reasoned that a framework definition should be applicable to integration questions that arise in diverse policymaking realms, including social cohesion, employment, education, language, health and social services, housing and culture. The 2003 Commission Communication inserted cultural and religious diversity, citizenship and political rights, due to its particular interest in the idea of "civic citizenship". This list of policy realms was later raised under the Dutch Presidency's 2005 Hague Programme and enshrined in the 2004 Common Basic Principles for Immigrant Integration Policy (CBPs). Furthermore, a European framework definition should also serve not simply local, regional and national policymakers, but also non-state stakeholders and migrant groups in particular. The EU framework definition on integration therefore seeks to involve all possible policy realms and all possible actors, above all migrants themselves, in order to encourage concerted participation on a diverse set of integration needs.

EU policy documents since Tampere state that any integration definition should engage not only the migrant population, but also the host society. The Common Basic Principles have termed this "**mutual accommodation by all immigrants and residents of member states**"([41]). Mutual accommodation across the EU would be anchored in local integration

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[39] This question stems from old discussions of whether the acquisition of nationality is the completion of or vehicle for integration.

[40] Thessaloniki European Council Presidency Conclusions (Brussels: 1 October 2003), 11638/03 Article 29.

[41] European Council, Conclusions on the establishment of Common Basic Principles for immigrant integration policy in the European Union (Brussels, 19 November 2004) 13973/04 MIGR 96, Common Basic Principle 1, 8.

through frequent interaction that targets migrants and the host society respectively, such as private exchanges, community-building, and inter-cultural dialogue.

While mutual accommodation refers to the interaction of migrants and citizens, the host society has been markedly peripheral in many integration policy documents. The 2005 Commission Communication fleshed out this concept of mutual accommodation with initiatives to involve the host society in the integration process at the national level. However, most accommodations outlined in the CBPs are undertaken by immigrants, whose text obliges them to respect basic values, acquire knowledge of the host society and participate in education, cultural life, the democratic process and the design of integration policies. Despite the intended two-way process of mutual accommodation between migrants and citizens, migrants continue to carry the main integration responsibility within the EU's framework definition.

The Common Basic Principles on Integration (Brussels, 19 November 2004)

1. Integration is a dynamic, two-way process of mutual accommodation by all immigrants and residents of member states.

2. Integration implies respect for the basic values of the EU.

3. Employment is a key part of the integration process.

4. Basic knowledge of the host society's language, history and institutions is indispensable for integration.

5. Efforts in education are critical for preparing immigrants to be more successful and active.

6. Access for immigrants to institutions, as well as to public goods and services, on a basis equal to national citizens and in a non-discriminatory way is an essential foundation.

7. Frequent interaction between immigrants and member state citizens is a fundamental mechanism.

8. The practices of diverse cultures and religion as recognised under the Charter of Fundamental Rights must be guaranteed.

9. The participation of immigrants in the democratic process and in the formulation of integration policies, especially at the local level, supports their integration.

10. Integration policies and measures must be part of all relevant policy portfolios and levels of government.

11. Developing clear goals, indicators and evaluation mechanisms to adjust policy, evaluate progress and make the exchange of information more effective is also part of the process.

The EU framework definition above all operates in a **non-binding manner**. Member States deliberately excluded any definition of 'integration measures' in the two instances where they appear in EU hard law, namely in Article 5.2 of the Long-Term Residence Directive and Article 7.2 of the Family Reunification Directive. These provisions reinforce the voluntary character of the EU framework definition of integration. The Constitutional Treaty would have also clarified the severe limitations on any binding EU framework definition on integration. Article III-168.4 frames a common policy on the integration of immigrants as "measures to provide incentives and support for the action of Member States…excluding any harmonisation of [their] laws and regulations"([42]).

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[42] Draft Treaty establishing a Constitution for Europe, (Rome, 2003), Article III-168, 4.

The EU framework intends to **facilitate voluntary exchanges, non-binding agreements and a collaborative definition of best practice**. The CBPs state that the aim of an EU framework definition is "to assist Member States in formulating integration policies for immigrants by offering them a simple non-binding but thoughtful guide of basic principles against which they can judge and assess their own policies"([43]). The CBPs assert the value of an EU framework definition of integration, which is strengthened by EU-level indicators, mechanisms, policies and knowledge-sharing. The 2005 Commission communication on a Common Agenda for Integration encourages Member States to expand the scope of integration policies beyond the European framework definition, which is "indicative and not exhaustive"([44]). Yet the responsibility and indeed the discretion to assess, improve and implement integration definitions rest with national and local authorities in Member States.

The first and second editions of the Handbook on Integration demonstrate how Member States prefer to translate European exchanges of good practice into new national policies themselves on a voluntary basis, without commitments or recourse at the EU level. After a series of practical debates, technical seminars, intensive stakeholder consultations and sharing of good practices, the lessons learned from the experiences of policymakers and practitioners across Europe culminated in **soft conclusions in the Handbook** instead of recommendations. Member States preferred to draw their own conclusions and learn on their own at the national level rather than receive didactic proposals from the European level.

In summary, the European Union speaks of a framework definition of integration with a heavy Justice, Freedom and Security accent. The core question posed by Justice and Home Ministers is; **what immigrants do we integrate?** The **target group** focuses on legally-resident TCNs based on their **individual legal status**. This target group is then integrated into the wider process of Europeanisation; ongoing policies (Single Market, Schengen, etc) are enlarged to incorporate third-country nationals, while new policies (Lisbon, Tampere, JLS etc) incorporate them within their respective socio-economic, immigration and rule of law perspectives. This legal demarcation permits this one category of immigrants to secure **rights that are uniform and comparable with EU citizens as the decisive benchmark**; the EU may ultimately confer unto third country national immigrants what it does unto EU citizens abroad in the EU.

The EU framework definition of integration is characterised by its gradual "comparable rights and obligations" approach which aims to be comprehensive, multidimensional, voluntary and as follows collaborative among many levels of governance.

The Tampere spirit calls for these conditions to be set in all relevant realms and levels of governance (local, regional, national). As a result, Tampere must stretch beyond the EU level to embrace the local and beyond its JLS dimension to embrace the social. For these reasons, the report will consider how local and social perspectives can realise this report's benchmarking definition of integration. The report will first turn to Eurocities and the Council of Europe's framework definition.

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[43] See footnote 41, page 65, Article 8a, 3.
[44] European Commission, Communication on a Common Agenda for Integration: Framework for the Integration of Third-Country Nationals in the European Union, (Brussels, 2005) COM/2005/0389, final 4.

3.2.2. Eurocities: local perspectives

The European approach fashioned by national Ministries contrasts with the European approach of public authorities acting at the local level. Eurocities is network of major European cities and acts as platform for the exchange of knowledge, experiences and collective problem solving. It is heavily involved in developing and implementing integration policies. The organisation's **Contribution to Good Governance** provides its framework definition on integration. It underscores the responsibility of cities to uphold common integration principles at the local level, where undoubtedly most reception and integration policies are designed, implemented and ultimately achieved.

Eurocities describes integration as the set of activities that enable all these newcomers the access and understanding to "find their place" and lead independent lives and livelihoods in their new local societies. **The integration process firmly rests on the individual's initiative and "right to residence"**([45]). Akin to the EU's definition, Eurocities' concept of the right to residence comprises access to a wide spectrum of policy realms. Its definition evokes the EU's two-way schema of granting full rights of residence to newcomers in exchange of obligations to actively participate in and contribute to their new local society.

The target group is more inclusive than the definitions that appear at the European level. The term newcomers incorporates immigrants, their descendents, irregular migrants, asylum seekers, refugees and national minorities. Once newcomers find their place through the integration process, the municipal authorities of Eurocities consider **newcomers** "**fully functioning citizens in all areas of urban life**" at the local level. European local authorities embrace a target group beyond third-country nationals where legal status is less significant than community cohesion and the right to residence of all local residents. In that vein, Eurocities likewise reinforces its commitment to develop integration policies that touch **the total population**.

Within each of these realms, Eurocities' "Contribution to Good Governance" recommends general principles and objectives for action plans to be designed and implemented through an active and collaborative process. Similar to the EU framework definition, Eurocities encourages the inclusion of all stakeholders in "joint ventures." Eurocities place a distinctive emphasis on the core involvement of the private sector and newcomers. Local authorities should not only involve ethnic minority or refugee community organisations, but also invest in them to bolster their pivotal position in the integration process.

The Contribution to Good Governance proposes a number of **common principles** within the specific realms of integration, such as participation, reception, education, labour market, health, housing, social services, cultural identity and diversity and eviction. Eurocities accents the importance of access through strong implementation measures. The second core principle concerning integration accepts the increasing diversity of local populations and states that public services and other societal arrangements must adapt to this new diverse reality. Another common principle is devoted to **social services**, where Eurocities members pledge to enhance resources for the provision of culturally and linguistically competent services, cultural mediation, staff expertise and the participation of users in the design, delivery, monitoring and evaluation of services.

Also noteworthy is the recurring call for full and transparent information for all appears throughout the common principles. The document also calls for the establishment of a **system of data collection, monitoring, evaluation and follow-up mechanisms** to assess the implementation of these principles across Europe.

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[45] Eurocities, Contribution to Good Governance Concerning the Integration of Immigrants and Reception of Asylum Seekers (Brussels, 2004).

3.2.3. The social dimension: Council of Europe perspectives

The Council of Europe also provides a relevant framework definition of integration within a wider social context. The Council of Europe's human rights approach situates integration within its work to achieve social cohesion within increasingly diverse and multicultural societies. **Integration is therefore as much a question of rights as of active citizenship by both immigrants and the pre-existing population.**

The Council of Europe characterises **social cohesion as a society's ability to ensure the long-term well-being of all its members**. The idea of well-being situates social cohesion within a relative and normative understanding of a 'quality of life.' The dimensions of a "quality of life" are wrapped up in both material (standard of living, prosperity) and non-material values (freedom, art, happiness, learning, entrepreneurship), the latter of which may be more complicated but perhaps more essential for gauging well-being.

This concept of well-being must be unravelled in order to understand its various dimensions that may impact integration across policy realms. Well-being can be fleshed out and evaluated according to the four dimensions developed by the Council of Europe's 'concerted development of social cohesion indicators.' Each dimension encompasses a broad concept of social life and the policy response that governs it:

Equity/non-discrimination is the fair and equal access to available resources and rights. Anti-discrimination measures represent the core policy response.

Dignity/recognition addresses the rights of the individual to recognition and respect. Policy responses in this realm negotiate the right to and limits of self-expression in diverse societies.

Autonomy/Development concerns the right of individuals to lead autonomous life based on their own choices and pursuit of personal fulfilment. Policy responses concern access to knowledge, the acquisition of skills and competencies and personal improvement.

Participation/Commitment concerns the dynamic interactions between active citizens and open, flexible societies. With the former, policy responses encourage individuals to take on social obligations and exercise their civic rights. With the latter, policy should encourage social bodies to seek out and embrace the contributions of these individuals.

The report will refer to these four dimensions with as the shorthand non-discrimination, dignity, development and participation.

This **emphasis on participation**, which permeates all four dimensions, represents one of the major advantage of the Council of Europe's definition. An environment of non-discrimination, mutual respect and personal development levels the playing field and enables the active participation of immigrants and nationals in diverse societies. **Given that rights materialise through active participation, the Council of Europe's four dimensions encourage individuals to secure the all member's rights to equal access, self-expression, individual development and civic participation.** Such an active investment in mutual rights and responsibilities yields immense returns for the well-being of diverse societies.

The Council of Europe's definition also advocates for "quality" living standards for all citizens in all aspects of their daily lives and all stages of their lives, rather than least common denominators and bare minimums. It recognises the **shared responsibility** of public authorities and all stakeholders to play collaborative roles across institutional competencies and policy arenas.

Lastly, this definition wishes to be comprehensive of and applicable to **all members of society as a whole**. Social cohesion policy is occasionally simplified to the mere combat of social exclusion, which concentrates on alerts, alarms and target or vulnerable groups. The EU has previously adopted such a strategy with the Social Protection Committee, which the Lisbon Strategy delegated to develop common indicators and alert signals for social exclusion.

Integration policy is occasionally reduced to this simplified dimension of combating social exclusion policy. The Hague Programme's integration priority describes the purpose of an integration framework as "to prevent isolation and social exclusion of immigrant communities"([46]). The Integration Fund likewise frames integration as a process separated from social cohesion policies. Immigrants are treated as a disadvantaged group with specific integration needs, it argues, for the reason that they are quite simply newcomers to the host society. This approach conceives of integration policy as a means to promote the inclusion of immigrants.

This reduction of integration to the fight against the social exclusion of migrants makes stakeholders preoccupied with only the most visible markers of social cohesion (ex. poverty, housing, unemployment) without due consideration of underlying social and institutional structures, values and non-material indicators (ex. culture, access to information, education).

Conversely, the Council of Europe's definition provides a collective and preventative approach to the competencies, access and understanding of all members of society, including immigrants. The Council of Europe describes its **"access to rights" approach** as an analysis "of public recognition of needs in terms of rights, the appropriateness of legal provisions and of the facilities and resources for promoting access by everyone to all rights"([47]).

While similar to the Tampere approach, The Council of Europe's 'access to rights' approach on social cohesion allows this report to extend the Tampere comparable rights approach on integration to more comprehensive target groups and objectives: a benchmark definition that emphasises the improvement of well-being across the whole of society. In the Council of Europe's view, the successful integration of immigrants and minorities is pivotal to social cohesion: "There is no good integration without social cohesion, and there is no good social cohesion without good integration of immigrants and minorities"([48]).

In summary, the Council of Europe employs a profoundly human rights discourse in its framework definition of integration. The Council approaches the JLS question (what immigrants do we integrate?) from the opposite side; **into what do we integrate immigrants?** The **target group** is evidently more expansive than the European Union's as this question presumed to cover **all categories of migrants**. The answer therefore does not concern target groups but the **whole of society**, mainly how cohesion is arranged in the midst of increasing diversity. On integration, the Council therefore returns to its seasoned **social cohesion** concepts based on the **individual well-being of all** migrants and the pre-existing population. Integration represents one tool to preserve social cohesion as the well-being of all individuals implicitly leads to collective well-being in diverse societies. The Council's approach permits all categories of immigrants to secure **basic human rights with European and international human rights standards as the decisive benchmark.**

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[46] European Commission, <u>The Hague Programme – Ten priorities for the next five years: 6. Maximizing the positive impact of migration: Integration</u> (Brussels, 2005).
[47] Council of Europe, <u>Proposed Indicators for Measuring Integration of Immigrants and Minorities with a View to Equal Rights and Opportunities for all</u> (2003) 36-37.
[48] Council of Europe, <u>Concerted Development of Social Cohesion Indicators: Methodological Guide, Council of Europe Publishing</u>, (Strasbourg, 2005) 70.

3.3. A benchmarking definition of integration

Benchmarkers must possess the flexibility to find their own particular definition within a European benchmarking definition. They will start with answering the question; whom are we integrating into what?

Benchmarkers settle on an answer to who are we integrating from the sliding scale of target groups outlined in Chapter II. The question of into what requires considering the scale of their intervention; do their mandate, competencies and goals concern access to basic human rights or access to comparable rights? Benchmarkers may then decide whether to draw upon international and European human rights standards or court EU perspectives on economic, social and cultural rights. This choice of definition and reference points underlies the entire benchmarking from the selection of partners to the development of indicators and benchmarks and setting standards.

In all cases, this benchmarking definition must broadly treat integration as the subject of social cohesion. It should therefore apply to both third-country nationals as active citizens as well as national citizens. A reassessment of the Council of Europe's core definition of well-being reveals that its aim centres on "**social commitment to reduce disparities to a minimum and avoid polarizations**"([49]).

The concept of well being in an "**integrated society**" thus contends that migration transforms the very nature of society itself, where both migrants and the native population are in need of transformation. Living together in such new social realities requires a comprehensive social cohesion policy, including integration policies that involve all members of society. The European Commission Bureau of European Policy Advisers advises policymakers to consider that "integration does not only imply direct ways to integrate migrants but also efforts to enhance social cohesion of all residents"([50]).

The multifaceted character of well-being (non-discrimination, dignity, development and participation) requires benchmarkers to systematically approach well-being from its various dimensions in order to assess whether a society is achieving to its fullest ability arrangements of living together that fulfil the needs of its active citizens. Chapter V will develop a systematic approach for benchmarkers to identify the integration impediments that keep diverse societies from becoming integrated societies.

The report's benchmark definition of integration is a society's ability to integrate all its members into new arrangements of active citizenship that ensure the long-term well-being of all in a diverse society.

This benchmarking definition of **well-being in integrated societies** fulfils many of the founding principles set forth in the European framework definitions. It adopts the Council of Europe's definition of social cohesion to consider the idea of solidarity in integrated societies. The Hague Programme made significant steps towards a notion of integrated societies when it spoke of the Integration Handbook's objective to cultivate "intercultural competences, religious dialogue and among newcomers and native citizens and participation in political processes"([51]). The Hague Programme called this process "civic participation," which emphasised the importance of commitment from all members of society for successful integration programmes.

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[49] See footnote 48, page 70, 23.
[50] European Commission Bureau of European Policy Advisers (BEPA), "Migration and Public Perception" (2006) http://ec.europa.eu/dgs/policy_advisers/publications/docs/bepa_migration_final_09_10_006_en.pdf.
[51] European Commission, The Hague Programme – Ten priorities for the next five years: 6. Maximizing the positive impact of migration: Integration (Brussels, 2005).

This benchmark definition embodies the very concepts of the CBPs' two-way process of mutual accommodation. It encourages broader target groups and the creation of truly mutual obligations for migrants, the state and the host society. The 2005 Commission communication also sought to enhance the host society's ability to adjust to diversity "by targeting integration actions at the host populations"([52]) through the promotion of knowledge, access, curricular development, community-building and common spaces. These principles draws attention to a comprehensive definition of integration and the rights it confers to the host society in addition to migrants, such as access to intercultural competences and the knowledge and tools to live together in integrated societies.

Such a definition encapsulates the spirit and features of European framework definitions of integration. It is driven by the Council of Europe's access to rights approach and the Tampere spirit of comparable rights and responsibilities. This benchmarking definition hones the Council of Europe definition of social cohesion to construct a new concept of "well-being in integrated societies." It recasts integration as a vital instrument of social cohesion.

By way of features, the benchmark definition is comprehensive in two respects; it is mutual, involving all target groups including the host society, and it is multidimensional, involving all policy realms and actors, non-state stakeholders and migrants. Furthermore, the definition is flexible, founded on the EU framework's principle of voluntary, non-binding commitments. It permits stakeholders to single out the target groups, dimensions and policy realms most applicable for their institutional capacities and missions.

The adaptability, combined with the comprehensiveness, of this benchmark definition of integration promotes participation from all levels of governance. This framework definition will appear within the definition of integration, which ultimately every benchmarking organisation must define itself. Unlike a description, a definition forces benchmarkers to name and refine the process. This exercise will concentrate any benchmarking process on its essential core. The Eurocities framework definition and Contribution to Good Governance bears witness to the overall collaborative value of framework definitions and their potential adaptation for benchmarking.

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[52] European Commission, Communication on a Common Agenda for Integration: Framework for the Integration of Third-Country Nationals in the European Union, (Brussels, 2005) COM(2005) 0389 final, 5.

Conclusions

- Although national experiences of migration gave rise to different initial approaches to integration policy, the chapter observes a number of European-wide trends in migration and integration policies, which were reinforced by increasing European cooperation through the Council of Europe's right-based approach and the EU's socio-economic and juridical approaches to integration
- A benchmarking definition must answer the question of whom are policymakers integrating into what?
- The report links the Tampere spirit of gradual, comparable rights and obligations with Eurocities' right to residence and the Council of Europe's social cohesion approach
- This linking encourages the concept of social cohesion in integrated societies
- The report's benchmark definition of integration is a society's ability to integrate all members of society into new arrangements of active citizenship that ensure the long-term well-being of all in a diverse society
- This relative definition provides a gauge for comparison and debate between and within these communities of stakeholders across Europe

Recommendations

- Benchmarkers must possess the flexibility to find their own particular definition, sliding scale of target groups and set of reference points based on their individual mandates, competencies and goals
- European framework definitions of integration can guide the development of a specific definition applicable to benchmarking exercises. If a European framework definition serves as a mission statement, then a benchmarking definition acts as conceptual reference point and operational tool for its implementation
- As a conceptual reference point, a benchmarking definition should be able to encompass complex, divergent local and national circumstances
- As an operational tool for stakeholders, it should be equally supple and interpretive to adapt to the divergent communities of stakeholders who share the same benchmarking objective

CHAPTER IV. INTEGRATION GOVERNANCE LANDSCAPE AND BENCHMARKING

Migration and integration are the shared responsibility of many actors of diverse competences and perspectives. Both involve various ministries with often Justice and Home Affairs Ministries in the lead and Social Affairs and Employment covering particular areas of crucial importance for the inclusion and participation of immigrants. Mainstreaming has brought other ministries into the fold of integration policy, such as Culture and Education, Housing and Health. Policies are adopted at various levels of governance: from the local to the European level. Ideally they complement and reinforce each other. Public policies are the result of an intensive interplay between the public and private sectors, between public and semi-public authorities and civil society: from social partners to religious organisations, from community organisations to advocacy groups, from service providers to particular interest or professional groups and from media to academia.

This chapter locates public policies within what can be called the integration governance structure. The chapter describes its various components and identifies agencies that have an interest and could partner in a benchmarking exercise. The emphasis will be on national integration policy-making; the European landscape will be mapped in following chapters. This chapter first briefly describes the various roles that governments play. It then pictures the integration governance structure that exists in the twenty-five EU Member States. It focuses on the role of different actors and the relation between these actors (lead ministries, independent agencies, and NGOs). It also briefly describes key policy instruments created and used by these actors, including: a declared integration policy, an integration budget, regular reports on the immigrant population and policy monitors.

Figure 4 (a) The governance landscape
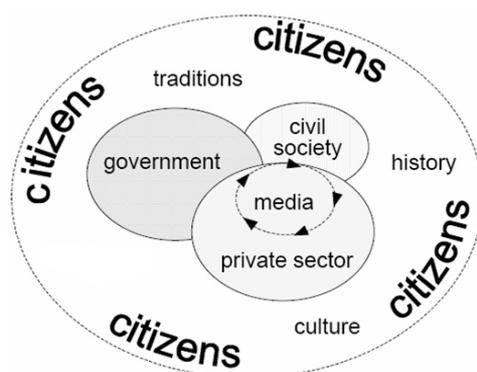
4.1. Roles of government

The term governance refers to interactions among structures, processes and traditions that determine how power and responsibilities are exercised, how decisions are taken and how citizens or other stakeholders have their say. Governance is about power, relationships and accountability: who has influence, who decides, and how decision-makers are held accountable([53]). The term is used in the public sector as well as in the private sector and at

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[53] See, for example, John Graham, Bruce Amos and Tim Plumptre, "Principles for Good Governance in the 21st Century. Institute on Governance" (2003), from which the figure is taken.

local, national and international levels. The integration governance structure refers to the structures, processes and traditions that select key-stakeholders, regulate the co-operation and negotiation among and between them and determine the integration policy agenda.

The governance landscape sets the conditions for the benchmarking exercise. Evidently benchmarking cannot take place when no declared integration policies or actors exist. Governments play a leading role in the design and implementation of public integration policies. They act as regulator, as facilitator and as an example or role model for other organisations.

As **regulators**, governments legislate on such issues as entry and residence, equality and anti-discrimination, and naturalisation and citizenship. It sets conditions for access to public services and provides safety and security and stimulates participation. The **actual legislative process and its outcomes can be benchmarked** and **parliaments** would benefit enormously from such an exercise as it may enhance their **oversight role**.

National policies and law are increasingly influenced by international developments and standards. For example, countries adhere to international human rights conventions. As member of the Europe Union, countries are bound to Community law. Arguably, these international instruments are benchmarks for national policies. They are taken as a point of reference by which national policies are measured and national policies have to be adapted so as to comply with international standards. The benchmarking of that process involves national and international authorities but also non-governmental agencies. An example is given in Chapter VI of how international law can be a benchmark and how **compliance can be benchmarked**.

Governments also act as **facilitators**, stimulating co-operation within and across governmental and non-governmental agencies. Integration policy involves a wide range of public policy fields – education, employment, health, housing, culture and communities – frequently requiring cross-departmental working activities. Co-operation between different government departments can facilitate the design of common and complimentary policies and thus reduce inconsistencies. Activities in this area lend themselves very well to benchmarking.

The national government must also act as **coordinator** among the various levels of governance. In federal States, the jurisdiction to act on integration is divided over the individual states. These 'lower' levels of government are gaining greater influence over the design and implementation of integration policies, as is local-level government. Governments need to clearly define areas of responsibility and assign specific lead ministries to co-ordinate the different arms of such a multifaceted policy agenda. This process involves not only the evaluation and monitoring of programmes, but also input into policy debates from and information on best practice. Governmental agencies working on integration at different governance levels could engage in benchmarking so as to improve the quality of the policies and to assess at what level of governance issues can be best addressed.

National governments can operate as **exchangers** to share good practice, expertise and experience between individual countries and at European level in such forums as the Council of Europe and the European Union. Governments are probably not inclined to call this benchmarking so as to avoid that the perception that they are in competition with one another. However, international co-operation often contains elements of a benchmarking exercise (from standard setting to exchanging best practices).

As facilitators, governments can also act beyond the borders of their own competences and promote **co-operation with and among non-state actors**. The role these actors play varies considerably in all Member States. In some countries many integration programmes are **'outsourced'** to non-governmental agencies that are sometimes attached to churches, trade unions or to independent and not-for-profit 'service providers'. In other countries, welfare-state agencies play a crucial role and operate on the basis of a high level of transparency and parliamentary scrutiny. In many countries the voluntary sector is an important player as are the quasi-governmental agencies. These actors can use benchmarking to improve on policy design and implementation.

As a **role model**, governments offer leadership and demonstrate good practice to society as a whole. Within public bodies there is considerable scope for the employment of positive action methods. Governments can show the way by actively implementing anti-discrimination and equal opportunity measures in their own employment and procurement practices. Governments can foster intercultural competence within their own departments and during service provision. These practices can also be integrated into Quality Management standards for government departments. Governments are large employers, purchasers and service providers. By making sure that public bodies reflect wider society, governments both implement integration policy and demonstrate it to their citizens. In other words governments are also operating as a business and they can thus benchmark their own policies and practices.

4.2. The national landscape

The extent to which EU Member States have developed comprehensive answers to the challenges posed by increasingly diverse societies varies considerably across the EU. Although every Member State has a certain (increasing) number of immigrants on its territory, not all States have an explicitly declared integration policy. The structure of each Member State's infrastructure to manage immigrant integration reveals the extent to which governments have prioritised the issue in the past (for countries with long immigration histories) and the present (for new and old countries of immigration responding to new immigration flows and processes).

A rather simple **questionnaire** 25 experts (one per Member State) mapped the national landscapes. The questionnaire aimed to identify in all member states the key actors and relevant policy instruments. For the purposes of this report, national governments and their semi-and non-governmental counterparts were considered to be key actors and the key instruments include: policy papers outlining general integration goals, framework laws, specific integration laws and a budget.

10 out of 25 countries have adopted the full range of policy instruments: a policy paper on integration setting out the main goals, a framework law, a specific integration law and an integration budget. An **additional 8 countries** have foreseen a **specific integration budget** but have not adopted all of the other instruments mentioned above. These 18 countries include **all the 'old' EU member states, with the exception of Greece**. Greece, Malta, Latvia, the Slovak Republic and Poland have no specific integration law and no budget, but do have a policy paper or a framework law addressing immigrant integration. The two remaining countries, namely Cyprus and Hungary, have no instruments in place to deal with immigrant integration.

4.2.1. Lead Ministries and coordinating agencies

Integration policy infrastructures in both new and old immigration countries are undergoing a learning process so as to best respond to new, diverse challenges posed by immigrant integration. In particular, a growing awareness of integration as a multi-faceted phenomenon has encouraged policy infrastructures to tackle integration a number of angles. This awareness translates in some countries into the **division of policy responsibility** between different ministries.

Figure 4 (b) Lead Ministries and coordinating agencies

	Lead Ministry	**Together with**
Slovenia	Interior/Justice	
Slovak Republic	Interior/Justice	Inter-ministerial Committee
Greece	Interior/Justice	
Ireland	Interior/Justice	Reception and Integration Agency
Austria	Interior/Justice	
Germany	Interior/Justice	Commissioner for Migration, Refugees and Integration Programs
UK	Interior/Justice	Inter-ministerial Committee
Malta	Interior/Justice and Social Affairs/ Employment	
France	Interior/Justice and Social Affairs/ Employment	Inter-ministerial Committee
Spain	Social Affairs/Employment	
Poland	Social Affairs/Employment	Inter-ministerial Committee
Lithuania	Social Affairs/Employment	
Finland	Social Affairs/Employment	Inter-ministerial Committee
Czech Republic	Social Affairs/Employment	
Italy	Social Affairs/Employment	
Netherlands	Minister for Alien Affairs and Integration	
Sweden	Minister of Integration	Swedish Integration Board
Denmark	Ministry for Refugees, Immigration and Integration Affairs	
Latvia	Ministry of Social integration	
Luxemburg	Minister of Foreign Affairs and Immigration	
Estonia	Minister for Population Affairs	
Belgium	Minister for public administration, social integration, big cities and equal opportunities.	Inter-ministerial Committee
Portugal	High Commission for Immigration and Ethnic Minorities	
Hungary	None	
Cyprus	None	

As figure 4(b) illustrates, the **main responsibility** for integration policy is held most by the **Ministry of Interior or Justice** (in 7 countries) and the **Ministry of Social Affairs and/or Employment** (in 6 countries). In Malta and France, these two ministries share the lead.

Ministries other than these three lead integration policies in Belgium (the Minister for Public Administration, Social Integration, Big Cities and Equal Opportunities, which is shared the responsibility with an inter-ministerial committee headed by the Prime Minister), Estonia (the Minister for Population Affairs) and Luxembourg (the Minister of Foreign Affairs and Immigration). Estonia (the Minister for Population Affairs).

Four countries have established a proper Ministry or a Minister on integration: the Denmark, Latvia, Netherlands and Sweden. Portugal does not have a lead ministry, but has a High Commission for Immigration and Ethnic Minorities, with the status of sub-secretary of state under the Prime Minister. The government in Germany has appointed a Commissioner for Migration, Refugees and Integration Programmes.

Figure 4 (c) Ministers on Integration in the EU

Netherlands	Minister for Alien Affairs and Integration	Established under the Ministry of Justice	Main tasks are to improve integration of immigrants, to decide on conditions of entry of immigrants and asylum seekers, to accommodate asylum-seekers during the procedure, and to fight illegal migration.
Sweden	Minister for Integration and Gender Policies	Established under the Ministry of Justice	Main tasks include promotion of equal rights, obligations and opportunities for all, the introduction of immigrants into Swedish society, coordination of the Government's gender equality work, stimulating greater citizen participation, protection of Sweden's national minorities, Consumer affairs, Youth policy, and Metropolitan affairs.
Denmark	Ministry for Refugees, Immigration and Integration Affairs		Main tasks concern legislation on aliens, questions to do with overall refugee and integration policy, humanitarian residence permit cases and visa and residence/work permit appeals.
Latvia	Ministry of Social integration		Main tasks include social cohesion and civil society development, support for ethnic minorities and non-discrimination development.

Other bodies assist the lead Ministries in several countries. Agencies occupy a crucial role in Sweden (Swedish Integration Board) and in Germany (Federal Office for Migration and Refugees, and the Commissioner for Migration, Refugees and Integration Programs). In Ireland, responsibility for an integration policy for refugees is due to be transferred to a new specifically dedicated section within the department.

Inter-ministerial committees operate in coordination with the responsible ministry in six countries: the Slovak Republic, France, Poland, Finland, Belgium, and the UK. These inter-ministerial committees are established with a view to coordinating policies pertaining to immigrant integration in different fields such as education, housing, justice, employment and so on. Their function is either to define the big strategic policy choices, or to coordinate the implementation of a general integration policy across the various ministries.

4.2.2. The role of other Ministries

In most Member States, the **portfolios of several Ministries**, who may carry no direct responsibility for the design of integration policies, make reference immigrant integration. Many Ministries operate in fields that impact on immigrant integration - education, health care and employment for example. The existence of policy instruments (policy papers, laws, budgets) relating to immigrant integration in such ministries points to an acknowledgment of the importance of mainstreaming immigrant integration into relevant areas of work.

The accommodation of ethnic, racial and cultural diversity and the consideration of policies' impact on integration are encouraged in the ministries of a number of countries. Only to a limited extent is the mainstreaming of immigrant integration officially established as a policy strategy, but it is increasingly discussed at local, national and European levels[54].

Mainstreaming integration

Mainstreaming takes place when specific groups in society (such as immigrants) are provided for within broad programmes or policies, which address the needs of such specific groups as part of an integrated approach to addressing the needs of society as a whole. Targeting, on the other hand, takes place when specific services are provided to address the specific needs of specific groups in society without necessarily being part of an overall plan for society as a whole.

Ministries that are most likely to have a declared policy for immigrants are **ministries of education** (in 23 countries), **ministries for employment** (in 20 countries) and **ministries of social affairs** (in 19 countries). Where these last two ministries do take the leading role (as pointed out above), most have developed a declared policy for immigrants. Of the ministries listed in the questionnaire, the **Ministry of Culture** was least likely to have a declared policy for immigrants (in 6 countries only). The **Ministry of Health** has adopted policy instruments or has engaged in data collection regarding immigrant integration in 14 countries. Nine countries have made reference to ministries that are not listed such as the Ministry of Planning and Housing (the Netherlands), the Ministry of Family (Luxembourg, Germany), and the Ministry of Industry and Trade (Czech Republic).

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[54] For example, CBP number 10 calls for mainstreaming and the second edition of the Handbook includes a chapter on mainstreaming.

Figure 4 (d) Ministries with a declared policy for immigrants

	Health	Education	Employment	Culture	Social Affairs	Other
Austria	X	X	X		X	
Belgium	X	X	X	X	X	
Cyprus	X	X	X		X	
Czech Republic	X	X	X	X	X	X
Denmark	X	X	X		X	
Estonia		X		X	X	X
Finland	X	X	X		X	X
France	X	X	X		X	X
Germany		X	X			x
Greece		X				
Hungary		X	X			
Ireland	X	X	X		X	
Italy	X	X	X		X	X
Latvia		X				X
Lithuania	X	X	X		X	
Luxemburg		X	X		X	X
Malta					X	
Netherlands	X	X	X	X	X	X
Poland					X	X
Portugal		X	X		X	X
Slovakia		X	X			
Slovenia		X	X	X		
Spain	X	X	X		X	
Sweden	X	X	X	X	X	
UK	X	X	X		X	
	14	**23**	**20**	**6**	**19**	**11**

Figure 4 (e) Other Ministries involved

Netherlands:	Ministry of planning and housing.
Luxemburg:	Ministry of family, and Ministry of justice
France	Ministry of interior
Poland:	Ministry of interior
Italy:	Equal opportunities
Estonia:	Ministry of internal affairs
Finland:	Ministry of interior
Czech republic:	Ministry of interior, Ministry of industry and trade
Germany	Ministry of interior, Ministry for family, seniors, women and youth

4.2.3. Policy instruments

The country experts observed considerable variance in the specific policy instruments that different ministries employ to work on immigrant integration.

In general, non-lead ministries that impact on immigrant integration have adopted a **general policy paper rather than specific integration laws and budgets**. Their actions tend to concentrate on data collection. No consistency was observed in the order of instruments: the existence of a budget does not presuppose the adoption of laws or policy papers, nor does the collection of data.

The **Ministry of Education** plays an active role in immigrant integration in 22 countries out of 25. The majority of these countries have adopted a policy paper, and almost all of them collect data on immigrant students. 12 out of the 22 countries have adopted a special budget for integration measures in the field of education.

The **Ministry of Social Affairs** in 19 countries has adopted a policy paper, an integration law, or a budget regarding immigrant integration. Of these 19, the Ministry of Social Affairs was taking a lead in integration policy development in 8, either alone or together with another Ministry. 12 carried out data collection on the immigrant population.

The **Ministry of Employment** in 19 countries has a declared policy on immigrant integration. In 8 of these, the Ministry of Social Affairs/ Employment takes a lead in immigrant integration. Almost all of these 19 countries collect data on the labour market situation of immigrants, half have adopted a special budget but very few have specific integration laws.

The **Ministry of Health** in 14 countries has adopted policy instruments to facilitate immigrant integration. In about half of the countries, their activities are limited to the collection of data on the health situation of immigrants. A minority of countries reported a specific budget or specific integration laws in the Health Ministry.

Of the 6 countries where the **Ministry of Culture** takes an active stance on immigrant integration, most have a policy paper describing the responsibility of the Ministry in this field. Half of the country has a special budget for integrating immigrants in the field of culture.

4.2.4. The importance of decentralisation

Because Europe's diversity and its subsequent integration challenges are often encountered at the local level, policymakers are increasingly aware of the essential role of local governments in designing and implementing integration policies, particularly through tailor-made programmes. Some exceptions, such as Greece, accord local government an almost negligible role. In federal or highly decentralised states such as Austria, Belgium, Germany, Italy and Spain, national and regional authorities share the responsibility for developing integration laws. **Most other Member States have seen a markedly increased involvement of local government in the design of integration policies.** With the decentralisation of integration policies to local and regional authorities, **co-operation between local and regional authorities will have to be negotiated within the policy infrastructure.**

4.2.5. The role of agencies

Various agencies are involved in implementing – and sometimes designing – integration policies. The questionnaire intended to illicit information about **'independent' agencies**. In analysing the responses received, however, it became apparent that 'independence' evoked a number of interpretations. Agencies are deemed 'independent' because:

- they have a guaranteed independent status and are therefore able to function independently, or

- in practice they function in an independent manner as far as their core competencies are concerned (whether they have a formally recognised independent status or not).

All agencies in Figure 4(f) can be qualified as independent in one of these two ways. Such agencies operate in **all but four countries** (Luxemburg, Poland, Spain, and Slovak Republic). The main groups of agencies that can be distinguished are equality bodies, consultative bodies, agencies executing parts of the integration policy, and agencies coordinating the execution of integration policy. NGOs are also treated as a separate category of 'agency'.

4.2.6. Equality bodies

4.2.6.1. Official equality bodies

The implementation of Article 13 of the Racial Equality Directive (Directive 2000/43/EC) requires all Member States to establish 'bodies' to assist victims of racial and ethnic discrimination, conduct surveys about the forms and prevalence of discrimination and issue reports and recommendations.

Although several other equality bodies operate in many Member States, the scope of this report will centre around officially designated bodies. At the time of the writing of this report **28 officially designated equality bodies were functioning in EU Member States**. 8 countries possessed more than one equality body. In **two countries**, institutions were **appointed but were not yet functioning.** The **five countries that have not established such an institution** appear to be in breach of the Directive's implementation requirement.

Figure 4 (f) Equality bodies

Country	Equality Bodies
Austria (1)	Gleichbehandlungsanwaltschaft / National Equality Body
Austria (2)	Gleichbehandlungskommission /Equal Treatment Commission
Austria (3)	Provincial Equality Bodies for all provinces. **1.Oberösterreich** Anti-Diskriminierungsstelle **2.Kärnten** Anti-Diskriminierungsstelle: **3.Steiermark** Gleichbehandlungsbeauftragte: **4.Niederösterreich** Gleichbehandlungskommission und Anti-Diskriminierungsstelle **5.Wien** Beratungsstellen in Wien

Belgium	Centre pour l'égalité des chances et la lutte contre le racisme / Centrum voor gelijkheid van kansen en voor racismebestrijding / Zentrum für Chancengleichheit und für Rassismusbekämpfung / Centre for Equal Opportunities and Opposition to Racism
Cyprus	Cyprus Anti-Discrimination Body
Czech republic	Veřejný ochránce práv / The Public Defender of Rights (Ombudsman) (Bill)
Denmark (1)	Institut for Menneskerettigheder (National afdeling)/ Institut for Human Rights (National Departement)
Denmark (2)	Klagekomitéen for Etnisk Ligebehandling/ The Complaints Committee for Ethnic Equal Treatment
Estonia	Õiguskantsler/ Legal Chancellor (or Chancellor of Justice)
Finland (1)	Vähemmistövaltuutettu /Ombudsman for Minorities (for Finland in general)
Finland (2)	Diskrimineringsombudsmannen / Discrimination Ombudsman (for the Åland Islands)
France	Haute autorité de lutte contre les discriminations et pour l'égalité (HALDE) / High Authority against Discrimination and for Equality
Germany	(Bill was withdrawn by new government.)
Greece (1)	Ombudsman
Greece (2)	Equal Treatment Committee
Greece (3)	Labour Inspection
Hungary	Egyenlő Bánásmód Hatóság / Equal Treatment Authority
Ireland (1)	The Equality Authority
Ireland (2)	The Equality Tribunal
Italy	Ufficio Nazionale Antidiscriminazioni Razziali –UNAR / National Office against Racial Discriminations
Latvia	Valsts Cilvēktiesību birojs/National Human Rights Office
Lithuania	Lygių galimybių kontrolierius / The Equal Opportunities Ombudsman
Luxembourg	Centre Pour L'egalite De Traitement/ Center for Equality of Treatment (Bill)

Malta	Ombudsman
Malta	Ministry of Family and Social Solidarity
Poland	Secretariat of the Government Plenipotentiary for Equal Status of Women and Men, Chancellery of the Prime Minister (the "Plenipotentiary")
Portugal (1)	Comissão para a Igualdade e Contra a Discriminação Racial /Commission for Equality and Against Racial Discrimination
Portugal (2)	Alto-Comissário para a Imigração e Minorias Étnicas / High Commissioner for Immigration and Ethnic Minorities
Slovakia	Slovenské národné stredisko pre ľudské práva / The Slovak National Centre for Human Rights
Slovenia (1)	Zagovornica načela enakega obravnavanja; / The Advocate of the Principle of Equal Treatment
Slovenia (2)	Sveta Vlade Republike Slovenije za uresničevanje načela enakega obravnavanja / The Council of the Government for the Implementation of the Principle of Equal Treatment
Spain	Consejo para la promoción de la igualdad de trato y no discriminación de las personas por el origen racial o étnico / Council for the promotion of equal treatment of all persons without discrimination on the grounds of racial or ethnic origin.
Sweden	Ombudsmannen mot etnisk diskriminering/ The Ombudsman against Ethnic Discrimination
The Netherlands	De Commissie Gelijke Behandeling /Equal Treatment Commission or ETC
The UK (1)	Commission for Racial Equality (CRE)
The UK (2)	Equality Commission for Northern Ireland (ECNI)

The functions of these equality bodies are determined by a variety of mandates. Some bodies that possess a quasi-judicial status may actually settle/decide disputes (Netherlands, Cyprus), while the mandate of others excludes such a function (UK, Belgium).

A great number of equality bodies are working together at European level with a view to learn from one another, raise equality standards across Europe and design and implement effective anti-discrimination strategies.

4.2.6.2. The independent operation of equality bodies

Community law stipulates that these bodies must possess the capacities to perform all its tasks independently([55]). Whether or not the bodies listed above are effectively able to work independently is premature to assess - many of them have only been in existence for a very brief period or have yet have to start their activities. In due course **this independency may be assessed on the basis of a series of indicators**, which can be grouped under four headings:

- independence from government interference
- independence from other (non-governmental) organisations
- financial independence
- independence of the board/members/ staff.

Examples of indicators are:
- a firm legal basis for the existence of the equality body
- sufficient financial resources to exercise the competencies anonymously
- and to appoint sufficiently experienced and trained staff
- security of the position of members of staff as far as their employment conditions and dismissal are concerned
- adequate premises for the equality body, separate from government buildings

4.2.7. Consultative bodies

'Consultative bodies', another set of agencies, provide advice to the government in certain fields relevant to immigrant integration, again according to a variety of mandates and statuses. For instance, Portugal's Advisory Board for Immigration Affairs (COCAI) advises the High Commissioner for Immigration and Ethnic Minorities, operating directly under the Prime Minister. The UK's independent advisory board on naturalisation and integration (ABNI) also issues recommendations to the government, but with a specific focus on integration policies and language and citizenship tests. Slovenia concentrates its efforts on equal treatment, through the Council of the Government for the implementation of the principle of equal treatment.

Ireland's independent body, NCCRI (National Consultative Committee on Racism and Interculturalism), focuses its expert advice on racism and interculturalism, while also serving as a partnership body for government and non-government organisations. Another expert consultative body with additional functions is the Italian National Body for the Coordination of Integration Policies also functions, which facilitates the exchange of information and best practices between local institutions on the subject of integration policies.

4.2.8. Agencies implementing part of the integration policy

Other agencies take charge of implementing certain aspects of the government's integration policy, particularly in the **justice and home affairs field**. Latvia, for example, has the Office of Citizenship and Migration Affairs, - a supervisory body of the Ministry of Interior responsible for issuing identity and travel documents, maintenance of the Population Register, as well as the implementation of the governments' migration policy, including the

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[55] European Network of Legal Experts in the Non-Discrimination Field, *"Catalysts for Change ? Equality bodies required by Directive 2000/43/EC"* (Brussels, 2007).

development and implementation of repatriation and asylum policy. The Latvian Naturalisation Board serves an administrative institution dealing with citizenship issues.

Many specialised agencies operate in the field of **education**. The UK Department for Education has tasked the Learning and Skills Council to allocate resources to the "skills for life" initiative, one aspect of which is language training for migrants. This responsibility is shared in Sweden between the Swedish National Agency for Higher Education and the Swedish National Commission on Validation, which deals with examinations and recognition of foreign credentials. Other examples include the Hungarian Language School and the National Agency for Latvian Language Training.

Implementing agencies play a role in many other ministries across Europe. The Maltese Ministry for Family and Social Solidarity established the Foundation for Social Welfare Services. It provides the overall organisational structure and strategic direction for three national programmes that develop and promote social welfare services in Malta. In Belgium, the Centre for Ethnic and Cultural Minorities and the Forum of ethnic minorities (an agency supporting the federations of immigrant organisations) are recognised as official actors to implement the government's polices.

Latvia's Society Integration Foundation financially supports and facilitates social integration processes in Latvia in conformity with the National Programme "Integration of Society in Latvia". In Germany, integration courses for the Federal Office for Migration and Refugees are organised by private agencies at the national and laender-level agencies. This trend is also observable in Italy, where many private agencies are contracted at regional or provincial level.

4.2.9. Agencies coordinating the implementation of integration policy

The **Swedish Integration Board**, a national governmental organisation, provides an example of an agency that performs a crucial role in coordinating the implementing integration policies. Founded to monitor the situation and progress of integration policy objectives within various sectors of society, it promotes integration, prevents and counteracts ethnic discrimination, xenophobia and racism and develops introductory procedures for new refugee arrivals.

The Reception and Integration Agency (IRA) in **Ireland** is responsible for coordinating the provision of services to both asylum seekers and refugees, coordinating the implementation of integration policy for all refugees and persons granted leave to remain in the State and responding to crisis situations which result in large numbers of refugees arriving in Ireland within a short period of time. It works under the Department for Justice, equality and law reform.

In **Germany**, the federal Ministry of Interior has tasked a Federal Office for Migration and Refugees to develop and implement the basic structure and contents of the integration course for newcomers. It also provides expert support for the Federal Government relating to integration and the production of information materials on integration measures offered by the Federal Government, state government and local authorities.

The **Estonian** government has created a funded the non-Estonian Integration Foundation to supervise the execution of concrete integration-orientated projects, which are placed under control of the state. Ministers and politicians form the board of the Foundation.

In France, policies generally do not consider immigrants as a particular target group, given the state's reserve to categorising people based on ethnicity. Policymakers give preference to a

'geographic angle' through 'zones' for priority education, zones of sensitive urbanisation, etc. The only policy in **France** geared directly and exclusively to immigrants is the reception policy for newcomers.

Nevertheless, several bodies in France do coordinate the policies that affect immigrant integration. The Inter-ministerial Committee on Integration (CII), chaired by the Prime Minister, consists of about 25 ministers, works on planning integration policies. The High Council on Integration (Haut Conseil à l'Intégration) reflects on issues of integration and provides proposals upon the request of the Prime Minister or the inter-ministerial committee.

The agencies and consultative bodies described above hardly work together at European level in a systemic way. At best, they meet occasionally at international conferences or work together on certain themes on an ad-hoc or often bi-lateral basis. This limited contact deprives them not only the opportunity to influence European policies, but also to systemic learn from each other and undertake benchmarking.

4.2.10. NGOs

Most experts referred to NGOs as agencies that provide training, legal aid, language courses and cultural awareness programs. These NGOs range from immigrant organisations, immigrant support groups, churches and religious organisations, professional organisations to foundations and so on. Their mandates may cover single issues on one particular aspect of integration, particular groups (in terms of gender or national and ethnic background) or one service as advocacy or community organisations. Their structures also cover a wide range, from small voluntary groups to highly professionalised agencies.

This wide spectrum serves as a sign of civil society's diversity and vitality in Europe. Given the important role that NGOs play in the integration process, policymakers wish to enhance their capacity to act by for example providing financial support, linking them with each other and with governmental agencies and enabling them to learn and to improve their practices.

Networking at European level between NGOs occurs at a modest scale. This modest amount of European networking can be attributed partly to interest ('all integration is local') and partly to capacity (European co-operation costs time, money and language skills).

A number of active and rather powerful networks of NGOs do exist at the European level to reflect civil society's diversity. The strongest networks are those linked to or part of established organisations such as churches, trade-unions or human rights or refugee organisations. The European Commission has fostered a number of these strong networks. In particular, DG Social Affairs, Employment and Equal Opportunities has a longstanding tradition of facilitating and financing European networks of NGOs: from the Women's Lobby to the European Network against Racism and the Platform of social NGOs.

4.2.11. Consulting stakeholders

In most countries, consultation seems firmly rooted in the policy-making process. The Greek expert reported that policy makers seem only recently to have started developing an interest in soliciting the views of civil society on integration issues.

The extent to which governments consult stakeholders during discussions of integration issues differs substantially across the EU. Variations arise in the type of stakeholders and format of consultations.

The questionnaire asked whether consultation occurs **with NGOs, with immigrant organisations, with trade unions, with professional organisations or with 'others'.**

10 of the 25 EU member states are reported to consult with **all of the categories** listed above (Ireland, Sweden, Finland, Germany, UK, Spain, Portugal, Italy, France, Luxemburg). The remaining countries (except Greece) consult with some of the categories. Some countries only consult with NGOs (Malta, Lithuania, Poland).

Stakeholders other than those listed as options on the questionnaire are consulted in 8 countries; local governments (Austria and Finland), political parties (Finland and France), international governmental organisations such as UNHCR and IOM (Slovak Republic), national human rights institutions (Denmark), academia on an ad hoc basis (Belgium) and the Catholic Church (Italy).

The questionnaire inquired whether consultations take place with each group of stakeholders on an **ad hoc basis or within a formal consultative structure**.

Of the 24 countries in which governments do consult with stakeholders, **all of them organise consultations with NGOs**. **11 countries organise the consultations on an ad hoc basis only.** In the rest of the countries, such consultations take also place within official consultative structures of various origins and forms.

Some countries have introduced a legal obligation to consult stakeholders. The German government is legally bound to consult stakeholders when drafting legislation. In Sweden, the "remiss" procedure compels governments to consider consulting stakeholders during the legislative process. In Austria, the provinces and the chambers hold a statutory right to be heard with regard to any pending legislation. The minister in charge may also invite other organisations deemed appropriate for the specific issue. Invitations are regularly extended to social partners, while partners such as NGOs and service providers are only invited when deemed necessary by the government.

As to the form of such structural consultations, some countries (i.e. Austria, Finland and Latvia) have installed an Advisory Council on integration (and immigration) issues, in which NGOs take part. In Ireland, the Social Partnership, a network of 28 national organisations, works to address poverty, social exclusion and inequality. The Partnership is part of a 'problem solving' approach, where government and interest groups work together to agree policy. Malta has established an NGO forum within the Ministry for Family and Social Solidarity. The UK has also put in place a formal consultation structure exists between the immigration department and NGOs at which integration is sometimes discussed. As a last – indirect - way of consulting NGOs, the Estonian report mentions commissions, where representatives of NGOs and immigrant organisations often participate in a personal capacity.

4.2.12. Immigrant organisations

17 countries mention government consultations with immigrant organisations during discussions of integration policies. 7 countries do not consult with immigrant organisations for diverse reasons. In Greece, the government rarely organises consultations with any stakeholders. In the other countries (Latvia, Lithuania, Malta, Austria, Poland, Hungary), an absence of consultation results from either a lack of commitment on the part of governments, insufficient organisation on the part of immigrant communities or both. Of the 17 countries that organise consultations with immigrant organisations, **6** do this on an **ad hoc basis**, and **11** take advantage of a **dedicated consultation structure**. These structures are often the same as those mentioned above for consultation with NGOs.

Consultative bodies for foreign residents exist in various countries. Such consultative bodies serve as a valuable tool for communication and the maintenance of social and political

cohesion in areas transforming into regions and cities of immigration. They serve as a mechanism for promoting political participation, representation and defending the interests of all foreign residents at local level. Such consultative bodies may be set up whether or not voting rights have been granted.

Most consultative bodies have two main objectives: 1) **to integrate and encourage the local civic participation of foreign residents**; and **2) to improve or harmonise relations** between foreign residents and other sectors of the community (authorities, administrative bodies, and nationals). Their main activities are **political**: consultation and the promotion of citizen participation. Besides this, consultative bodies can also engage in promoting social and cultural activities pursued by other bodies such as civil society associations.

4.2.13. Professional organisations

The country experts interpreted the term 'professional organisation' as including both employers' organisations and associations of professions such as the medical association, the head teachers' association, and so on. 9 countries do not mention professional organisations as a consulted partner. 10 countries do not consult trade unions on topics of immigrant integration. **In the other 15 countries, trade unions are involved in discussions, either in an ad hoc way or on a structural basis.**

The stakeholders who exerted the greatest influence over the shaping of integration policies varied considerably country-by-country. In Austria, Cyprus and Sweden, the experts identified social partners as more influential than NGOs. Conversely, Spain and Latvia categorised the NGOs as stronger. In France, this role was taken by political parties. Finland suggested that the dominant position of NGOs and immigrant organisations originated from the social partner's passive engagement in integration policies. The reverse situation is observed in immigration policy, where several powerful interests wield their influence. Hungary, Denmark and Germany suggested that the amount of leverage exerted by stakeholders very much depends on the exact issue under debate.

4.3. Reporting on the immigrant population country-by-country

As part of their integration policy infrastructure, some Member States issue regular reports on the immigrant population residing on their territory. Such reports are particularly valuable for the benchmarking stage of mapping the target group and policy situations.

Austria

The population census contains information on religion and the language spoken at home. The Austrian Institute for Economic Research publishes an expert opinion on the residence of foreigners in Austria every year. This is a consultancy study commissioned by the Ministry of Interior to inform a decision on the limit to be set on the number of residence permits issued per year. Information in this report is disaggregated for gender, age, country of origin and immigration generation.

The Ministry of Interior also publishes yearly reports on aliens and asylum affairs including statistics on residence, asylum, detention and deportation. An annual security report is also issued on i.e. criminal acts of a xenophobic nature and on radicalism within immigrant groups. The Ministry of Social Affairs publishes a bi-annual report on the social situation in Austria, containing references to income and poverty risks of immigrants. The labour market service publishes a monthly employment report, with figures on employment and

unemployment of foreign citizens. Every three years, the Ministry of Health publishes a health report with reference to the health situation of immigrants. The Ministry of Education publishes a yearly report on intercultural education and pupils of immigrant background. Non-governmental organisations also issue yearly reports: The anti-racist organisation Zara produces a yearly 'racism report' listing cases of racist discrimination and analysing the developments in Austria; the Austrian League for Human Rights also publishes a yearly report on the state of human rights covering also immigration and integration.

Belgium

There are no regular reports published on the immigrant population. The census does not record information on the ethnic, linguistic and religious make-up of the population. Although there are yearly reports of the Centre for Equal Opportunities and the Fight against Racism, these do not systematically assess the state of affairs concerning the immigrant origin population. Regular reports concerning immigrant integration were also published until 2003 by the Interdepartmental Commission on Ethnic and cultural minorities, but these considered the activities of the Flemish government rather than facts on the immigrant population. The Flemish Community registers membership in an ethnic group to determine the allocation of special funds to schools on the basis of these figures.

Czech Republic

The Ministry of Interior in the Czech Republic drafts a "Status Report on Migration in the Czech Republic" every year. It is a rather comprehensive report that also touches upon integration related issues such as employment and education. The statistical data in this report are disaggregated for country of origin, and to a lesser extent for gender and age as well. The population census records information on immigrants regarding three criteria: national/ethnic minority affiliation, as well as mother tongue and religion.

Cyprus

No regular official reports are produced to paint a picture of the immigrant population. Fragmented information on immigrants can be found in the annual activity reports of the Ministry of Labour, the Ministry of Education, and the Ministry of Justice. One-off studies have been published by interest groups such as INEK (on the employment conditions of migrant workers and the role of trade unions in enforcing these rights), KISA (on the position of migrants, asylum seekers and other visitors in Cyprus), and Apaneni (on asylum issues).

Denmark

The Ministry publishes an annual statistical report and accompanying commentary for Integration. The report is prepared by the Danish Bureau of Statistics, and is rather comprehensive in that it contains information on the number of newcomers in Denmark, asylum and family reunification, population development, data on the labour market, housing and education. Its data is disaggregated for country of origin, gender, age (in some areas such as education and employment), and immigration generation. Besides this annual comprehensive report, most relevant ministries and agencies produce reports that concern immigrants every year. The population census does not collect data on nationality, language, religious or ethnic affiliation. Annual reports produced by NGOs like the Danish Refugee Council and the Council for Ethnic Minorities constitute an additional source of information.

Estonia

Annual reports are published by the Office of the Minister for Population Affairs on the implementation of the state program "Integration in Estonian Society 2000 – 2007". These reports include some statistical and sociological data on ethnic non-Estonians, including foreigners. The population census includes information on nationality and ethnic background.

Finland

Statistics Finland produces an annual report on Foreigners and International Migration, containing extensive information on immigrants disaggregated for country of origin, gender, and age. Besides this regular report, several ministries have published one-off reports such as the Ministry of Social Affairs and Health (on immigrant children, mental health care services for immigrants, and on immigrant women and violence for example), the Ministry of Labour (on, for example, employment of immigrants, finish SOPEMI reports for OECD), and the Ministry of education (on, for example issues that could increase foreign students coming to Finland). The latest census included a question on mother tongue language. A regular report published by a non-governmental actor is the Finnish League of Human Rights' Annual Report on racism in Finland.

France

The population census does not collect data on nationality, language or religious or ethnic affiliation. Every year, the government submits an information report to the Parliament on immigration control, residence of foreigners in France and nationality. Each year, the Parliament prepares a report on the 'orientation of immigration policy'. Additional information on immigrants and especially on integration policy can be found in the annual report of the 'Cour de Comptes' that analyses use and misuse of public funds. The National consultative human rights commission publishes an annual report on racism and xenophobia. The National Commission on Security Deontology (CNDS) is an independent authority dealing mostly with police behaviour and abuse. Its annual report can contain information about specific aspects of immigrant integration. Finally 'IGAS', the general inspection of social affairs, which depends on the Ministry of social affairs, issues one-off reports on the reception of unaccompanied minors in France, or on rejected asylum seekers for example.

Germany

The Federal Commissioner for Migration, Refugees and Integration is obliged to submit a report on the situation of foreigners in Germany to the Bundestag every two years ("Bericht der Bundesbeauftragten der Bundesregierung für Migration, Flüchtlinge und Integration über die Lage der Ausländerinnen und Ausländer in Deutschland"). In addition the Federal Office for Migration and Refugees publishes reports on migration, integration and asylum. The 13th and most recent edition of the report gives precise numbers on the language integration courses distributed according to the number and the participants of language and integration courses according to age, social structure and nationality. The reports are partly prepared by expert groups or institutions. The report of the Federal Commissioner in particular has been prepared in substantial parts by the European Forum for Migration Studies, University of Bamberg. The Federal Office for Criminal Affairs will regularly report figures on criminality amongst foreigners, with information on nationality and age group... The Federal Office for Statistics publishes regular reports on the social and professional situation of foreigners,

including dependency upon social welfare etc. Regular reports on families of foreign origin are published at state level and by the Ministry for Family, Women and Youth. Several interest groups publish reports on immigrant integration, though none are regular.

Greece

The National Statistical Service of Greece carries out a national census every 10 years, the last one dates from 2001. Data on 'foreigners' are disaggregated for country of origin, gender and age. For the rest no regular reports on the immigrant population are issued in Greece, either by government or by interest groups. A recent report presented by NGOs on integration problems with an assessment of legislation gaps and a set of proposals has had a strong impact in the public debate.

Hungary

No official regular reports on the immigrant population are published. The population census records information on immigrants regarding three criteria: national/ethnic minority affiliation, as well as mother tongue and religion. Reference to the situation of immigrants is made in the Annual Report on the demographic situation of the country's population, which includes a chapter on international migration. The Ministry of Education's statistical yearbook also includes a chapter on foreign students in full-time education. Finally a chapter of the yearbook on labour market trends and developments, published by the Central Employment Office is also devoted to the employment of foreign citizens.

Ireland

The population census, carried out every five years provides a regular source of statistical information on immigrants. The census encompasses the whole population, and disaggregated data is available on place of birth, ethnic background, nationality, religion and gender. Another source of information listed by the Irish experts is the Personal Public Service Number (PPS N°). This is a unique reference number that serves to gain access to social welfare benefits, public services and information. State agencies that use PPS Numbers to identify individuals include the Department of Social and Family affairs, the Revenue Commissioners and the Health Services Executive Areas. Several NGOs are currently working on reports about the immigrant population, such as the NCCRI, the Immigrant Council of Ireland, and the Migrant Rights Centre.

Italy

The population census records language, but only on the main linguistic minorities (French, German, Ladin and Slovenian). The National Organisation for Coordination of integration policies at local level (Organismo nazionale di Coordinamento per le politiche di integrazione sociale degli stranieri) commissions a yearly statistical report on the immigrant population in Italy, entitled "Indicators relating to immigrants' territorial insertion in Italy". The data included are not disaggregated for gender, age or country of origin. The yearly statistical report on the foreign resident population ("La popolazione straniera residente") does present disaggregated data for age, gender, and country of origin. More information on immigrant integration can be found in the annual report of the National Anti-discrimination Office, and in the yearly reports on pupils with foreign citizenship, published by the Ministry of Education. The National Institute for Insurance against work injuries devotes a specific chapter of its annual report to non-EU workers. Once-off reports on issues related to immigrant integration have also been published by the Ministry of Welfare (on housing policies, on access to credit and banking services), and by numerous regional, provincial and

local authorities. Interest groups such as Caritas/Migrantes and Fondazione ISMU publish annual reports that gain significant media attention and policy impact on issues as school, employment, housing, citizenship, political participation, culture and religion.

Latvia

The population census includes information on nationality and ethnic background. Individuals may choose to state their ethnic or national origin on their passport or migration documents. The Latvian Citizenship and Migration Affairs Board, which works under the Ministry of the Interior, prepares a report every year on people applying for Long Term Residence. The statistical data collected in these reports are disaggregated according to country of origin, but not gender, age, or immigration generation. Other than this report, information about immigrants is very limited. So far there has only been one study on so-called visible minorities, carried out by the Baltic Institute for Social Sciences.

Lithuania

The population census records information on immigrants regarding three criteria: national/ethnic minority affiliation, as well as mother tongue and religion. The Lithuanian Ministry of Interior prepares an annual publication on immigration, containing information on the issuance of identity documents, residence permits, visas, the numbers of naturalisations, and other areas related to immigrants' legal status. The publication is compiled by the Migration Department under the Ministry of the Interior. More information on immigration – albeit very limited - can be found in the activity reports of the Ministry of Interior, the Ministry of Social Security and labour, and of the state board guard service.

Luxembourg

The population census does not collect data on nationality, language or religious or ethnic affiliation. No annual official report on the immigrant population is published. Limited data on immigrants can be found in the annual report of the Ministry of Family, which contains information on the number of asylum seekers and the number of rejections, their countries of origin, some figures on social assistance and accommodation, etcetera. The annual report of the Ministry of Justice refers to activities of the ministry related to immigration.

Malta

In Malta finally, no reports are published on the immigrant population.

Netherlands

Despite a lack of questions on nationality, religious or ethnic affiliation, statistics are available for newly arrived immigrants on position in the labour market, crime rates, etc. Data on the evolution of the integration of newcomers is by means of an annual Integration Monitor ("Integratiekaart") and an annual Integration Report, These two reports are commissioned by the Minister of Alien's Affairs and Integration and are presented to the Parliament as annexes to the budget. The Integration Report contains recent information about the integration of the most important ethnic minorities. The Integration Monitor takes another perspective, and uses a number of indicators to demonstrate how immigrants that have settled in the Netherlands in a certain year have evolved. At the same time, the Immigration and Integration division of the Ministry of Justice (under which the Minister of Integration is

located) produces the Yearly Note on Integration ("Jaarnota Integratie"). This Note reflects on and gives an interpretation of the facts described in the two other reports.

Poland

Data is available on nationality, ethnic background and languages spoken through the population census. Besides the OECD's SOPEMI report, no reports are published.

Portugal

The Aliens and Borders Service issues a statistical report each year on the issuance of residence permits, naturalisations, etc. The data in these reports are disaggregated for gender, age, and country of origin. The Ministry of Interior publishes annual statistical reports on immigrants and internal security. The Ministry of Education also publishes regular reports on the number of immigrant children in schools; the information is disaggregated for country of origin only. Other than these reports, information on immigrants is also included in the annual Report on admission of Migrant Workers published by the Ministry of Employment and Social Affairs, and in the activity reports of the High Commissioner for Immigration and Ethnic Minorities, which is considered to exert the biggest impact on policies.

Slovenia

The Statistical Office produces an annual report on "Immigrants from abroad by age group, sex and citizenship". It also contains information on employment and social affairs. The Ministry of interior issues an annual report on the measures that have been taken to integrate refugees in the previous year. Finally the Advocate of the Principle of Equal Treatment publishes a yearly report on discrimination cases.

Slovakia

The population census records information on immigrants regarding three criteria: national/ethnic minority affiliation, as well as mother tongue and religion. Official reports on the immigrant population are not published on a regular basis in the Slovak Republic. Some information can, however, be found in the annual reports of the Migration Office of the Ministry of Interior, but this mostly concerns asylum issues. Other ministries or governmental agencies do not yet produce reports which relating to immigrants at present. According to a recent law, the Ministry of Foreign Affairs, of Interior, of Health, of Education, of Justice and the Deputy Prime Minister will in the future be obliged to prepare policy papers regarding immigrant integration in their respective areas of competence.

Spain

The population census provides a question regarding language. The only sort of regular report issued in Spain is the annual statistical report, provided by the Permanent Observatory on Immigration. The information in these reports is disaggregated for gender, age, country of origin and immigration generation. There are a vast number of reports published on the immigrant population every year, but none on a regular basis.

Sweden

The population census does not track the ethnic, religious or linguistic make-up of the country. Some figures exist on the number of pupils receiving minority language education. Sweden publishes a bi-annual Integration Report. The Swedish Integration Report is ordered by government, and written by the Swedish Integration Board in cooperation with researchers at various universities. A statistics report is issued between two Integration Reports; it includes information on the status and trends in various sectors of society related to the situation of immigrants. Other regular reports on the situation of immigrants are the Social Report published by the National Board of Health and Welfare, the Yearbook of the National Institute for Working Life, the Labour Market Outlook of the Swedish Employment Service, and many other reports from different services such as the National Board of Housing, Building and Planning, etc.

United Kingdom

The 2001 census recorded information on ethnicity and religion. There are a number of regularly published reports in the UK that make reference to the immigrant population. These include the UK Labour Force Survey, and the annual report of the Advisory Board for Naturalisation and Integration (ABNI). Whilst the Labour Force Survey presents disaggregated data for ethnicity, gender, and age the ABNI does not disaggregate the data. Besides these two reports, there are numerous reports issued by other ministries and governmental agencies, which make mention of the situation of immigrants. In fact whether reports are in the field of health care, education or in another area of significance, every report must refer to equal opportunities. A great number of interest groups also publish reports on immigrants. Data on ethnic origin is also available through the monitoring of public service recruitment.. Police databanks also record for operational purposes the ethnic or racial characteristics of persons (i.e. 'White,' 'Asian,' etc.).

4.2.15. Integration policy evaluation and impact assessment

The experts were asked whether governments have put in place policy evaluation mechanisms([56]). They were also asked whether general policy measures were prospectively assessed on their impact on the integration of immigrants. Prospective Impact assessments are largely unknown as a policy mechanism. As far as evaluation mechanisms are concerned the situation is more complex.

Impact Assessments

Retrospective **impact assessment are** similar to a policy evaluations. They study whether and to what extent goals have been achieved and whether and to what extent this can be attributed to the implementation of policy measures. *Prospective* **impact assessments are** systematic and forward-looking analyses of intended or unintended effects of proposed policy or legislative measures. The purpose of impact assessments is to analyse the intended and unintended impacts that policies and/or legislation have or are expected to have. Impact assessments usually provide information on:

- Budgetary, social, economic and environmental costs and benefits
- Possible problems with enforcement, acceptance and compliance
- Distribution of the costs and benefits within the population and within subgroups
- Possible flaws, contradictions, lack of clarity and gaps
- Wanted effects

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[56] See among others, Mohr, L. B.) Impact Analysis for Programme Evaluation, Second Edition, Thousand Oaks and London: Sage Publications. (1995).

- Unwanted side effects

Ten country experts stated that there is **no mechanism** in place to allow for the **review** of integration policies: Greece, Latvia, Spain, the Slovak Republic, Slovenia, Malta, Lithuania, Austria, Cyprus and Hungary where an integration policy does not exist. The Slovak Republic only approved a Migration Policy Concept in January 2005 and concrete policies within that Concept are currently being designed. It is too early, then, to speak of policy evaluations. In Portugal the only listed policy evaluations are activity reports of the High Commission for Immigration and Ethnic Minorities and of the Commission for Equality and the Fight against Racial Discrimination are listed. Although such reports reveal useful information about the effectiveness of policies, they cannot be considered proper policy evaluation tools.

Figure 4 (g) Integration policy evaluations

	No evaluation	One-off	Regular
Austria	X		
Cyprus	X		
Greece	X		
Hungary	X		
Latvia	X		
Lithuania	X		
Malta	X		
Slovak Republic	X		
Slovenia	X		
Spain	X		
Portugal	X		
Finland		X	
Ireland		X	
Belgium		X	
Poland		X	
Sweden		X	X
UK		X	X
France		X	X
Germany		X	X
Netherlands		X	X
Denmark			X
Estonia			X
Italy			X
Luxemburg			X
Czech Republic			X

At least 4 countries mentioned that evaluations of integration policies take place only on a **one-off basis**. In Finland for example the State Council once evaluated the Integration Act. A one-off evaluation of the integration of recognised refugees was carried out in Poland. In Belgium the Commission for Intercultural Dialogue was a temporary commission appointed by the federal government to evaluate the integration policy. No regular policy evaluation exists in Ireland either, although reports to inform policy are published frequently.

Regular policy evaluations are carried out in Estonia, Luxemburg, the Czech Republic, Italy, and Denmark. The Estonian Office of the Minister for Population Affairs prepares an annual implementation report of the program "Integration in Estonian Society 2000 – 2007". In Luxemburg, the special Immigration Commission reports on the impact of immigration every few years at the request of the Parliament. The Italian Ministry of Interior also provides a

report to the Parliament each year on the Aliens' Law. Finally, the Danish Ministry for Integration commissions a yearly report entitled "Report on New Danes, Vocational training and mentor initiatives", which contains information for evaluating integration policies.

Other countries **mix regular reviews with complementary one-off evaluations** at given times or on certain issues. In Germany, the Netherlands and Sweden, the comprehensive regular reports on immigrant integration as produced by the responsible government departments (see above) can be partly considered as policy evaluations. The German government informs the Parliament through the two yearly "Bericht der Bundesbeauftragten der Bundesregierung für Migration, Flüchtlinge und Integration über die Lage der Ausländerinnen und Ausländer in Deutschland". Besides this, an evaluation is currently being carried of language and integration courses, which is commissioned by the Minister of Interior.

In the Netherlands the annual official reports on immigrant integration serve to inform Parliament. In 2004 there was also a Parliamentary investigation of integration policy over the past decade, which resulted in a report entitled 'Building Bridges' (Committee Blok 2004).

The Swedish Integration Board's annual report can be considered as a kind of policy evaluation in the Swedish context. There have been several other partial integration policy evaluations, such as urban anti-segregation programs, integration-programs for new immigrants and so on. The Commission for Power, Integration and Structural Discrimination is carrying out a separate evaluation at present. Between 2004 and August 2006 they published a series of reports and a final report.

In the UK, the Advisory Board on Naturalisation and Integration (ABNI) keeps integration policies under constant review. There is also an organisation called the National Integration Forum with sub-committees monitoring and evaluating integration policies. Through regular independent inspections by OFSTED - the NGO responsible for assessing the quality of education generally - and the Adult learning Inspectorate - responsible for evaluating the effectiveness of courses for adults - citizenship programmes for migrants are evaluated. The UK Home office research department is currently commissioning a longitudinal study of refugee integration that will chart progress against a series of key indicators of integration.

In France the prime minister and the Ministry of Interior prepare a yearly report to the Parliament on immigration control, residence of foreigners in France and nationality. An evaluation of the French integration policy in 2002 – 2005 was also ordered by the Prime Minister and written by High Council on Integration. As was described above in the section on reports, the annual report of the 'Cour de Comptes' analyses use and misuse of public funds. In 2004 the Cour de Comptes published a report entitled "L'accueil des immigrants et l'intégration des populations issues de l'immigration".

Conclusions

- Governments play different roles: from legislator to role model and governmental departments contribute in varying ways to the design of integration policies

- Ministries of Justice are often in the lead and other ministries design specific policies relevant to immigrant integration. Special agencies often support governments with policy design and implementation

- The 25 EU Member States demonstrate considerable differences in their integration governance structure, well developed and profound in some and rather indefinite and crude in others. However, none of these structures could be qualified as rigid and unchanging

- The integration governance landscapes across the EU is in flux with new ministries and other stakeholders taking on integration mandates while ministries and stakeholders with a longstanding experience acquiring new and complementary responsibilities

- The changing integration landscape is marked by policies and actors with a general mandate and with a specific mandate

- Actors at many levels of governance seek collaboration with each other and public authorities seek co-operation with civil society

- The changing landscape demonstrates the immense potential for stakeholders to implant themselves in new policy and support structures, share their expertise with policymakers and benchmark together

- Integration is the shared responsibility of governments and a great many stakeholders, who also seek to learn and improve their integration interventions

- There is scope for European cooperation and mutual learning on integration policies

Recommendations

- Communities of stakeholders and policymakers should engage in benchmarking on the basis of shared interests: from ministries of Justice and Interior – often lead ministries in the integration debates – to special agencies and ministries working on areas relevant to immigrant integration such as economic participation, education and health

- Governments can benchmark throughout the policy formation process with the different benchmarking stages from building cooperation structures to collecting and reporting data, evaluating policies, assessing impact and carrying out implementation

- The changing landscape allows benchmarkers to engage a number of new policy partners and cooperation structures between levels of governance and stakeholders

- European institutions should encourage and facilitate the networking at European level of key- stakeholders with a view to enable them to form learning and benchmarking communities

CHAPTER V. FROM INTEGRATION IMPEDIMENTS TO AREAS OF IMPROVEMENT

Integration is enhanced when citizens respond to integration challenges and intelligently seize integration opportunities. The benchmarking of integration polices and practices can be used for those purposes. The decision to benchmark is made on the basis of *preliminary* assessments of the situation. Societies can be seen as becoming more or less integrated. Sections of the population can be seen as becoming more or less engaged, or included or marginalised. Policies can be considered as being not as effective as expected or as having opposite effects. A carefully carried out preliminary assessments informs the decision to benchmark, focuses the benchmarking and makes it relevant for the ongoing policy debates. Once it is decided to benchmark, the assessment is taken to a higher level and geared towards the identification of areas of improvement.

This chapter provides benchmarkers with **tools to assess immigrant integration debates and to identify integration impediments and areas of improvement**. The former permits benchmarkers to appreciate the diversity of integration debates across Europe and may help them to avoid jumping to hasty conclusions based on their own national context or their inclinations as an actor invested in the debate. The latter enables benchmarkers to systematically assess the situation by which integration impediments are identified in such a way that they can be compared European-wide.

5.1. Assessing integration debates

To capture the diverse characteristics of national debates in the EU-25 and their constantly evolving nature, a simple tool is proposed to assist stakeholders to make their own assessment. A number of questions should be answered: what are the overall goals of immigration and integration policies? Which basic principles are important? Who are targeted and affected? Who are engaged? What strategies and means are used? The tool contains the following elements.

The **overall goals of immigration policies** and the **composition of the immigrant groups** greatly influence the tone and direction of the debates. The subject and direction of the debate varies substantially when the dominant group in a given country is composed primarily of refugees or migrant workers. Compassion and humanitarian commitments or well-understood economic interests may set the tone. Migrants for political reasons, like returning nationals after the Second World War or the fall of the Iron Curtain and refugees can usually count on hospitality so long as the public believes in their real need for protection. Public opinion may equally welcome migrant workers so long as they contribute to the economy and do not compete for jobs with nationals.

The arrival of immigrants profoundly changes the make-up of society, a region a city or village, impacting community life. Yet immigration does not work out the same for everyone. In other words, the respective positions of the winners and losers in migration have a significant impact on how immigration is experienced and valued in a given country. Concerned members of the pre-existing population respond differently to immigration and immigrants. Immigrants may be competitors in the labour market or in accessing public services. Negative views that emerge in this context may therefore have less do with xenophobia or rejection of immigrants *per se* and more with a conflict of interest. Some

groups of immigrants, on the other hand, may be identified as more successful than others in establishing a position within society and receiving more welcoming attitudes.

Immigration and integration policies are either rooted in or generate reflections on **core values and basic principles**. Core values in many liberal democracies consist of democratic decision-making, pluralism, equality and anti-discrimination. It is equally expected that 'nationals' and immigrants adhere to these values. These basic principles also govern the day-to-day practices of persons with and without an immigrant background and of agencies working on issues related to immigration and integration. Oftentimes heated and emotionally charged debates arise over how policymakers should apply these values in the design and implementation of integration policies.

Figure 5 (a) Framework for Assessing debates	
1. Overall goals	**Affected persons and communities**
- Population targets - Economic goals - Social objectives - Humanitarian commitments	*Pre-existing population* - Inhabitants of areas with of high concentration of immigrants; workers in same sector *Immigrants* - Migrant workers - Family members - Returning migrants and nationals - Refugees and asylum-seekers
2. Core values	**Common basic principles**
- Democracy - Pluralism - Equality and anti-discrimination	- Addressing needs - Openness and inclusion - Commitment and participation
3. Actors	**Beneficiaries**
- Governments - Non-governmental actors - Service providers - Interest groups - Community and advocacy groups	- Overall population - Particular groups within the population: - Immigrants - recipients services rendered by immigrants
4. Areas	**Strategies**
- Foreign relations - Economy - Society - Culture	- Promoting good international relations - Full employment and prosperity - Social cohesion - Valuing diversity

Different actors possess different positions on the issues given their mandate, capacities and responsibilities. Equally **beneficiaries** of policies adopt different positions in the debate. In consultation and negotiation, the interests and ideas that develop from these different perspectives must be articulated and balanced in the formation of integration policies. In many instances policies are based on trade-offs between varying and conflicting interests. For assessing debates it is important to recognise that particular developments or situations are beneficial for some and detrimental for others. Immigration and integration can be assessed by **area**. Economic migration and integration may be successful, but social or cultural

integration is not. Cultural diversity may be celebrated, but may also strain social cohesion. Selective economic migration may be beneficial to receiving economies but negatively impact countries of origin, etc.

The tool was used and tested in eight interviews with experts from Member States: Denmark, France, Germany, Italy, the Netherlands, Portugal, Sweden and the United Kingdom. Combining the interviews with a content analysis of the 2006 issues of the monthly the Migration NewsSheet, the following preliminary assessment of the European migration and integration debates is made.

5.1.1. A shift from socio-economic to cultural issues

While in the last years integration debates in many countries focused on socio-economic problems of immigrants (such as access to education, employment, etcetera), a shift was noticeable the last years towards more attention for cultural issues: headscarves, freedom of religious expression. In response to terrorist attacks and other manifestations of radical Islam, public debates have newly focussed around religious issues. Increasingly, debates on immigration and integration are referring to 'Muslims' rather than 'immigrants', 'migrant workers' or 'ethnic minorities'([57]).

- This is evident in countries such as the Netherlands, Germany and Denmark. Especially the wearing of headscarves has generated much debate in several countries and resulted in the exclusion of certain immigrant and minority women and girls from schools or particular jobs. In France, Germany and the Netherlands this has lead to in varying degrees successful attempts to ban headscarves and religious symbols from public places such as classrooms. In the United Kingdom and Sweden more pragmatic solutions have been found which accommodate the views and practices of the communities involved and the requirements of educational institutions
- Germany and the Netherlands observed a recent focus on cultural issues and the importance of a common culture. Religion and culture persist as the chief explanatory factor for the socio-economic differences in Denmark
- Cultural issues are receiving a higher profile in Sweden and the United Kingdom, where both governments appear less trusting of spontaneous moves towards multiculturalism. In both countries debates maintain their traditional tendencies towards pragmatism and culturally-sensitive solutions based on the accommodation of community practices and educational requirements
- Cultural issues remain low on the agenda in France, Italy and Portugal where socio-economic concerns occupy the foreground of the debate

5.1.2. A desire to establish shared values

Countries that had previously declared multicultural policies appear to have withdrawn from that position, whereas others that traditionally emphasised pluralism, albeit within a rather homogenous environment, now increasingly stress the national context and culture. Anxiety that (too much) diversity fragments societies, debates have emphasised the promotion of unity and social cohesion. New policies are expressions of a desire to bolster shared values.

- One recent topic in Germany has concerned the necessity for immigrants to follow the German 'lead culture'. Another headline involves naturalisation tests, where immigrants are tested on Germany and its values based on questions that critics call

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[57] For a critical analysis of such reductionist approaches, see Amartya Sen, <u>Identity and Violence: The Illusion of Destiny</u> (New York, 2006) and Amin Malouf, <u>On Identity</u> (London, 1998).

discriminatory and disproportionate. Introductory courses on language and societal orientation has also made headlines

- In France pointed there is a tendency to select immigrants who "behave well" through integration contracts, courses and the regularisation of integrated irregular migrants. Contracts have also emerged in Denmark and the Netherlands (where a law on pre-admission integration tests has also passed)
- The new conservative government in Sweden has begun to speak of values, introductory programs, citizenship tests and ceremonies
- The United Kingdom debates on multiculturalism have raised questions regarding issues of community cohesion and the rise of 'social segregation'

5.1.3. Second-Generation Immigrant Youth

Debates in several countries have heavily debated the particular problems of persistent inequalities and increased extremism among the second-generation of immigrants born in Europe. The concentration on youth often triggers alarm among populations concerned with long-term composition of their societies, a future of fragmentation along ethnic or religious lines or the establishment of a permanent immigrant underclass.

- The supposed criminality of immigrant youth, the problems of 'two language children' and ghettoised-schools and dropout rates arise often in debates in Denmark.
- The 2005 suburban riots in France have incited heavy debates on discrimination and the socio-economic challenges facing the second-generation. The issue of 'black schools' and low educational attainment also recurs
- Debates in Portugal, a young country of immigration, approach immigrant youth as indicative of 'incomplete integration' through lower educational attainment and labour market participation levels as well as petty crime and vandalism concerns
- The July 2005 London bombing have generated an increased 'islamophobia' within the United Kingdom and brought the focus on problems of seemingly integrated yet radicalised second-generation youth

5.1.4. A reconsideration of dialogues with immigrant organisations

In several countries, dialogue or consultations between the government and immigrant organisations has been employed to stabilise community relations, demonstrate respect for differences and inform and sensitise public policy. Dialogue represents a traditional cornerstone of integration policy in some countries while other countries have only recently applied the concept. However, some stakeholders have begun to reconsider the effectiveness of these bodies, while others promote their development.

- The governments of Germany, Portugal and Sweden have improved dialogue with immigrant associations in recent years in an effort to improve coordination and develop new integration concepts. The experts approved these measures, through still question the impact beyond their symbolic value
- Stakeholders in Denmark find the official consultation structure in place since 1999 unsubstantial
- The government in the Netherlands may be adopting a more critical attitude towards migrant organisations through the instrumentalisation by the government of public funds and consultation agendas. Whereas before immigrant organisation could be perceived as regular interest groups, now they are largely perceived as instruments of official integration policy

5.1.5. 'Integration has failed'

The idea that 'integration has failed' has become dominant in a number of countries, such as, Denmark, France, Germany and the Netherlands. Frequently, debates alternatively point a more or less accusatory finger at immigrants or society as failing to make the necessary adjustments.

- In some cases, current policies are portrayed as too soft and paternalistic with new proposals to make immigrants more responsible for their integration. The Netherlands, Denmark, Germany and France are good examples of this approach with the implementation of integration contracts and various compulsory measures
- In other cases, integration policies are considered to have been inadequate in scope or focus with new proposals to address the socio-economic disadvantages of particular groups (mobilisation and emancipation). In both instances, policies differentiate between 'newcomers' and 'settled' migrants, younger and older migrants, and women and men
- Policies directed at 'newcomers' have dominated public and policy debates over the last couple of years. Measures were adopted aimed at introducing these persons to the language, values and customs of the receiving countries. Some of these measures are also being applied to well-established immigrants – for which the term 'oldcomers' was coined in the Netherlands

5.1.6. Integration as a Security issue

Security issues have started to play a significant role in the integration debates after violent attacks of bigger and smaller scales within and outside Europe. Many participants in the debates conceptualise security in a rather narrow scope of state security and not the security of individuals.

5.1.7. Pragmatic discussions

While these trends come to the forefront of rather polemic debates, other European-wide debates have drawn attention to new trends from experienced stakeholders in national integration policies. These stakeholders have tried to steer debates away from ideological discussions and discussions on integration models to more pragmatic discussions on access, equality, participation and active citizenship.

- More pragmatic discussions focus on outcomes in terms of social and economic mobility, education, health, housing, social services, and societal participation. Debates are geared to the elimination of considerable and persistent inequalities between immigrants (first and subsequent generations) and the 'native' population in terms of economic integration and mobility (as employees or entrepreneurs), education (attainment and career development), health and social services (not yet sufficiently tailored to the needs of a diverse population), and societal participation (under-representation in political life, the voluntary sector and cultural life)
- Other debates highlight the life-cycle approach that takes as starting-points the challenges and opportunities people face in the different stages of their life. It then concentrates on the impact of environment upon groups of individuals
- This approach identifies access to schools as an obstacle for immigrant groups, depending on the life stage: primary or secondary schools). It examines whether the

origin of this obstacle is a matter of socio-economic position or belonging to a particular ethnic group. It validates over time if and how these obstacles are overcome or compounded in other life stages (with entering university, work, or retirement). It defines the direct or wider environment (from family life to work and from education to leisure), the significant players and their role in the process

- Along similar lines, the approach identifies particular opportunities that emerge in all stages of life to understand what factors engender these opportunities and how they are seized. This approach very much leans on theories and practices that are responsive to diversity, namely opening up of institutions, acquisition of competences and customising of public and private services

- Acquisition of competences is directed at the overall population including immigrants and calls upon each individual to engage in a process of lifelong learning. Language acquisition is part of the undertaking, as is continuous training and education

5.2. Identifying Impediments

A preliminary assessment of integration debates offers benchmarkers a sense of national climates across the EU. The next step, an investigation of areas of improvement, presents them with a lay of the land by way of an investigation of persistent integration impediments. **Impediments are policies (or lack thereof) and societal realities that hamper the ability of a diverse society to ensure the long-term well-being of all its members.**

These impediments cover issues of economic, social and civic citizenship that are relevant for all society's members, irrespective of their background. When groups of benchmarkers identify these impediments and describe areas of improvement, they help to clarify their shared interest and goals in benchmarking. This step provides the scope for the benchmarking process and underlies the search for standards, targets, good practices, indicators and benchmarks.

5.2.1. Sources on Impediments

The report formed a list of impediments by **consulting stakeholders** who work daily on these issues and could serve as potential benchmarking communities. They identified the most glaring and fundamental impediments that arise time and again across EU Member States. Stakeholders highlighted particular impediments that are currently being lived by immigrants and nationals, studied by researchers and tackled by stakeholders and policymakers. The resulting list should not be misconstrued as exhaustive. Rather, it represents **a living catalogue of new trends, current efforts and key priorities.**

In order to flag these major impediments and understand their connection to their larger impact on integration policies, the report relied on three secondary sources.

A **list of contemporary studies** on integration in the EU 25 (see Annex 5) shed light on the recurring impediments across the EU. These studies examine how different characteristics of immigrants, such as gender, religion and social capital, influence the integration impediments. Considerable research has also been carried out on attitudes and the integration climate in host societies, with studies on security issues, discrimination and xenophobia.

The report consulted **national experts** on integration policy, legislation and/or research (see Acknowledgement), who flagged particular legal, administrative, economic, spatial and cultural impediments to integration as common problems across EU Member States.

A series of **technical seminars** on integration-related issues were also organised under the auspices of the National Contact Points on Integration and the European Commission([58]). Representatives of governmental and non-governmental agencies exchanged information and identified best practices between Member States with a view to identifying common basic principles and recommendations for integration of immigrants in all Member States.

5.2.2. Impediments in Four Areas of Life

The methodology for identifying integration impediments involves an investigation of the four dimensions of well-being within certain areas of life. Chapter III introduced four dimensions that offer a comprehensive picture of well-being in a diverse society, namely **non-discrimination, dignity, development and participation.**

These four dimensions manifest themselves in the different areas of life subject to public regulation and stakeholder action. Each community of benchmarkers must decide on the area of life that affects their shared activities, interests and mandates. The sources listed in Chapter II provide literature reviews and official statistics that benchmarkers may find useful in the investigation of impediments. The best information sources may nonetheless be located within benchmarking communities themselves, namely the insights and original research of stakeholders and immigrant groups.

This report guides potential benchmarkers with an overview of four areas of life that profoundly impact most on integration policies:

- **Citizenship**
- **Economic inclusion**
- **Social Cohesion (housing and health services)**
- **Education**

An appreciation of these four dimensions of well-being and the four areas of life helps benchmarkers to flesh out a comprehensive analysis of social cohesion in integrated societies. Figure 5 (b) below examines **these areas of life by the four dimensions of well-being to identify the impediments facing immigrant integration in each particular area.** Each resulting square represents an **area of improvement** where particular impediments exist to immigrant integration.

This figure serves as a **model for benchmarkers who must complete such an analysis**. The competencies of different benchmarking organisations may guide them to improve on this list or to consider other areas of life where this multidimensional approach may also be applied.

This report will complete this table with a detailed list of impediments that are divided by the specific area of life and dimension of well-being.

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[58] In preparation of these seminars, issues papers were produced which were made available to the participants (including representatives from a wide-range of stakeholders from across the European Union). The unpublished concluding documents of these seminars were also consulted.

Figure 5(b) Four Dimensions of Well-Being in Four Areas of Life

		Non-discrimination	Dignity	Development	Participation
Civic Citizenship					
Social Cohesion	*housing*				
	health				
Economic Participation					
Education					

5.2.3. Detailed list of impediments to immigrant integration

A -- Impediments to accessing citizenship

Civic engagement covers both social and political life, as expressed through voting rights, membership in consultative bodies, participation in trade unions, political party membership, volunteering in social organisations, access to media and affiliation to religious organisations. A broad public involvement of all members of society strengthens democracy and integration within diverse societies.

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- ***Immigrants cannot participate as equal members of their communities without local voting rights***

The right to vote and stand for election at local level is not granted to immigrants in all EU countries. Voting and standing for election allows immigrants to defend their own interests and participate directly in the political life of their city and country of residence. As voters and local politicians, immigrants can inform and indeed make decisions on the policies that most affect their immediate interests and where municipal authorities possess strong competencies, such as housing, health services and education. According to stakeholders in countries that extend local voting rights to non-nationals, these rights have significantly contributed to integration in political and social life and political parties in particular.

- ***Naturalisation laws may discourage viable pathways to citizenship as a means of integration and full membership***

States possess the indisputable right to determine the eligibility criteria for acquiring citizenship through naturalisation. States also have an associated interest in making all eligible non-nationals want to become full and active members of society, since integration concerns the well-being of all members of society.

The process of naturalisation should not be reserved as a reward for only those 'integrated' non-nationals who know to seek it. States must consider its potential as a means of integration. The naturalisation process informs non-nationals of the rights and responsibilities of citizenship and encourages them to contribute to political and social life.

Yet naturalisation cannot serve as a means of integration when Member States discourage viable pathways to citizenship. States that refuse to allow dual nationality force first-generation immigrants, who may practical or family reasons for maintaining their country of origin citizenship, to give up on becoming citizens in their country of residence. It also impedes **second- and third-generations** from becoming citizens of their country of birth and socialisation.

These attempts to restrict naturalisation as a means of integration may temporarily, permanently or effectively exclude immigrants from citizenship and direct political participation.

(ii) Dignity/recognition

- ***Infrequent or superficial contacts between immigrants and nationals undermine mutual recognition and respect***

Any investigation of integration must take into account the depth and frequency of contacts between non-nationals and the local population. Infrequent and superficial exchanges hamper the mutual recognition and understanding critical to non-discrimination in increasingly diverse societies.

Contact with nationals is particularly significant for **immigrant women**, who sometimes face discrimination and situations of inequality, which were tolerated in countries of origin and now reproduced in immigrant communities.

- *Questioning Muslims' freedom of religious expression may lead to marginalisation and mutual disrespect*

While most European societies have been undergoing a long process of secularisation, the important position that religious expression often plays in integration cannot be denied. Religious activities provide newcomers with stable links with home cultures and help to avoid marginalisation and personal crises in the host society. They forge contacts with other immigrants, members of settled ethnic communities and their faith community. As essential cultural spaces for community-building, religious organisations ease the process of settlement and encourage respect from the pre-existing population.

The link between religious expression and integration has been questioned in recent years. Foreign policies and international media rows have engendered increased domestic scepticism and surveillance of Muslim religious organisations. Some European media and political actors argue that Muslim community-building gives space to certain interpretations of Islam that do not respect society's values. The 2006 EUMC Report on Perceptions of discrimination and Islamophobia demonstrates that this critical posture towards Islam occasionally gives space to islamophobia, which manifests itself in incidents from verbal threats to physical attacks on people, homes and community spaces.

Many European Muslim communities believe that host societies perceive their religion as incompatible with European values, which in their view are wholly consistent with the views of average Muslims. This scepticism carries clear dangers of potential marginalisation and mutual disrespect.

- *Immigrant communities are dependent on countries of origin for religious personnel*

When countries of destination do not encourage community-building, governments of countries of origin may exert a large influence on immigrant groups, particularly Muslim communities in Europe. They export religious leaders to immigrant communities, finance their religious activities and help them build their own congregations. Some leaders may preach more radical religious doctrines from the country of origin than those held by immigrant communities or their host societies. The domestic supply of well-trained personnel leaves immigrant communities little alternative to imported leaders, who do not suit their community needs, lived experiences and world perspectives.

A lack of accommodation structures and training centres for immigrant religious personnel may therefore be equally detrimental to community-building and mutual respect. Fears of radicalisation may be justifiable when immigrant communities are made dependent on sometimes radical religious leaders.

- *Muslim youth may be stigmatised as vulnerable to radicalisation*

The 2006 EUMC Report on Perceptions of discrimination and Islamophobia revealed that **second-generation Muslim youth**, born and socialised in EU Member States, may be better integrated than their parents but tend to experience stronger feelings of exclusion. In addition, terrorist attacks - attempted and executed - in recent years in Europe have revealed some of these youth can feel attracted to a radical form of Islam that condones and/or supports for terrorism. Radicals among religious personnel as well as a country of destination's foreign policy may impact the sense of belonging among Muslim youth.

States may take advantage of tools to combat Muslim youth radicalisation. Integration activities that bring together immigrant and non-immigrant youth lessen the feelings of marginalisation among Muslim youth as well as combat the stigma of Muslim youth as radicals among non-immigrant youth. Constructive dialogue with Muslim communities diminishes fears of disrespect for their religious expression. Governments may also seek to maintain respectful relations and support the promotion of democracy and human rights with countries of origin. This sensitivity in international relations may avoid the possible alienation of Muslim youth from their country of destination and its political values.

(iii) Autonomy/development

- ***Ignorance of a society's cultures and religions leaves immigrants and nationals ill-equipped to live among a diverse population***

Intercultural and interfaith dialogues may not only serve to promote mutual recognition and respect, but also to counter a lack of knowledge of other cultures and religious. This knowledge gap leaves immigrants and the pre-existing population without the intercultural tools to deal with diversity in their professional and everyday encounters. For instance, Muslims from ten EU Member States interviewed in the 2006 EUMC Report on Perceptions of discrimination and Islamophobia suggested that host societies possess a limited understanding of the differences between and within Muslim communities and the contribution of Islamic civilisation to European and the role Muslims play in their local communities. Municipal and regional governments are well-equipped to reduce misunderstandings and promote intercultural tools through expositions, public information campaigns, festivals, etc.

- ***Immigrants' limited access to European media inhibits their sense of belonging as well as intercultural awareness across society***

Broadcasting can inform and substantially influence public attitudes towards immigrants and boost intercultural awareness. Regulations for broadcasters vary in scope and enforceability across the EU, while guidelines on diversity programming and representation are exceptional. Research has devoted little attention to immigrant representation in either mainstream or explicitly 'multicultural' broadcasting in Europe.

Immigrants may not understand or identify with media in their country of residence. Many often receive their news and entertainment from satellite television broadcast from their countries of origin. Many also consider European medias promote a negative image of immigrants, and Muslims in particular, through stereotyping in entertainment and distorted terms and selective reporting in the news.

They miss the opportunity to learn about their countries of residence, develop their own critical perspectives and actively contribute to public debates and cultural life. Both immigrants and the rest of the population cannot use media to develop an intercultural understanding of the country in which they live.

(iv) Participation/commitment

- ***A lack of government outreach keeps immigrants unaware of their voting rights***

Although official statistics do not record the background of national voters, non-nationals and nationals of immigrant backgrounds turn out in lower levels for elections. The disparities depend on a number of contextual factors, including particular ethnic group or individual characteristics, such as age, country of origin, gender, employment status, etc. For instance, immigrants from countries of origin with weak democracies and civil societies may not understand the functioning of electoral rights and the democratic political systems.

Many member States refrain from outreach campaigns on naturalisation or exercising voting rights. They chose to inform neither non-nationals to become full members of society nor nationals of immigrant backgrounds to become active members.

- ***Low political party membership among immigrants inhibits their mobilisation in mainstream politics***

Political party membership amongst immigrants remains an under-researched area. Political parties attract few non-nationals, the great majority of whom serve as members rather than party employees or officials. Parties rarely execute special outreach or recruitment campaigns geared to mobilise non-nationals. At most, political parties put forward 'token immigrant candidates' who are encouraged to stand for immigrant issues rather than for cross-cutting issues, which may produce a more segregating rather than integrating effect. The under-representation of immigrants in political parties and limited outreach efforts miss opportunities for solidarity-building, where the interests of immigrants converge with political parties.

- ***The under-representation of immigrants in trade unions misses opportunities for solidarity between immigrants and workers***

Trade union membership among migrant workers is below average. Little evidence exists on the positions held by immigrants in trade unions. Encounters with corrupt or highly political trade unions in their countries of origin make some immigrants sceptical of joining trade unions in EU member states. Many immigrants also work in service sectors were unionisation is traditionally low.

Participation in trade unions helps inform immigrants of their rights as workers, empowers them as decision-makers and enhances their integration into mainstream institutions and the labour market. The inclusion of immigrants eases fears among unionised workers of social dumping and contributes to the combat against discrimination in the workplace.

- ***The symbolic nature of some local consultative bodies frustrates political participation among immigrants***

Local consultative bodies for foreign residents serve to promote political participation of immigrants. Through these mechanisms, foreign residents can defend their rights and interests at local level.

However, the power of such consultative bodies is often restricted and varies greatly between and within countries. Locally elected representatives are not legally bound to follow the

advice or opinions of such consultative bodies. Many municipal councils are not even obliged to consult them. These limitations frustrate active immigrants who feel co-opted in often symbolic rather than representative bodies.

- *Insufficient support for immigrants volunteering limits civic society engagement and community-building*

Fostering migrant organisations is still often perceived as supporting segregation. As such, these organisations have restricted access to and information on mainstream financing for volunteer organisations.

Immigrant volunteering represents great potential for engagement in civil society and integration, even when migrants volunteer in their own organisations. Organisations and institutions working with volunteers should open up to immigrants. For instance, recruitment, which tends to be performed through word-of-mouth, generally disadvantages immigrants with limited social networks.

Contrary to some popular assertions, mobilized immigrant communities with homogenous and effective representative bodies are often more integrated into mainstream social life. This correlation emerges from the broader concept of 'civic community': the larger the number of organisations, and the denser the networks between these organisations, then the greater the level of participation in local elections. The promotion of membership of immigrant organisations thus also facilitates voter turnout.

B -- Impediments to accessing housing and neighbourhood life

"Housing and neighbourhoods" represents a second field where immigrants encounter serious integration impediments. The December 2005 EUMC report on Migrants, Minorities and Housing observed similar and deeply entrenched mechanisms of discrimination and disadvantage across the EU 15. Likewise, the EUMC raised concern over the absence of criteria for measuring housing integration in most countries.

Immigrants experience higher levels of homelessness and overcrowding than nationals of equivalent socio-economic status. Restricted choices in the housing hunt forces many immigrants to live in poorer quality dwellings that are concentrated in economically disadvantaged and often segregated neighbourhoods.

These housing impediments have a detrimental impact on overall integration. Poor access to housing can disrupt the settlement process and weaken the material condition of newcomers. Poor mental and physical health, restricted access to places of work, lower income and higher poverty levels are all linked to housing conditions and locations. Impediments in housing also carry non-material consequences for educational attainment, family life, social interactions and public perceptions. These material and non-material conditions place immigrants at a structural disadvantage that may become institutionalised and exacerbated over time and over generations.

(i) Equity/non-discrimination

- ***Limited access to housing support places immigrants at a disadvantage in the competitive hunt for low-income housing***

Immigrants tend to belong to low-income groups, such as the unemployed, low-income workers or those legally excluded from the labour market. They are disproportionately dependent on social renting in countries where they are eligible. Their housing situation is marked by a disproportionate exposure to the commercial shortages in affordable quality housing that occur in many EU countries. Reductions in social housing stock and renovations that decrease capacity also heighten competition.

Immigrants would benefit from access to social housing, capital and guarantees through state financial assistance. Yet immigrants may be ineligible under national law for social housing, housing subsidies or income support, which is reserved for low-income nationals. These restrictions place immigrants at a disadvantage among the disadvantaged in a shrinking and competitive low-income housing market. These shortages and the occasional lack of government support contribute to poor living conditions, spatial segregation and homelessness among immigrants.

- ***Age, gender, generation and legal status make certain groups of immigrants more susceptible to homelessness***

Homelessness and the occupation of abandoned or wrecked buildings tend to be disproportionately high among particular groups of immigrants. Homelessness is more prevalent among **newcomers**, particularly those from countries of origin that are new or rare to a particular country of destination. The presence and size of established communities from a particular country of origin impacts the risk of homelessness. Chain migration may provide housing support, guidance and access to government housing assistance, where housing associations and city councils use "sons and brothers" schemes that privilege relatives of tenants.

Immigrant women, particularly as victims of domestic violence, as well as immigrant **youth** are disproportionately susceptible to homelessness. **Undocumented migrants and asylum seekers** awaiting the results of their application represent the largest users of emergency homeless services. Immigrant **elderly** are more likely to be homeless or live alone in poorer quality housing, which often leads to poorer health and social isolation.

- ***Discrimination in the housing hunt often channels immigrants into substandard, overcrowded and often segregated housing***

Discrimination in the housing market makes race and ethnicity highly significant factors in assessing access to, and opportunity within, the housing market. Immigrants' access to public and private accommodation is systematically denied on the basis of skin colour. The EUMC's extensive research observed a 'differential incorporation' of immigrant groups based on xenophobic attitudes that place each group within a hierarchy of inclusion.

Immigrants may suffer direct discrimination based on race or ethnicity by landlords, housing organisations and real-estate agencies through advertisements, refusals to let and forced evictions. Private property owners may intentionally charge excessive rental prices, which immigrants without means of securing credit cannot afford. Indirect discrimination also arise in the allocation of social housing that disproportionately excludes certain immigrant groups.

Discrimination exacerbates immigrants' already disadvantaged position in the tight and competitive low-income housing market. Discrimination forces many immigrants from particular groups to actually live below their means and restricts their choices to old, substandard, overcrowded, overpriced and often segregated housing.

The European Union Monitoring Centre on Racism and Xenophobia has found monitoring discrimination in the housing market especially complicated. Securing hard evidence that goes beyond a presumption of discrimination and winning a case is often difficult, since the very competitive housing market allows landlords to reject a multitude of tenants on diverse grounds. As a result, immigrants bring very few cases of landlord discrimination and few victims obtain compensation.

(ii) Dignity/recognition

- ***A disregard for the specific needs of immigrants and their families contributes to overcrowding and a poor quality of life in social housing***

The provision of 'decent' social housing requires that policymakers take into account the specific needs of immigrants in their housing situations. The EUMC report observes structural discrimination in social housing arrangements that do not consider the extended family structure and cultural backgrounds of some immigrant groups, which often leads to overcrowding. The alleviation of overcrowding in social housing would be furthered by an assessment of the particular needs of immigrant families and individuals in order to determine the proper size and layout of spaces. This approach could be encouraged in the private sector through migrant-run housing enterprises and tailor-made support within mainstream real estate and housing organisations.

- ***Access to housing can be inhibited by excessive and infeasible renting requirements***

The existence of procedures that do not correspond to the actual living situation of immigrants, represents a major impediment to housing access. Structural discrimination may manifest itself through requirements that most immigrants, as newcomers to a society, cannot fulfil. Difficulty in accessing credit and mortgage facilities represents one key barrier to accessing housing. Landlords may request statements of personal history and financial support, which nationals can be expected to supply but immigrants cannot. This indirect disregard for the precariousness that comes with the migration process may deny newcomers access to housing and channel them towards substandard housing. Discriminatory landlords may consciously exploit the precariousness of migrants by demanding additional documents from immigrants that are not required of nationals.

These excessive or discriminatory housing requirements may in turn compound immigrant exclusion, as the lack of proof of residence sometimes restricts immigrants from obtaining other official documents or excludes them from access to public and private services, such as credit, education, health and social services.

- ***Spatial segregation of immigrants in ethnic enclaves may lead to social segregation***

Researchers dispute how the 'clustering' and 'spatial segregation' of newcomers in immigrant urban enclaves impacts overall integration. 'Clustering' is moderate across EU Member States in comparison to other countries of immigration and no marked increase or decrease is noticeable in recent years.

The inter-relationship between immigrant housing segregation and social integration is unsettled. The reason(s) for clustering do not lay in de jure policies. They may involve discrimination within the housing market and general society, but can also come from a pro-active choice by immigrants. The choice to live in neighbourhoods with compatriots or build communities does not necessarily pose problems for social integration and may even facilitate it. The impact of spatial separation needs to be treated with considerable caution and should not in itself be deemed negative.

Spatial segregation has the potential to become social segregation when it diminishes contacts between immigrants and nationals. A rise in local 'mixing' policies across Europe has aimed to prevent social segregation through social housing restructuring, residence mixing in new districts and participatory neighbourhood renewal programmes. However, some policies like mandatory dispersal or gentrification policies strike at not merely social segregation but at spatial segregation itself by vigorously changing the ethnic composition of neighbourhoods. These policies carry disproportionate disadvantages for immigrants; the costs of moving bear heavily on their limited finances, their choices are further restricted and their vulnerable status is made more precarious.

(iii) Autonomy/development

- ***Economic disadvantaged neighbourhoods with high concentrations of immigrants are more likely to engender social segregation***

While spatial segregation is not inherently problematic for integration, the overlap between economic deprivation and a concentration of immigrants raises concerns of social segregation.

In economically deprived neighbourhoods with high concentrations of immigrants, deteriorated public spaces and neighbourhood safety reduces contact among neighbours and community life. Safety concerns also discourage local employment prospects. Weak public transportation links curtail opportunities to find employment and integrate with wider society. Heightened pressure on child day-care and education systems in these areas poses problems for **immigrant families and youth**. All these factors compound the risks of social segregation. **The material surroundings of disadvantaged immigrants are not conductive to their personal development and social interaction with their own neighbourhoods and with nationals.**

The stigmatisation of immigrants is one of the negative effects of some policies intended to address poor neighbourhoods. When policies focus exclusively on immigrant areas or 'problematic' segments of the immigrant population, they encourage the assumption that such areas and immigrants represent the key problem. According to this logic, the sole solution lies in changing their behaviours or dispersing them, rather than in fighting discrimination and improving institutional performance.

- ***Limited awareness of available housing support exacerbates the disadvantaged housing position of immigrants***

Information and advice about the housing market, tenancy legislation, accessing credit and subsidised housing may not be presented in an easily accessible format or targeted specifically at immigrants in their native languages. Immigrants may be unaware of the social housing, rent subsidies and housing allowances that are available. Campaigns and awareness-raising activities may draw attention to immigrant housing conditions as well as channel immigrants to available support and opportunities.

(iv) Participation/commitment

- ***Housing consultation structures often lack mechanisms to encourage immigrant participation***

Policymakers must make significant preparations and investments to organise effective housing consultation structures with immigrant residents, who may not have experience of public discussions and negotiations. Consultation can carry significant benefits of more appropriate, user-friendly and cost-effective housing solutions. The needs of immigrants can be incorporated into the design of new housing arrangements, services, neighbourhood projects, staffing procedures and intercultural approaches. Consultation can also ameliorate community relations and generate public support among immigrants and the rest of the population.

However, consultation procedures often experience low levels of immigrant participation due to certain structural weaknesses. The frequency (ad hoc, occasional or ongoing), type (direct and/or representational), level (individual housing blocks, complexes, neighbourhood, city, etc) and bundle of available tools (meetings, surveys, focus groups, working groups, etc) all impact the degree to which immigrants choose to invest in housing consultations. Other language or communications barriers may also curtail immigrant participation. Low levels of immigrant participation are likely in consultation structures that are not coupled with outreach strategies to target immigrants and draw in their concerns.

C -- Impediments to accessing health care

Many immigrants belong to socio-economically disadvantaged groups that research shows engage in more health-damaging behaviour and are more exposed to environmental hazards, such as industrial toxins, air pollution and low quality housing. Many immigrant groups, depending on country of origin, gender, age, occupation, etc. tend to exhibit the factor profiles of at risk groups for particular mental and physical health conditions (see Chapter II). Languages, religions and customs can influence migrant access to available health services as well as their compliance with the preventative health recommendations.

Although health disparities between immigrants and national counterparts are partially explained by conditions in the country of origin and the process of migration itself, health providers in a diverse society cannot ignore the essential role of conditions of settlement and differentials of access and provision of health care. Many categories of migrants may have secured access to health care, but evidence from stakeholders and research illustrates that a guaranteed legal right to health care does not ensure effective delivery.

(i) Equity/non-discrimination

- ***The limited legal access to health care for undocumented migrants and some asylum seekers carries severe health consequences***

Undocumented migrants and asylum seekers pending decision represent two groups of immigrants whose legal right to access health care is severely limited in most EU-countries. In most EU Member States, they are only entitled to emergency health services. Where states have attempted to universalise coverage, an important implementation gap emerges between rights and accessibility. Administrative obstacles and the fear—perceived or real—of being reported to the police impedes the access of undocumented migrants to health care services.

Several international institutions, such as the World Health Organisation and the UN Treaty Body on Economic, Social and Cultural Rights, stress the legal obligations of governments to ensure the health of every person within their jurisdiction, including undocumented immigrants. Their blocked access to the health system not only threatens the physical and mental well-being, but also to the general public and immigrant communities where undocumented migrants and other immigrants share the same living, social and work space.

- ***Unreliable access to mental health services across the EU denies immigrants the tools to overcome the stresses of migration and integration***

The approach to integration as a psycho-social process of loss and change (see Chapter II) underlines the importance of accessing mental health services for immigrants to overcome the specific stresses of the integration and migration processes. Mapping exercises of migrant access to mental health has revealed strong absences of services in Central and Eastern Europe. Likewise, many EU Member States have not integrated specific services and trainings on migrant health into mainstream health institutions. Instead, they rely upon the understandably feeble capacities of NGOs and community services as the main providers of mental health services for particular groups. This situation occurs not only in the national health systems of new countries of immigration, but also established ones that have yet to adapt to the health needs of a diverse population.

- *High costs impede the access to health care of immigrants as disproportionately low-income households*

The affordability of health services is pivotal to safeguarding access to health care for all. All health-care systems in Europe in principle strive to avoid placing a disproportionate burden on low-income persons and families. However in recent years, several countries have implemented (or are currently implementing) reforms that carry implications for the costs of health care for individuals. Since immigrants are often part of low-income groups, financial accessibility is of immediate concern when aiming to relieve factors impeding their access to health care. Weaker social networks and poorer understanding of private insurance mechanisms also impedes their ability to receive assistance in paying higher health costs.

- *Physical accessibility of health services blocks access to health care for immigrants in disadvantaged neighbourhoods*

The concentration of immigrants in spatially segregated and disadvantaged neighbourhoods places available health care facilities out of acceptable physical reach. The main concerns are the distance of services from service users and the availability of transport for users.

Disadvantaged neighbourhoods, in which many immigrants concentrate, often exhibit strained social services. Quality health facilities or specialised facilities are often out of reach, a trend only likely to increase as hospital facilities in some countries are relocated out of city centres into suburban locations for reasons of cost-effectiveness and expansion.

In order to access increasingly distant health facilities, immigrants become more dependent on public transport, whose links in disadvantaged neighbourhoods tend to be weak and unreliable. Research in the UK([59]) has revealed that, during the course of a year, 1.4 million people miss, turn down or do not even seek hospital appointments because of problems with transport. The physical accessibility of health services effectively obstructs access to health care for immigrants concentrated in disadvantaged neighbourhoods.

(ii) Dignity/recognition

- *Ignorance of the different cultural backgrounds of immigrant patients can result in wrong diagnoses and poor compliance*

Many health services have not undergone the necessary structural adaptations, trainings and hiring of intercultural mediators to prepare their staff to serve a diverse set of clients. Some health providers do not pay attention to how different ethnic groups perceive and describe health, bodily pain and sickness as a starting point for developing health services. A proper diagnosis of the psychosocial problems often elude mental health providers unfamiliar with the conditions in the country of origin, migration process and integration processes.

According to the World Health Organisation, a lack of culturally sensitive and good quality health services can lead to miscommunications, wrong diagnoses, inappropriate treatment and poor compliance on the part of patients. Mental health studies reveal that diagnostic mistakes occur more often with migrants than with native patients due to the cultural differences between immigrant and therapist. Health and health services that do not recognise the socio-cultural backgrounds of migrant patients hamper mutual understanding between patents and staff, which may carry severe risks in serious procedures.

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[59] UK Social Exclusion Unit, 'Making the Connections: Final Report on Transport and Social Exclusion Summary,' (London, 2003).

- *Elderly immigrants face particular cultural and linguistic barriers to access health care services*

A large number of **immigrant elderly** in several EU countries describe their general health status as poor or very poor. The incidence of various serious diseases and conditions varies greatly depending on country of origin. Diabetes and cardio-vascular disease in particular have alarmingly high rates amongst certain elderly groups.

While health providers must secure these groups significant medical treatment, elderly immigrants often report significant cultural and language barriers to accessing health care. EU Member States face evident disparities between immigrant elderly expectations of service providers and their perceptions of how services are delivered. Two particularly strong themes emerge across countries; many immigrant elderly do not believe staff treat them with respect and integrity and do not understand information on services available or how to access them. Cultural gaps on perceived staff attitudes and language gaps on information must be mediated to guarantee the immigrant elderly effective access to health care services.

- *Ignorance of the special health needs of immigrant women and children inhibits their access to health services*

The differences in health and access to health care services between **immigrant women** and national women may be greater than those experienced between men. The health condition and access of immigrant women also carries significant consequences for **immigrant families**, where they tend to exert a considerable influence on everything concerning health and illness. The Migrant Friendly Hospitals project (see 11.2.1.) flagged immigrant mother and child health as an area of particular concern. Birth rates of migrant populations are significantly higher than those of national populations and incidence of health problems for mothers and children is also above average. Although research on health situation of **immigrant children** is scare, available studies point to poor health, increased at risk profiles and irregular access to preventive health care.

The barriers to access noted by the participating hospitals involved an ignorance among the **parents-to-be** of available services, pre- and postnatal care and suitable behaviour for the health of mother and infant. The hospitals observed that immigrant women were not empowered to make informed, independent decisions about their own health because of this lack of access to information. Cultural impediments also arose in staff-patient relations, where some **immigrant women** experienced strong discomfort communicating certain problems to male doctors and staff.

(iii) Autonomy/development

- *Language gaps impede access to health care information and services*

'Language' has been identified as the foremost barrier to health care services and a consortium of hospitals engaged in promoting access to health care for immigrants identified translation as the most urgent areas for intervention. Communication gaps can lead to the dire aforementioned consequences for diagnoses, treatments and compliance. Work carried out for the 2004 Commission report on mental health in Europe pointed to language as the most severe obstacle for mental health providers, since analytical and therapeutic processes hinge on the medium of language, which is overwhelmingly the language of the country of residence. Interviewed migrant patients tend to feel more aggressive and paranoid towards care providers who underestimate their frustrations in the country of residence language.

The remedy often used by health care providers, the use of **bilingual children** as interpreters for their **families**, may have unethical and detrimental effects on family dynamics, especially in cases involving spousal relationships and serious illness. Moreover, despite the significant demand for the assistance of interpreters, the work for the 2004 Commission report highlights that these services may be under-utilised. Many immigrants may experience discomfort in the presence of a third-party who may disclose their private information to others. Health providers must invent creative and affordable solutions to facilitate translation services within their means, for instance, through the use of symbols, videos and pictures.

- *A weak appreciation of healthy lifestyles among immigrants helps explain health inequalities*

Research on health inequalities in Europe indicates that promoting health lifestyles among immigrants could lessen the serious health inequalities that exist between immigrants and the pre-existing population in EU Member States. Some research points to a different perception of physical exercise and dietary patterns among certain immigrant communities as well as a neglect of health issues. Coping with economic, social and cultural problems is often perceived as a more immediate need. Socially disadvantaged individuals, particularly immigrants, use prevention offers and health promotion less frequently, which impedes their access to and knowledge of available services.

(iv) Participation/Commitment

- *Immigrant patients are not mobilised in health-related decision-making*

Effective outreach concerns providing not only information, but also avenues for patient participation in health-care policymaking, institutional operations and service provision. Many EU countries have increased efforts to involve clients in permanent structures for strategic decision-making, through various bodies at local level or at individual health facilities. These bodies can act as channels for more user-friendly service provision that takes into account the specific needs of different groups of immigrants.

Policymakers encounter similar obstacles in health-care as in housing to involve immigrants in these bodies and consultation processes. The success of health-care providers to provide user-friendly services for immigrants hinges on their participation in these consultation bodies. Their participation can channel information on special needs to providers, inform the design of appropriate training, diminish problems of racial and cultural stereotyping in diagnosis and treatment, disseminate information on available and future services, facilitate access and build community confidence in health providers.

- *Meagre monitoring undermines the mobilisation of actors to identify impediments and good practice*

The section on Migrant Well-Being and Health in Chapter II pointed to the insufficient collection of national health statistics on immigrants. A dearth of disaggregated information limits scientific research on impediments. Investigating and evaluating potential solutions to these impediments requires national monitoring of the health conditions, specific needs and access of immigrants and particular groups, such as **children, women, the elderly and groups from particular countries of origin**. Monitoring could address researchers and stakeholders' call for an integrated, comprehensive approach to health equality.

D -- Impediments to economic inclusion

European governments consistently identify the labour market integration of immigrants as their key priority in the field of integration. In many countries, immigrants, particularly **young people and women**, experience disproportionate levels of unemployment, receive poor pay and struggle to find appropriate employment that matches their level of qualification. This mismatch contrasts sharply with the demographic deficit and labour market shortage in many countries. From an economic point of view, the inclusion of immigrants in the labour market is considered key to maintaining the present growth, income and support levels of welfare states in Europe.

From the point of view of immigrants, employment provides a source of income, a position in society and a social network which all facilitate an individuals' integration into society. In case access to economic activity is not or no longer possible, access to welfare benefits and unemployment benefits serves as an essential protection against exclusion and marginalisation.

Although some integration debate believe 'religion' to be the predominant concern of immigrant, particularly Muslim, communities, 2004 and 2005 Pew Global Attitudes Surveys demonstrates that **joblessness remains the primary concern among Muslims in Europe**. More than half of French Muslims (52%) indicate unemployment as the top concern of their community, while an additional 32% say they are somewhat concerned. These levels are comparable with the priorities expressed by Spanish, German and, to a slightly lesser degree, British Muslims.

(i) Equity/non-discrimination

- ***Restricted access to employment for some immigrants forces them into inactivity or irregular work***

At the same time as EU Member States are developing policies to outlaw discrimination in the labour market and encourage the inclusion of excluded groups, political pressures in many Member States have succeeded in introducing measures to restrict access to the labour market for certain groups of immigrants.

Rules for admission impact heavily on immigrant integration, as demonstrated in Chapter II's migration-integration nexus. Great difference arises between the category of entry (refugees, family migrants, recruited workers, migrants from particular countries of origin, returning national emigrants or EU citizens, etc) and the conditions for admission into the labour market. Immigrants excluded from the labour market miss out on vital income sources and experience increased risks of poverty and social exclusion. Likewise, EU Member States neglect to encourage and benefit fully from the talents of its immigrant population.

Difficult access to the labour market leads excluded immigrants into the informal labour underclass, which exposes them to increasingly exploitative conditions. Economically vulnerable nationals and immigrants in the normal labour market, with higher labour costs, are also placed at a disadvantage. An unequal labour market undermines solidarity between workers and nourishes scepticism and discrimination towards immigrants.

- *Access to the public sector represents a substantial challenge for immigrants in certain Member States*

In some countries, (for example Austria, France and Luxemburg), non-EU nationals cannot access jobs in the public sector, which represents sizeable sector for employment. In France, for instance, non-EU nationals are restricted from one-third of the labour market, including public and para-public positions as well as several private professions, such as medical professions, lawyers, bartenders, etc. Exclusion from the public sector, depending on its size, may substantially diminish the actual access to employment opportunities experienced by all non-EU nationals, regardless of their admission status.

- *Immigrants have limited access to welfare and unemployment benefits*

Access to welfare and unemployment benefits granted to immigrants differ considerably across EU Member States. Given the disproportionately high levels of unemployment amongst immigrants, access to such benefits is of primary concern for policymakers and immigrants. For all immigrant groups, except long-term residents and occasionally refugees, many countries restrict financial assistance and access to benefits, with specific limitations applying to different types of immigrants. These restrictions place already economic disadvantaged immigrants in a more desperate situation and raise severe risks of poverty and social exclusion.

- *Discrimination in the job hunt recurrently excludes immigrants from the labour market*

The European Monitoring Centre on Racism and Xenophobia finds consistent evidence across the EU Member States of discrimination in the workplace. Most complaints and the clearest evidence come from racist abuse in the workplace and dismissal.

Discrimination in recruitment, perhaps the most widespread form of discrimination, is however hardest to measure and often invisible to the victim. Open and direct discrimination in job placement agencies and newspapers is less common than more hidden discriminatory preferences. Available data from testing demonstrates that those with foreign and particularly Arabic-sounding names are regularly excluded from interviews and employment, compared to those with national names and equal qualifications. Research in the UK labelled this phenomenon 'ethnic penalty:' mere belonging to a certain ethnic group counts against immigrants and ethnic minorities in interviews.

Discrimination in the job hunt helps to explain comparably high unemployment rates among immigrants, the ethno-stratification or segmentation of the labour market and the concentration of over-qualified immigrants in low-income employment. Discriminatory practices by employers persist where measures to promote anti-discrimination in the workplace, such as information campaigns and systematic testing, are not implemented.

- **The lengthy, non-transparent and costly provision of work permits further restricts access to the labour market**

Accessing the labour market can be a rather undignified and uncertain procedure, where states cannot provide work permits in a timely, transparent or affordable manner.

Legal frameworks that are not attuned to the realities of diverse societies often cause backlogs and slow, excessively bureaucratic procedures. When governments and services are not prepared for considerable inflows of immigrants, chronic and serious delays in service provision emerge. In several member states, immigrants report cases of residence permits being issued after they have already expired. A delay in issuance of residence permits has detrimental repercussions on integration in the labour market, since a residence permit is a prerequisite for accessing employment.

Applicants report a general lack of transparency of rules and administrative requirements, where administrations provide scant information on the procedure, state of play or timeframe for the application. Feelings of arbitrariness and uncertainty are exacerbated by the complexity and the frequent changes in the immigration laws of some countries.

These impediments at the procedural level are aggravated by high costs for permits, which can rise to the level of hundreds of euros. While some may argue these costs reflect the expenditures for service provision, such costs may become prohibitive for some immigrants, which drives them to more irregular channels.

- **An insecurity of status increases vulnerability in the lives and livelihoods of first-generation immigrants and their descendents**

Delays in securing work and residence status are coupled with a lack of security of status. Employment is often a condition for the right to reside in a member state. This strict link between residence and work permits implies that immigrants who lose their jobs may also lose their right to remain in the country, which leads many into illegal residence.

Certain counties make no legal distinction between first and second-generation immigrants. Therefore, even immigrants who are born in the country are considered non-EU nationals . This classification obliges them to fulfil the same requirements as all other immigrants for residence permits and work permits limited to those over the age of 18. The lack of absolute security of residence and access to the labour market for the second-generation perpetuates feelings of inequality and undignified treatment over generations.

- **Gaps in the recognition of skills and certificates causes labour market mismatches by placing immigrants in jobs below their level of qualification**

The recognition of academic and professional qualifications provides essential access to the labour market since it allows individuals to find work at an appropriate level.

Major impediments often arise for the recognition of qualifications obtained in countries of origin. Some categories of immigrants are not covered by recognition arrangements or rely on ad-hoc or bilateral agreements. Immigrants might also come with skills that do not directly surface in traditional methods of assessment, which do not draw out all social, emotional and communicational skills.

The recognition of skills requires immigrants to obtain new degrees in host countries at a sometimes-significant cost, which directs many to low-skilled jobs with few prospects for career advancement. The position of immigrants in some labour markets or sectors does not reflect their skills and degrees, but the severity of the qualifications recognition gap in a country. In some EU Member States, immigrants occupy the extremes of the labour market in low-income jobs or a very few 'elite' positions.

This qualifications gap causes labour market mismatches where the job market does not benefit from the educational level and skills of immigrants, while immigrants are often deprived of higher-paid skilled employment.

- *Immigrants are vulnerable to exploitative working conditions*

Immigrants not only tend to secure jobs that fall below their level of qualification, but they are also more vulnerable to exploitation than their national equivalents. A lack of knowledge of national laws, labour rights and protection mechanisms is observable among immigrants, who have different country of origin experiences of labour rights, low trade union membership and a higher dependency on employment. These problems proliferate for undocumented immigrants, who are reluctant to report abuse for fear of destitution, apprehension and deportation. In both the regular and irregular labour market, many immigrants work in undignified conditions without the means to defend their labour rights.

- *A lack of diversity plans and trainings in the workplace ignores the needs of a diverse workforce*

A broad shift in (corporate) culture has encouraged businesses to value diversity. Despite indications of this emergent trend, various Member States report a lack of understanding or commitment to diversity amongst employers, particularly in medium-sized and smaller companies. Many employers have yet to recognise the significance and even the competitive edge of a diverse workforce. Work-floor and management policies do not accommodate the needs of such diverse workers or implement anti-discrimination and/or positive action measures.

Employers' associations serve as one of the chief sources of information on diversity policies for companies and thus could play a pivotal role in promoting diversity and providing expertise to their members.

- *Poorer access to benefits and pensions forces elderly immigrants must survive off meagre incomes*

Despite the low percentage of immigrants over 60 years old, recent research suggests that the number of **immigrant elderly** will rise rapidly over the next 10 years in all EU Member States. Research into the living conditions of the immigrant elderly in EU Member States, however, is scarce. The immigrant elderly are more susceptible to greater levels of poverty and social exclusion, with poorer access to benefits and pensions. Significant proportions live off meagre incomes that are substantially lower in comparison to national elderly.

(iii) Autonomy/development

- ***Some administrative procedures severely diminish the mobility of immigrants within the labour market***

The issuance of short-term residence permits or work-permits tied to specific short-term contracts limits the opportunity for immigrants to change jobs. The strict conditions of certain work and residence permits prohibits immigrants from changing employers, careers, industries or permit categories. Work permits tied to specific contracts allows employers to control the professional autonomy of immigrants, who risk losing their right to residence by losing their job. These measures deny both low- and high-skilled immigrants the professional, geographic and social mobility to find their way and develop within the labour market.

- ***Job guidance services and vocational training programmes are insufficiently tailored to the needs of immigrants***

Access to guidance and training services that assist immigrants enter and develop within the labour market is limited across the EU. Most EU Member States offer job guidance services for general employment-related information and advice. These services - and information about them - are not, however, always provided for immigrants in languages that they understand. Furthermore, these services rarely undertake strong efforts to reach out to immigrants.

Vocational training and life-long learning programmes may also not be tailored to the specific language skills and needs of immigrants, which causes problems in retaining jobs, securing promotions and continuing career development.

- ***Immigrant entrepreneurs face specific problems to business start-up and development***

Immigrants display a strong potential and capacity for self-employment, whether immigrants turn to it out of a genuine interest as entrepreneurs or out of desperation as members of the working poor or those excluded from the labour market. In any case, immigrants represent a strong proportion of entrepreneurs in some EU Member States as well as a large source of livelihoods within many more immigrant communities.

Entrepreneurs with an immigrant background face a number of difficulties in business start-up and expansion. Skills training and access to start-up and development finance are flagged as major areas of concern for immigrant entrepreneurs. Many self-employed perceive discrimination from supply providers and financial institutions. Regardless, many of these market and financial organizations display increased scepticism towards immigrants, who by their very status as immigrants have smaller assets, poorer understandings of the language, weaker social support networks and fewer insider contacts.

Immigrant women face additional barriers to business creation. As victims of stereotypes that portrays them as passive and needy, immigrant women entrepreneurs have difficulties convincing government agencies and financial institutions to offer them loans and grants.

(iv) Participation/commitment

- ***The unemployment rate of immigrants is considerably higher than that of nationals***

The sizeable gap between immigrants and non-immigrants on employment and unemployment rates (see Chapter II) result from a confluence of factors: discrimination in the labour market, insufficient mastery of the national language(s), inadequate information on job prospects and a mismatch between the qualifications needed in the labour market and those that immigrants possess or are recognised. Even when immigrants have access to the labour market, these factors may impede their active participation.

- ***The disadvantaged position of immigrant women in the labour market weakens gender equality and household incomes***

Gender roles within immigrant communities help explain the poorer labour market position of **immigrant women**, in comparison to both immigrant men and national women. Unemployment, sector segmentation and overqualification rates (see Chapter II) are higher for immigrant women across the board, especially for **mothers**, **young women**, **highly skilled women and women from particular countries of origin**.

For instance, research has indicated that women from particular countries of origin are more likely to give up employment after childbirth. Practical concerns of access to affordable childcare also hamper access to employment for these immigrant mothers. The limited participation of immigrant women in the labour market undermines principles of gender equality and diminishes the incomes of immigrant households.

E -- Impediments to a good standard of education

Immigrants face obstacles in accessing and participating in education throughout each stage of life. This has serious consequences for both individual immigrants and host societies for three key reasons. Firstly, immigrants are at a greater risk of unemployment, underemployment and social exclusion, as they are less likely to acquire the skills and knowledge for economic participation (or gain recognition of skills and knowledge obtained abroad). Secondly, as educational institutions are primary instruments of socialisation, immigrants may forgo vital integration opportunities. And thirdly, immigrants may miss other education-related benefits, including better physical, mental and emotional health and well-being and greater participation in social, community and political life.

(i) Equity/non-discrimination

- ***Access to pre-school, compulsory, vocational and adult education may be restricted***

Immigrants may face limited access to pre-school, compulsory, vocational and adult education.

Pre-school offers immigrant children an early opportunity to develop proficiency in the host country's language, which facilitates learning and socialising. Immigrant children, however, are under-represented in pre-school education. This is due to a combination of insufficient information provided to immigrant parents by educational systems and the view of many that pre-school education is neither valuable nor desirable for their children.

Children have a right to education. Most Member States provide education to children of compulsory school age, irrespective of their legal status. While access to **compulsory education** is safeguarded for legally resident immigrant children in all EU Member States, in Denmark, Lithuania, Poland and Sweden, schools are not obliged to enrol children whose status is irregular, or who have stayed, or are only expected to reside, in the country for a short period of time – this is particularly the case with asylum-seekers.

Vocational and adult education, including language training, is essential, not only for the development of individual immigrants, but also for their children, families and communities. Immigrants are under-represented in adult and vocational training for a number of reasons. Ineffective outreach programmes may not provide information on available courses. Courses may not be structured in a flexible way to ensure that students are able to balance family and work commitments. Lastly, courses may be ill-adapted to the different educational, cultural and/or linguistic backgrounds of immigrants.

- ***Obstacles to the recognition of prior learning in the immigrant's country of origin may integrate newcomers improperly into the country of residence's school system***

Educational institutions may not appropriately assess a newcomer's previous **level of schooling**. Countries can either have schools rely on a case-by-case assessment carried out by school staff (which is likely to lead to inconsistent assessments across the country) or establish uniformly-applied criteria based on current country of origin information. However, schools often lack the competence or resources to determine the amount of schooling and the equivalence of the school system in the country of origin to that of the host country. Furthermore, if the assessment is not conducted either wholly or in part in the student's mother-tongue, the student is more likely to be placed in a class below their age group, which has a negative bearing on their academic and social development. Learning pathways may also be limited, as educational institutions do not recognise the immigrant's prior learning.

- ***Immigrant students are more likely to leave school early and/or fail to complete upper secondary education***

Immigrant students are more likely to leave compulsory education without obtaining basic competencies in the reading, writing and mathematics levels deemed necessary for obtaining meaningful and well-paid employment. For instance, PISA results indicate that very few native students fail to acquire a baseline of mathematical ability. In contrast, nearly 40% of first-generation students in Belgium, France, Norway and Sweden do not attain this level. In Germany, 40% of *second*-generation students fail to attain this level. This has serious implications for the future employment prospects of these students. Educational systems need to do more to ensure that learning is attractive and accessible to immigrant students.

- ***Immigrant students do not perform as well as their native peers***

PISA research shows that immigrant students are motivated learners with positive attitudes towards education. As Chapter II's mapping of beneficiaries highlighted, immigrant students however do not fair well academically when compared with their native peers in European countries. PISA results indicate that the extent of these differences varies considerably across countries, with the most striking disparities existing in Austria, Belgium, Denmark, France, Germany, the Netherlands and Switzerland. In contrast, the performance of immigrant students and native students is similar in the traditional settlement countries (Australia, Canada, New Zealand) and Macao-China. All of these findings are apparent even after controlling for parental education and socio-economic and cultural status.

Educational institutions should focus their efforts on overcoming cultural and linguistic barriers and capitalise on the enthusiasm of immigrant students in order to ensure that immigrant students have the same similar learning outcomes to native students.

(ii) Dignity/recognition

- ***Immigrant pupils may not relate to a daily school life that is inconsiderate of their backgrounds***

Immigrant pupils may feel alienated in schools ill-adapted to their cultural or religious background.

For example, the right of Muslim girls to wear headscarves to class has generated significant debate over the past few years. Despite opposition from immigrant groups, France and parts of Germany and the Netherlands have taken steps to implement a ban on headscarves (and religious symbols) from the classroom. These bans have led to some cases of 'de-schooling for religious reasons'. Female pupils have refused to be examined by a male teacher or where female teachers or principals are not respected by pupils or parents because of their gender.

In response to such observations, schools might elect to undertake efforts to accommodate certain needs of immigrant pupils. Pupils could choose to enrol in separate gym classes for boys and girls, obey adapted dress codes and choose adapted meals. Schools may diversify their vacation calendar to permit students of major cultural and religious backgrounds to celebrate religious holidays. For instance, the French 2003 Stasi Commission Report on Laicïté proposed that Eid and Yom Kippur become public school holidays and schools allow flexibility for students to celebrate other religious holidays with parental authorisation.

- *Limited access to training in and of their mother tongue misses opportunities for higher language attainment and intercultural competencies*

Immigrants who acquire cognitive academic linguistic proficiency (CALP) in their mother-tongue are better able to develop proficiency in the host-country's language. Mother tongue tuition improves the development and learning ability of immigrant children and helps to cement their sense of personal and cultural identity, which in turn assists integration. Many countries do not consider mother-tongue tuition to be a priority. One reason for this is that its facilitator role in the integration process is open to debate. The Netherlands, for example, recently abolished education in mother tongue for immigrants with the argument that schools should prioritise the acquisition of Dutch. The shortage of teachers and learning materials for mother-tongue tuition is another contributing factor to the lack of mother-tongue tuition. Although mother-tongue tuition is available in a number of countries, Sweden is the sole country where immigrants have a legal right to education in their mother tongue.

- *Teachers in schools in Europe are not well prepared to deal with 'diverse' classrooms*

Classrooms are composed of pupils from increasingly diverse cultural and linguistic backgrounds and teachers require special skills and strategies to teach these students, including teaching the language of instruction as a second language. Teachers who are not well-prepared or trained to deal with a diverse classroom may hamper the scholastic achievement and integration of immigrant children.

(iii) Autonomy/development

- *Immigrant pupils only have access to integration support measures for limited duration*

Support measures that assist newcomer children to overcome initial integration hurdles at school are of a limited duration and are typically available for no longer than two years. After this period, ongoing support is generally funded from a budget for 'vulnerable pupils'.

The impact of the migratory experience on academic performance as revealed by PISA indicates the need for strong support for first-generation migrants, not only the newly arrived, as well as continued assistance for second-generation migrants. Additional resources should therefore be allocated to schools based on the size of their immigrant population who speak their mother tongue at home and/or who have low proficiency in the language of instruction.

- *Support measures are often limited to language tuition*

Support measures should not exclusively focus on language tuition. Experts drew attention to the Spanish education system, where language barriers are not the only obstacles experienced by children of immigrants. Spanish-speaking immigrants like Ecuadorians require measures focused on catching education level and not on language. Despite serious under-achievement for their age, these children may not receive the necessary supplementary support.

Integration support measures should be tailored to meet the needs of different immigrant groups. For example, in Spain, the language barriers experienced by Asian immigrants are much greater than those encountered by some Eastern European groups, such as Romanians. As non-Spanish speakers however, both groups are treated equally.

- *Immigrant students (and their parents) do not have a sufficient knowledge of the language of instruction*

A major barrier to reaching good educational results is limited knowledge of the language of instruction. School systems in Europe most frequently employ support measures of extra language courses to overcome this lack of knowledge. PISA revealed that countries with well-established and clearly defined language support programmes have relatively smaller performance gaps between immigrant and native students, or between first- and second-generation immigrant students.

Students who speak their mother tongue at home do not perform as well as immigrant children who speak the language of instruction at home. This PISA finding suggests that the former have parents who are less integrated and lack the language skills to assist them with their studies. Not only should efforts be focused on better language support for immigrant students, but policies should also be aimed at increasing the language skills of their parents.

- *Immigrant parents are not sufficiently oriented in the school system*

Immigrant parents need to be informed about the school system into which their children need to be integrated. Schools must invest considerably in orientation measures for immigrant parents concerning enrolment, settlement, active involvement and accessing information about future choices within the school system. This support should extend from administrative help, including translated information about the school system for parents and students, access to interpreters, dedicated staff to meet the needs of immigrant pupils and their families, and meetings specifically for immigrant families, to psychosocial support. Active outreach strategies have been shown to generate better attendance and school results.

(iv) Participation/commitment

- *A greater emphasis on intercultural education is required*

Educational settings should foster an appreciation and respect for cultural and linguistic diversity. Intercultural education should be effectively incorporated into the general curriculum to raise cultural awareness and promote tolerance in order to facilitate the integration of immigrant students.

- *Immigrant support measures are insufficiently evaluated*

Evaluation of support measures for immigrant children is not a widespread practice in Europe. The few evaluations that have been carried out suggest that schools vary considerably in their implementation and the effectiveness of support measures. Work needs to be done to establish best practice in supporting immigrant students. This includes evaluating integration models (full immersion with systematic support and initial segregation before transferral to mainstream education) as well as the content, specificity and scope of the curricula.

5.3. Transforming into Areas of Improvement

The identification of impediments permits benchmarkers to develop policies and services that turn impediments into clear-cut and constructive areas of improvement. Each area of life contains four general areas of improvement based on the four dimensions of well-being. The promotion of non-discrimination, mutual respect, development and participation should be incorporated into the overall aims of integration policies within each policy realm (citizenship, housing, health, employment and education).

Policymakers and benchmarkers can translate each impediment from each dimension of well-being into a specific area of improvement. This specific area of improvement sets the goal for all those stakeholders involved. Benchmarkers may then enter the benchmarking exercise's analysis by undergoing policy assessments on their current policy response, identify standards and search for and study best practice on this specific area of improvement. For analysis and implementation, benchmarkers can develop and adopt quantitative and qualitative indictors, which concern the policy process and/or outcome. They range from input indicators to process indicators (efficiency, effectiveness and sustainability – see chapter VI).

The process of translating impediments into areas of improvements is illustrated through one of its identified areas of life, access to housing and neighbourhood life. Figure 5(c) lists the identified housing impediments from 5.2.3. B. On the right, these impediments are transformed into action-oriented policy goals. They aim to eliminate the specific lived impediment in order to encourage the well-being of all members of society, with a focus on active participation, the acquisition of competencies and the granting of comparable rights and responsibilities. These specific areas of improvement will resemble recommendations often assembled in the conclusions of policy-orientated reports on impediments. The areas of improvement on housing, for instance, encapsulate the nine recommended overlapping goals of the December 2005 EUMC report on Migrants, Minorities and Housing. A similar exercise could be conducted for the report's areas of life (for general areas of improvement, see Figure 5(d), as well as other areas that are identified by benchmarkers.

Figure 5(c) Housing and Neighbourhood Life: Translating Impediments into Specific Areas of Improvement

Impediment	Area of Improvement
Limited access to housing support	Facilitate access to social housing and financial support
	Increase stock of social housing for immigrants
Increased susceptibility to immigrant homelessness based on age, gender, generation and legal status	Address the special needs of homeless immigrant groups
	Improve emergency and short-term accommodation for immigrant groups
Concentration in substandard, overcrowded, segregated housing due to discrimination in the private housing hunt	Promote anti-discrimination in the private housing hunt Improve monitoring and inspection
Poor quality of life in social housing due to a disregard for the specific needs of immigrants and their families	Address demonstrable family and cultural needs of immigrant and their families in social housing
Excessive and unfeasible renting requirements for immigrants	Set standards for renting requirements with immigrant concerns in mind
Spatial segregation from concentration in economically disadvantaged neighbourhoods	Encourage mixing and bolster community life, infrastructure and opportunities in disadvantaged immigrant neighbourhoods
Limited awareness of available housing support	Improve awareness and monitoring
Ineffective housing consultation structures	Increase robustness of housing consultation structures and eliminate barriers to immigrant participation

Figure 5(d) Framework for Identifying Impediments and Areas of Improvement

		Non-discrimination	Dignity	Development	Participation
Citizenship		* access to local voting rights * viable pathways to naturalisation	* contact between immigrants and nationals * questioning freedom of religious expression * training of religious personnel * vulnerability to radicalisation	* inter-cultural and inter-religious competencies * access to European media	* voting rights outreach * membership in political parties * membership in trade unions * function of local consultative bodies * migrant volunteering
Social Cohesion	*housing*	* access to social housing and housing support * access to social housing * homelessness among immigrant groups * discrimination in the housing hunt	* respect for special needs in social housing * excessive and infeasible renting requirements * social segregation	* concentration in disadvantaged neighbourhoods * awareness of available housing support	* participation in housing consultation structures
	health	* access to health care services for all * access to mental health services * costs of health care services * physical accessibility	* intercultural mediation between patients and clients * special needs of elderly, female and young	* information on health services * translation and interpretation services * promotion of healthy lifestyles and exercise	* involvement in health-related decision-making * monitoring of migrant health and health services
Economic Participation		* access to employment for all * access to public sector employment opportunities * access to welfare and unemployment benefits * non-discrimination in the job hunt	* transparent, timely and affordable procedures * security of residence and work status * recognition of skills and qualifications * fair work conditions * respect for diversity in the workplace * access to benefits for elderly immigrants	* career guidance and job lifelong and language training * mobility within the labour market * specific needs of immigrant entrepreneurs	* unemployment gaps * labour market situation of immigrant women
Education		* access to all categories of education * assessment of newcomers educational attainment * early-leaver/dropout rates * acquisition of key competencies	* respect for diversity in daily school life * access to training in and of mother tongue * teacher trainings for a diverse classroom	* support measures beyond initial settlement phase * support measures beyond language * involvement of immigrant parents in school life	* greater focus on intercultural education * evaluation of support measures

5.4.   Framework for Policy Interventions

The goals set by these areas of improvement are amenable to a combination of public interventions. For instance, the promotion of anti-discrimination within the private housing hunt could be realised through public policies at all levels of governance, compliance with international standards, regulations, specialised agencies, programmes and projects, special funds, etc (see Chapter I).

An analysis of Figure 5(d)'s areas of improvement reveals that **the core problem across areas is not the existence of rights, but access to and exercise of these rights.** The Council of Europe picks up this argument in its 2002 useful analytical tool on access to social rights ([60]). According to the 'process'-approach developed by the Council, impediments can arise all along the road from the formal notification of a right to the actual enjoyment of that right. This process can be visualised as a chain, here the process its course full of impediments that can emerge at the key links in the design and delivery of rights.

This report combines the Council's methodological schema for analysing access to social rights with this table of areas of improvement to develop this framework for benchmarking policies and policymaking in Figure 5(e).

Four major 'levels of integration' have been identified representing policy intervention in the integration process. The 'existence of a law and policy framework' forms the groundwork but, as the process approach demonstrates, must be complemented by interventions facilitating 'implementation and service delivery'. Two additional levels of intervention concern the situation of immigrants and the climate in the receiving society. These four levels, each divided into their composing elements, are the horizontal issues that cross-cut every integration area. The elements of this analytical framework describe the 'levels of intervention', since policies aiming to tackle integration challenges will intervene at any level in the chain.

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[60] Council of Europe, Access to Social Rights in Europe, (Strasbourg, 2002).

Figure 5 (e) Framework for Policy Interventions

		Economic participation	Housing & Neighbour -hoods	Education	Health & health services	Citizenship
Existence of law and policy framework	Equality in access					
	Policy vision and instruments					
	Avoiding Mismatches					
	Protection against non-realisation					
Implementation and Service delivery	Monitoring					
	Discrimination					
	Resources					
	Physical reach					
	Affordability					
	Easy and transparent procedures					
	User centred					
	Outreach					
Beneficiaries	Gender					
	Age					
	Generation					
	Social capital					
	Cultural background					
	Insecurity					
	Financial resources					
	Human capital					
	Commitment					
Climate	Xenophobia					
	Denial of immigration reality					
	Balanced approach					
	Public perceptions and integration debates					

A -- Existence of a law and policy framework

The basis for all interventions in immigrant integration arises from the framework of laws and policies. An analytical framework must take the following elements into account.

- The framework must first consider **equality in access**. Do immigrants have an equal right to work, access areas of life like education, health care and housing, and vote or stand for election? This ambitious questions demand reflections on the different conditions that apply to different categories of immigrants. For some categories, the law remains unclear and leaves much to the discretion of service providers. Therefore, the level of 'precision' of the legislation is in this respect of paramount importance: does the law safeguard access? Does it prohibit access? Does it leave a limbo state of doubt or does this constitute an opportunity for flexibility? The answers to this overall

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inquiry will differ according to each aspect of any given domain: immigrants might possess the right to work for example, but no right to change employment.

- A second element refers to **policy vision and instruments**. Without a proper policy vision and the necessary policy instruments, legal rights alone will never suffice. If policymakers are committed to the actual take-up and practice of these legal rights, they must prioritise it in its own right. Such an approach entails among others monitoring, the evaluation of the effectiveness of immigrant integration, the development of a comprehensive approach with links between different areas, a list of priorities for interventions. Of course, these instruments are hard to observe when governments possess no proper policy. Instead of specific policy vision and instruments, governments merely rely on the mercurial will of separate ministries to mainstream a concern for immigrants in their respective services.

- A last element refers to the need to **avoid mismatches.** Many laws, policies and provisions are ill-adapted to the rapid and far-reaching nature of demographic changes. Reality outpacing policy comes to the forefront of policymaker's attention in domains such as housing, where member states are currently faced with shortages and mismatches in the size, type and location of available accommodation. A proper law and policy framework should accommodate existing and evolving sets of needs in order to avoid 'service gaps'.

- A law and policy framework should also include **protection against non-realisation** or non-implementation of law and policies. These safeguards cover the means of redress and appeal procedures, which serve an important function in providing feedback on the function of a given law, policy or service.

B -- Implementation and Service delivery

Several experts pointed out that legal frameworks are not the origin of most problems underlying immigrant integration. The implementation of legislation and a lack of knowledge about measures, programmes and rights cause these fundamental problems. Impediments to immigrant integration often relate to an inappropriate implementation of laws or policies and obstacles at the level of service delivery.

- A first element in this respect refers to **monitoring**. Without monitoring, the effective implementation of laws and policies goes unchecked and thus undervalued. Monitoring can help ensure full accountability. Few countries in Europe have established traditions of monitoring. In many countries, the absence of any statistical track of citizens of immigrant origin after naturalisation hinders the establishment of monitoring. It is essential that monitoring of the situation of immigrants is 'mainstreamed'; the general service should take the ethnic and cultural diversity of the population into account in the design of services and all ministries should report back on indicators for assessing these measures.

- A second and crucial element is **protection against discrimination** and differential treatment. Despite EU legislation that prohibits discrimination on ethnic grounds, discrimination is still often reported as an impediment in all domains relevant to immigrant integration. While legislative gaps or shortcomings in the transposition of EU legislation may lie at the core of its occurrence, discrimination is perpetuated by a failure in monitoring and enforcement or an outright policy of segregation instead of integration.

- The availability of sufficient **resources** is also key to the effective implementation of law. Besides funding, resources encompass among others staffing, facilities, equipment. Policies must maintain an infrastructure balance between the many different actors responsible for executing and implementing integration policies, especially given the increased decentralisation of integration policies. When decentralisation is backed by a commitment at national level, sufficient resources and capacity building must be transferred to the local level to combat potential fragmentation between levels of administration and among services.

- A fourth element related to effective implementation and service delivery is the provision of services within acceptable and safe **physical reach** of all sections of the population. The tendency for immigrants to congregate in ethnically concentrated neighbourhoods with substandard public transportation links brings this issue to the foreground of questions on access.

- The economic accessibility of services, also referred to as **'affordability'**, also plays a role in ensuring effective immigrant integration. According to the affordability principle, facilities, goods and services must be affordable for all, including socially disadvantaged groups. Equity demands that poorer households in comparison to richer ones should not carry a disproportionately burden.

- The initiation of **easy and transparent procedures** combats problems of ineffectiveness of service delivery through many well-tested private-sector principles such as client friendliness, customer service and reduced waiting times.

- Policies and services must **centre on the needs of users**. Policymakers have a responsibility towards their immigrant users to ensure that services are accessible to all, even those who have not mastered the host society's language. Service provision should therefore help overcome language barriers and likewise respect the cultural background of different immigrant groups.

- In order to refocus services on the needs of immigrant users, a genuine **outreach strategy** can serve as a tool for gathering and distributing such information. Whilst service providers generally regard access as a one-way process where users have to come to them, the process must incorporate outreach to their increasingly diverse users who are often unfamiliar with the service culture of the host society. Beyond 'mapping' the (potential) target public of a service, an outreach strategy aims to inform users about their rights, the existence of services and the procedures to access them. The principle of 'outreach' extends beyond the implementation stage and should start engaging users in the very design of the service.

C -- The immigrants' situation

The personal situation and the personal characteristics of immigrants form an important link in the policy chain.

- Factors such as **gender** and **age** must be taken into account when analysing impediments and facilitators for immigrant integration. Research often highlights the major divergences in gender and migration, where women represent a specific and often disadvantaged position in the integration process. Research on impediments according to age has traditionally concentrated on the particular problems of immigrant youth, although older immigrants increasingly constitute a group of growing concern.

- Beyond gender and age, several other factors should be considered. The '**generation**' to which immigrants belong can greatly impact integration in an educational system or labour market. The children of first-generation immigrants, who are born and socialised in the country of immigration, often encounter different impediments than their parents did. Research on the position of immigrant women in the Netherlands demonstrates that second generation women generally participate more and enjoy a better position in many respects than members of the first generation.

- An immigrant's **social capital** is also relevant, including their contacts with nationals from the host society as well as other immigrants. Affiliation can facilitate or hinder integration differently according to the networks involved.

- The **cultural background** of immigrants should also be highlighted as a factor in the integration process. The religious affiliations or cultural distance between immigrants' culture of origin and the new culture in the receiving society can complicate the integration process. Cultural proximity or seasoned relationships of dialogue and understanding over time may alternatively facilitate the integration process considerably.

- A fourth element of particular concern to immigrant users is their feeling of **insecurity** in interactions with public services. Because of their personal migration history, lack of confidence with another culture, or a precarious migration status, immigrants might indeed experience additional barriers to access a service, such as the fear of being detained, even deported, misunderstanding procedures or revealing information that is considered private.

- Different **financial resources** at an immigrant's disposal may also result in different starting positions, as is the case with **human capital**. Besides educational background, the latter includes for example the immigrant's skills to process information and his of her ability to learn a new language.

- A last element at play in the integration process concerns the **commitment** of immigrants to their 'integration project'. Have policymakers designed policies in which immigrants are prepared to invest? Why or why are they not committed to active participation in integrating their religious, cultural and social identity into this new setting?

D -- Climate in the receiving country

The commitment of immigrants initiates questions about the climate in the receiving country, which greatly shapes immigrant and policymaker perceptions. The sources of this report and the assessments of integration debates revealed the following elements that make up the 'climate' in EU member states:

- The level of **xenophobia** in the receiving country impacts integration considerably.

- The extent to which policies and media reports adopt a **balanced approach** forms the 'public eye' and therefore helps determine the perception of immigrants by the public in the host society. A disproportionate focus on security issues and issues related to criminal law, such as trafficking and exploitation, leads to criminalisation of immigrants. Research points to the large role the media plays in some countries in provoking hostility and scapegoating immigrants.

- A number of EU-countries with significant influxes of immigrants are still in **denial** of the fact that they have evolved into actual immigration countries. The lack of political will to recognise the lasting settlement or even presence of immigrants leads to inappropriate policies, unprepared services and a misinformed public opinion, which undermine the development of the most rudimentary of integration policies

- The **public perception of immigrants** and **trends in integration debates** on the receiving society also play a decisive role.

Conclusions

- Assessing integration debates allows benchmarkers to appreciate and compare national climates across Europe
- Benchmarkers may later advance to a more detailed assessment of the lay of the land. This assessment investigates integration impediments, or the lived realities and policies (or lack thereof) that hamper a diverse society's ability to ensure the long-term well-being of all its members
- Stakeholders, immigrants and benchmarkers themselves who confront these issues on a daily basis, may prove the most authoritative sources for a list of impediments
- Integration impediments should be categorised according to different areas of life and the four dimensions of well-being (non-discrimination, dignity, development and participation)
- Impediments must be transformed into clear-cut and action-oriented areas of improvement that aim to eliminate specific impediments and encourage active participation, the acquisition of competencies and comparable rights and obligations
- The framework for policy interventions assists benchmarkers to translate the goals set by these areas of improvement into various public interventions

Recommendations

- Benchmarkers should use the framework for assessing debates to adopt a more critical perspective for evaluating current discussions of overall goals, basic values, target groups, actors, policy areas and strategies
- The following general trends should receive greater attention from benchmarkers in their use of the assessing debates framework: a shift from socio-economic to cultural issues, a desire to establish shared values, concerns over second-generation youth, a reconsideration of dialogue with immigrant organisations, the 'integration has failed' mantra, the security angle and pragmatic discussions
- A list of impediments should serve as a living catalogue that captures new trends, current efforts and key priorities in the integration policy infrastructure
- The report's identification of impediments and areas of improvement may be drawn on as a guide by benchmarkers, who must complete their own list within the areas of life relevant to their mandates and capacities
- The design of interventions should give due regard to the law and policy framework, implementation and service delivery, the set of beneficiaries and the political climate

CHAPTER VI. DEVELOPING INTEGRATION INDICATORS AND BENCHMARKS

Integration is a long-term, multi-generational, non-linear and multifaceted process. The many factors that come into play make the success or failure of integration challenging to assess. It is, however, possible to establish whether the inclusion of individual immigrants progresses or stagnates and whether a society is more or less integrated. Quantitative and qualitative indicators are used to summarise the well-being of (certain groups within) the population and to capture developments in society. Indicators can point at a desired or undesired situation, as they can highlight positive or negative trends and successful or unsuccessful policies and practices. Integration policies can be deemed successful when evaluations determine policies to be relevant, efficient, effective and sustainable. Indicators can help to establish the strengths and weaknesses of policies. Benchmarks are yardsticks, examples and targets that can be used to help to improve policies.

This chapter concludes Part I and argues that **integration can be measured in terms of successes and failures and integration policies in terms of strengths and weaknesses.** It explains that measuring the successfulness of integration and the effectiveness of integration policies are **related, but distinct operations.** The development of indicators serves as a useful means to that end. The chapter briefly describes attempts to formulate integration indicators and the types of measurement that they can be expected to deliver. It distinguishes between various types of indicators. The chapter then explores how stakeholders and benchmarking communities can use indicators to measure successful integration and stronger or weaker integration policies.

6.1. Developing indicators

At the European level, the Council of Europe's Steering Group on Migration first discussed the use of integration indicators. At the instigation of some of its members, notably Norway and Belgium, the Group started to develop integration indicators. It pointed to the necessity of first resolving some fundamental questions before developing and using indicators[61]. These questions included: what exactly is meant by the term 'integration'? And who belongs to the target group for integration policies? Although the group acknowledged the difficulties associated with finding consensus on reference groups and data, it suggested three different categories of indicators to capture migrants' situation in a given country:

- Indicators of accessibility dealing with the legal framework in countries where migrants live
- Indicators describing the actual situation of migrants in their host country
- Indicators on the attitudes of migrants and of the majority population

These discussions were followed up by the 2000 'Diversity and Cohesion' report[62] and its set of proposed indicators of integration and diversity. These indicators related to all three categories, based on security of residence, equal treatment (inclusion in the labour market as well as access to services in the health, education, and housing sectors) and participation in social, political and cultural life. The parallel 'Framework of Integration Policies'[63] provided a checklist for those working on the implementation of integration policies. Both publications note that a significant number of European countries remain averse to the registration of

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[61] Council of Europe Community relations series, <u>Measurement and indicators of integration</u>, (Strasbourg, 1997).
[62] Jan Niessen, "Chapter 8: Monitoring and Measuring, in Council of Europe," <u>Diversity and Cohesion: new challenges for the integration of immigrants and minorities</u> (Strasbourg) 2000.
[63] Mary Coussey, "Section 9: Monitoring and Evaluation," in Council of Europe, <u>Framework of Integration Policies</u> (Strasbourg, 2000).

ethnic origin or belonging to an ethnic group due to various historical experiences and/or national traditions([64]). They reiterated calls to overcome these information gaps by underscoring the importance of information on the position of immigrants and the effectiveness of integration policies.

A Group of experts on Integration and Community Relations continued to work on **an indicators tool as a reference for policy-makers**([65]). This tool concerns the Council of Europe's eight key areas of life: employment, housing, health care, nutrition, education, information and culture. It proposed indicators on ensuring basic public functions for immigrants on a more general level, including equality before the law, combating discrimination and access to possibilities of self-organisation. Under each heading, the tool lists a number of questions, followed by the corresponding indicators. For instance, on equity, indicators include the ratification of specific legal instruments and the existence of certain legal provisions and specialised bodies, services or consultative committees.

A distinctive characteristic of the indicators tool is that it addresses so-called '**invisible elements**'. These elements refer to the attitudes of immigrants, for instance immigrant job satisfaction or immigrants' level of trust in financial institutions. They also address the indigenous population through indicators on the level of solidarity with immigrants. The group of Experts main recommended sources of information are surveys, but potential survey questions and indictors on these 'invisible elements' have yet to be formulated.

Overall, the Council of Europe approach to integration is marked by its emphasis on social cohesion. Based on its linkage of integration and social cohesion outlined in this report's definition of integration (see Chapter III), the Council has developed a method for identifying and defining social cohesion indicators based on categories of 'vulnerable groups' of which immigrants are part([66]).

At the European Union level, discussions of indicators are strongly linked to target setting within the Lisbon strategy. In the open-methods of co-ordination on employment, social inclusion and education, the EU employs indicators, targets and benchmarks. The social inclusion indicators were developed in the Social Protection Committee and its technical subgroup on indicators as of 2001. It relied considerably on a 'Report on Indicators in the Field of Poverty and Social Exclusion', which formed the basis of a Belgian Presidency Conference in September 2001([67]). Following these recommendations, the Social Protection Committee proposed three levels of indicators for monitoring social policy:

- Level 1 indicators are the lead indicators that cover essential elements.
- Level 2 indicators support the main indicators and describe other dimensions. Level 1 and level 2 indicators are 'commonly agreed and defined'.
- Level 3 indicators can be more country-specific, determined by Member States to highlight specificities in particular areas and interpret the Level 1 and 2 indicators. Level 3 indicators need not be harmonised at EU level.

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[64] This is a recurring issue and both the Council of Europe and the European Union are preparing reports and handbooks on data collection. See European Network of Legal Experts in the non-discrimination field, "Measuring Discrimination: Data Collection and EU Equality Law," (Brussels, forthcoming 2007).

[65] Council of Europe, Proposed Indicators for Measuring Integration of Immigrants and Minorities with a View to Equal Rights and Opportunities for all, MG-IN (Strasbourg, 2003) 7.

[66] See Council of Europe, Concerted Development of Social Cohesion Indicators: Methodological Guide, Council of Europe Publishing, (Strasbourg, 2005) 70.

[67] T. Atkinson, B. Cantillon, E. Marlier and B. Nolan, Social Indicators: the EU and Social Inclusion, (Oxford, 2002). The authors have recently reviewed the indicators adopted and suggested ways in which they could be developed. See A. Atkinson, E. Marlier and B. Nolan, Indicators and Targets for Social Inclusion in the European Union, (Oxford, 2004).

The committee selected common approaches where indicators could not be formulated. Housing for instance was flagged as a policy area where quantitative information should be included on various aspects, such as quality, costs of housing etc. More than the Employment Strategy, the Social Inclusion Process has butted against the limitations of the availability of statistical data. For instance, the regional distribution of exclusion is highly relevant in most Member States. This distribution is captured only through a specific indicator of regional disparities. A regional breakdown of social inclusion indicators is not conducted.

In the suggested set of indicators, the Social Protection Committees agreed to address social *outcomes* rather than the policy means to achieve them. **Outcome indicators report on the quantity and quality of work accomplished or service provided; they assess the actual impact of a policy. In contrast, input indicators report on the amount of resources that have been used for a specific service or programme; they measure the 'policy effort'.**

Policy effort is considered to be an inappropriate subject of evaluation, since Member States differ in their choice of means to combat social exclusion and poverty. A government's lower investment in a particular type of programme may be intentional and therefore would not be judged a deficiency in need of remedy. Moreover, the Committee considered that focusing on outcomes might foster a co-operative attitude between the different national bodies whose policies have an impact on the result. In this context, policy effort indicators are only used as a supplement where outcome indicators were not available.

As will be demonstrated in Part II, **hardly any immigrant integration indicators** were developed in the policy areas that are highly relevant to immigrant integration, namely, civic citizenship, economic inclusion, social cohesion and education. The responsible Directorates General occasionally published so-called scoreboards, which reported on Member States implementation of Community hard and soft law measures (Directives and Guidelines, respectively), the achievement of targets and the overall socio-economic situation.

Whereas the Council of Europe started the discussion on indicators with a view to promote the societal integration of immigrants, the European Union used the development of indicators as a means to measure progress in the achievement of the Lisbon goals. While the Council moved from specific immigrant integration indicators to more general social inclusion indicators, the European Union started with general social, economic and educational indicators and is now beginning to add to those specific immigrant integration indicators.

Participants at one of the EU Handbook on Integration's technical seminars recognised the value of indicators in policy formation, implementation and review. They recommended a cautious use of indicators, with a warning to avoid a simplification of the integration process into targets for a limited period of time—between two elections, for example([68]).

6.1.1. Types of indicators

Scholars and policy-makers differentiate between various types of indicators. Input or policy indicators refer to what is being done to achieve defined goals, whereas outcome, output, or performance indicators refer to their results. Policymakers exhibit a certain preference for output indicators, because they indicate and measure whether goals are achieved.

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[68] See European Commission, <u>Handbook on Integration for policy-makers and practitioners,</u> (Brussels, 2004) Chapter III and its Conclusions. The INTI programme supported a few pilot projects on indicators whose results are not yet published.

Input indicators should, however, also receive sufficient attention since they demonstrate how defined goals are undertaken through activities and put in place through specific mechanisms. This type of indicator seems understandably to be less popular among governmental and non-governmental agencies. Governmental agencies shrink from their use as an enforcement and oversight mechanism. Non-governmental agencies fear that the use of this type of indicators leads to sterile tick-the-right-box exercises to the detriment of a focus on results.

A separation of input and output indicators is infeasible in practice, as both are needed. The two types are often not easy to connect. Despite the irresistible urge to draw parallels, input indicators cannot be held directly responsible for outcome indicators. Instead, diverse indicators must be adopted to distinguish trends and correlations:

- **Context indicators** summarise a situation or a particular aspect. For example: the number of immigrants as percentage of the overall population; the employment rate of immigrants compared with nationals; the position of the country of origin in the Human Development Index, etc, etc.

- **Governance indicators** provide concise information on a countries position for instance in terms of adherence to international treaties, legislative and other policy measures, and on the existence of enforcement mechanisms, etc.

- **Global or outcome indicators** refer to overall policy goals and express them in terms of outcome or ultimate impact. A policy can be deemed strong when it has induced change in the direction of the general objective (knowing that reaching high-level objectives will usually depend on many factors). Global indicators will often measure progress towards general objectives.

- **Output indicators** address specific objectives, which can be defined as immediate policy objectives. These immediate objectives are the first set of targets that must be reached in order for the overall situation to move in the direction envisioned by the policy. These are expressed in terms of the direct and short-term effects of the policy.

- **Operational or input indicators** refer to operational objectives that are normally expressed in terms of the goods or services that the policy should produce. The achievement of these objectives (or deliverables) is usually placed under the auspices those implementing the policy.

- **Process or performance indicators** refer to processes of producing goods and services in terms of relevance, efficiency, effectiveness and sustainability.

Indicators can be quantitative and qualitative. Many quantitative indicators are readily available (see Chapter I) and can be used for many purposes, including benchmarking exercises. Others can be rather easily developed on the basis of existing material. Qualitative indicators may also be available([69]) or can be developed. In both instances, the benchmark partners themselves must carefully select indicators for the purposes of benchmarking.

Partners should ensure that indicators capture the essence of the integration issue at hand and correspond to their agreed clear normative interpretation. Indicators should be significant for users of all kinds in order to increase the value of their benchmarking exercise. Indicators should also be robust and statistically validated. In particular, qualitative indicators can be validated by their consistency and their broad acceptance of the principles underpinning

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[69] See footnote 48, page 70.

policies and practices. Indicators should be timely and open to revision to reflect changes in the situation on the ground, adaptations in theory and results in effective policy-making([70]).

The indicators, be they quantitative or qualitative, can very well be based on the framework developed in Chapter III. The areas of improvement set relevant priorities for policy-makers and other stakeholders and indicators can be selected and further developed around these priorities. Benchmarkers can use existing and widely accepted indicators or design specific indicators for the purpose of the exercise. The Council of Europe not only designed a method to select indicators, it also proposed a whole series of them. Part II provides examples of European mechanisms that develop indicators or use them for designing and improving policies in areas relevant to immigrant integration.

6.2. Using indicators

Indicators can be used to measure successful integration. They can play a role in benchmarking exercises by identifying strong integration policies and practices and by setting standards. Indicators can be used as benchmarks, examples and targets. They can play a vital role in implementation, the last stage of the benchmarking exercise, in order to track changes in current policies and practices.

6.2.1. Measuring successful integration

Part I demonstrated that measuring and benchmarking policies are normative exercises. It includes the identification of beneficiaries (immigrants, sectors of the population, etc.), the choice of what process to measure (integration of individuals and of society as a whole) and a selection and agreement of benchmarking partners (different actors acting at different levels).

What constitutes successful integration? Since the answer lies beyond the scope of this report, it can only suggest what needs to be considered to formulate a response and explain how indicators can be used for that purpose. Five matters need to be considered by stakeholders and benchmarkers when they formulate what constitutes successful integration.

First, indicators must be designed to facilitate nuanced and reasoned assessments. Extrapolating general conclusions on the integration and integration capacity of particular groups in particular situations is a risky affair. This use of indicators becomes even more risky when policy-makers draw general conclusions about the level of integration in society as a whole. This situation should not arise, so long as policy-makers explain that indicators cannot speak for themselves. They should make explicit the reasons behind the choice of certain indicators in order to give context to their meaning in political debates.

The framework for assessing integration debates (as proposed in Chapter V) contributes to a better understanding of the role of indicators in the context of these debates. Why does crime committed by immigrant youngsters cause fears of disintegration in society, while outbursts of crime by football hooligans are framed as issues of law and order? Or why would public debates label the wearing of a veil by small percentage of women from particular immigrant groups as a 'threat' to Western values, while at the same time domestic violence in non-immigrant families is 'only' framed as an obstacle for the freedom and self-determination of women? Although all are serious issues that impact on both societal integration and law and order, their perception in the public discourse categorises them differently as indicators for failed integration or for social problems.

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[70] See footnote 66, page 139, 22.

Indicators that attempt to capture the complexities of a diverse society should not be de-railed by perceptions within public debates that would re-frame and reduce these complexities.

Subordinating indicators to perceptions in public debates carries serious consequences for integration, as indicator based on aggregated outcomes on one or on all areas of life can be transformed into judgments on 'failed' or 'successful' integration, largely based on the behaviour and performance of only the immigrants to meet an artificial integration threshold (see Figure 6(a)).

By way of another example, why do subjects where immigrant pupils often out-perform national children not receive the same attention as those where they under-perform? This imbalance in public debates pictures immigrant children as less successful than others. Once labelled as such, an immigrant pupil must prove him or herself better than their fellow immigrants, as exceptions to the rule, in order only to be treated the 'same' as a native pupil, whether that pupil is successful or not. Immigrant children share this obligation to prove themselves as exceptional with other immigrant and historically disadvantaged groups. Immigrant entrepreneurs, if 'discovered' as such, must undergo greater scrutiny to prove themselves capable of running their business. They must prove themselves as exceptions for a second time, that is, better than even the native population, in order to be respected and treated with equality.

Figure 6(a) 'Failed' Integration
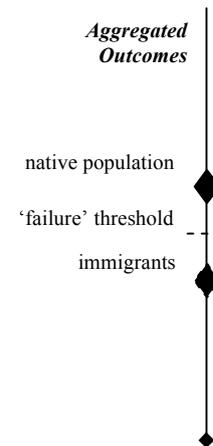
The framework on impediments and areas of improvement asks policymakers to consider successful integration based on the areas of life and four dimensions of well-being. Figure 6(b) illustrates how outcomes on identified areas of improvement in all areas of life (here education) can be measured according to an agreed set of normative standards. Figure 6(c) links each of the areas together to demonstrate **integration as a multi-faceted process,** which allows indicators to identify critical success factors that facilitate or inhibit participation.
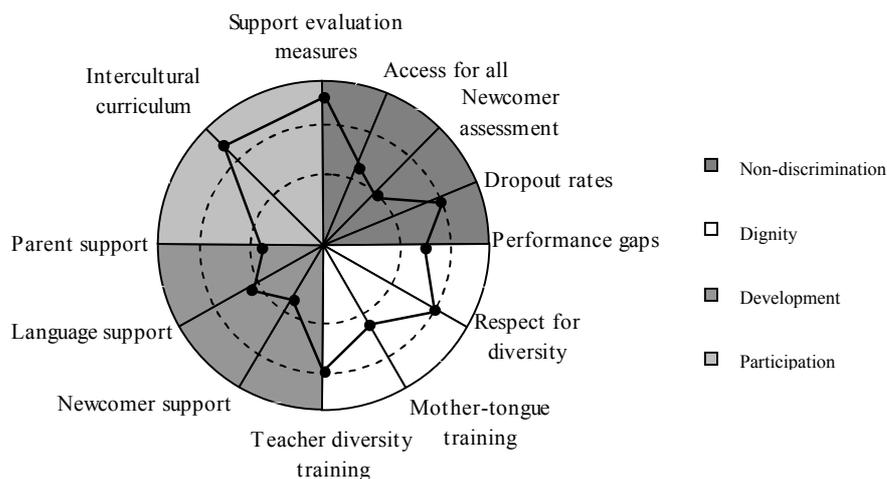
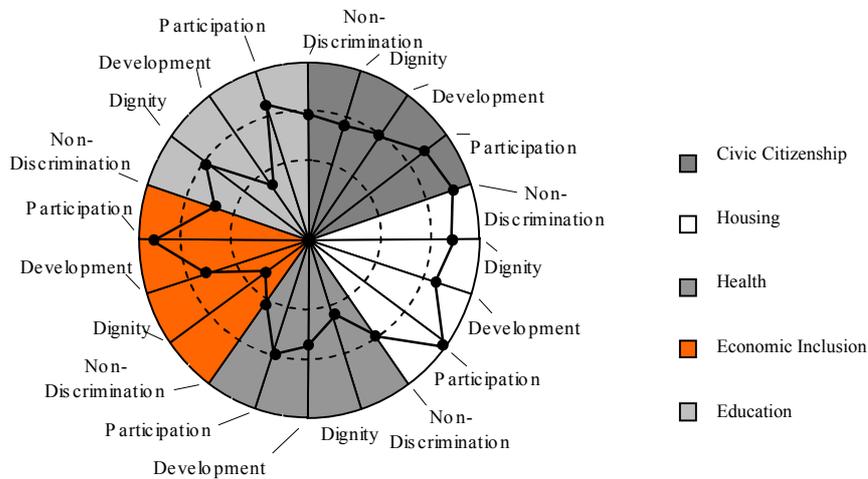Figure 6(b) Integration policy within an area of life: education

Figure 6(c) Integration policy across areas of life

For instance, the city/region/country portrayed in Figures 6(b) and 6(c) scores favourably on the two participation indicators in housing (intercultural curriculum and support evaluation measures) and less favourably on the development indicators. These results are translated into Figure 6(c)'s aggregated rankings. It reveals the polity's integration policy strengths in housing and its weaknesses in health and education. Likewise, an evaluation of the four dimensions of well-being demonstrates a country's policy strengths across the areas of life in promoting participation.

Second, policymakers must recognise the diversity within the overall and immigrant population. Striking differences and similarities arise between the various immigrant, ethnic and racial groups. Disaggregated information and statistics bring these differences to light and enables stakeholders to be more precise in their efforts to measure integration, as some groups will be better integrated than others. Setting specific target groups, be they female Chinese asylum seekers or economically disadvantaged second-generation youth, are essential for designing indicators on immigrant integration. This approach may discern certain trends and developments over time and detect patterns of exclusion over time based on gender, race, ethnicity, religion and belief.

Third, indicators must consider the time dimension of integration. An aggregated approach to indicators (Figure 6(d)) portrays the outcome gap between immigrants and the native population within area of life X (be it civic citizenship, health, housing, etc.) as a fixed rate at a given time. Yet integration is a societal process. Like all such processes, they are arguably never finished and the social construction of reality carries on as a never-ending story. A person may no longer be a newcomer or even an immigrant after a certain period of time, but in diverse societies they may still identify (or be identified) with a racial, ethnic or religious community.

Figure 6(d) Aggregated Approach
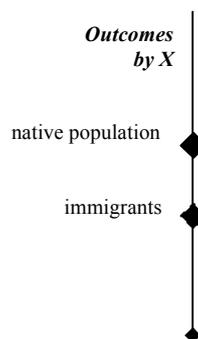
Within one life or period of residence, different criteria for success apply throughout the many stages of settlement. Each stage that individual immigrants go through pose new challenges and offering new opportunities. The mechanisms of a life-cycle approach to integration can follow immigrants when they move from one stage in their life to another. **This long-term perspective requires a life-cycle approach to integration indicators based on personal development over time** (see Figure 6(e)).

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Integration is not only a long-term, but also a multi-generational process, which takes one to two if not three generations. What constitutes success for one generation would be an unsuitable standard for another. **A life cycle approach to indicators must measure outcomes by age and by generation** (see Figure 6(f)).

Figure 6(e) Life Cycle Approach (by age)   **Figure 6(f) Life Cycle Approach (by age and by generation)**
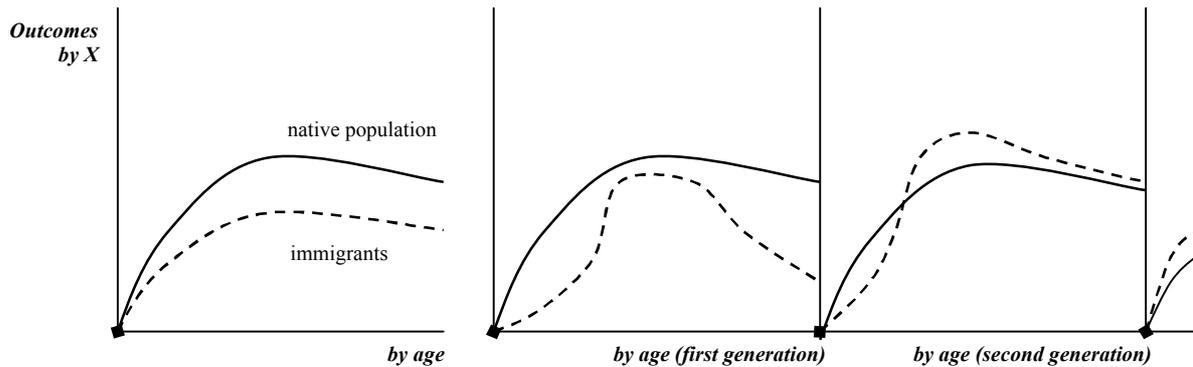
Delivering on expectations over time concerns not only the capacities of the individual, but also the climate in society. Perceptions of migrants (as guest-workers, immigrants or future citizens), the relative inclusiveness of society and the recognition of the value of inter-cultural competence (vs. a nostalgic stress on a lead-culture) influence such participation.

Stakeholders must keep in mind that this long-term and multi-generational process is not by nature linear. Integration is not a non-reversible process. For example, the employment rate of immigrants may rise and come close to convergence, while an economic downturn hits the immigrant population harder (those hired last are fired first) and widens divergences.

Longitudinal (also known as representative) surveys investigate what factors influence immigrants' settlement in a given country at different life stages. Longitudinal surveys have been developed by both Australia (the LSIA) and Canada (the LSIC), which trace one disaggregated group of 15+ aged immigrants over 42 months in Australia, 4 years in Canada.

In Germany, the Federal Ministry of Labour (IZA) representative survey, 'The Situation of Foreign Workers and their Families in the Federal Republic of Germany' has maintained a relatively constant methodology and series of questions since its inception in 1980. The surveys use five yearly intervals to investigate various areas of everyday life, such as education, employment, language, etc. Profile comparisons are constructed from a sample of the largest migrant groups in Germany: Turks, former Yugoslavs, Italians and Greeks living in Germany. The results contain disaggregated statistics based on country of origin, age, gender, occupation, etc. Like the most recent 2001 MARPLAN-POLIS survey, the upcoming 2008 version by the Federal Office for Migration and Refugees, "Repräsentativebefragung ausgewählter Migrantengruppen in Deutschland," will also cover Polish migrants.

Four, the actors **who select indicators** exert a large influence on how indicators are used to interpret whether or not integration is successful. Different interests guide the choice for certain indicators. Despite possible overlaps, labour market and culture actors may design different indicators. Their capacities to influence policy debates determine which indicators are prioritised as politically significant and relevant.

Five, **the definition of integration** matters. The process to measure and the indicator to measure it depend greatly on the definition of integration. Such a multi-facetted process as integration can be captured in a single set of indicators. This report proposed in Chapter III a

benchmark definition of integration **that enables a wide variety of stakeholders to agree on sets of indicators that are comparable and relevant in a European context.**

What constitutes successful integration and strong integration policies? Following the benchmark definition of integration, successful integration is determined by:

- **the active participation of all residents (with or without an immigrant background)**
- **in the respect and exercise of comparable rights and responsibilities**
- **and the acquisition of intercultural competencies**

Types of indicators should consist of input and performance indicators (what are citizens doing) and output indicators (is their well-being enhanced as a result). They can refer to persons (and groups of persons) and organisations (and society as a whole). In line with the benchmark definition a distinction can be made between **non-discrimination indicators, dignity indicators, personal development indicators and participation indicators.**

Successful integration can be measured as convergence of outputs and outcomes. When integration is seen as convergence of outputs and outcomes, policymakers can develop and select all sorts of precise indicators of different categories that compare immigrants and other groups in society with each other and with the overall population.

6.2.2. Measuring strong integration policies

Removing integration impediments and reinforcing facilitators pave the way for integration. In that process, policies are one factor at play among factors beyond government control. Policies can help to remove integration obstacles and build on integration facilitators by enhancing accessibility and (intercultural) capacities of mainstream institutions and by enhancing (intercultural) competence of all citizens.

Can integration policies be measured on their success? Often successful integration and successful policies are confused in the debates. Is the high unemployment rate of immigrants an indicator of unsuccessful integration or of failing policies? If it is the former: is integration successful when immigrant and national unemployment rates convergence? If it is the latter, what do failed policies imply for the labour market, the major gaps that exist between sectors or the differences between the various immigrant groups? Measuring success depends first and foremost on the target—integration as such or integration policy.

Measuring the success of integration policies begins with determining how government invest in an environment that promotes active participation, guarantees equal opportunities and facilitates the acquisition of intercultural competences. Depending on the role of government (see Chapter IV), investments include policies, financial support and services. For all these, quantitative and qualitative input indicators can be developed.

Policy investments contain general and specific indicators covering diverse policy areas. **For each area input and operational indicators can be designed reflecting essential policy elements which must be put in place to achieve the desired results.** Governments provide financial support to integration programmes and projects carried out by governmental or non-governmental agencies. **Indicators here concern levels of financial support and their allocation to different integration areas and distribution among different beneficiaries and actors.** Governments make another integration investment when they provide general and specific services for a diverse population.

Input and operational indicators can be used to check whether all sectors of the population, including immigrants, benefit form the investments that are put in place to promote the well-being of the whole population. A technique used to verify that is (prospective and retrospective) social impact assessment.

In many instances there will be a strong link between equality of input and equality of output as the former levels the playing fields and thus create favourable conditions for the achievement of the latter.

Consequently, policies can be measured in terms of equality of inputs and evaluated in terms of their strengths and weaknesses.

Equality of input can be achieved when local, regional and national governmental and non-governmental actors work together to deliver on the promise of active participation, comparable rights and responsibilities and the acquisition of competencies. Moreover, stakeholders must implement deliver policies and services comprehensively in the relevant policy realms (justice and home affairs, employment, housing, health, education, etc).

Policies can be assessed on relevance, efficiency, effectiveness, sustainability and impact:

- Policies are **relevant** when they:
  - Meet clearly identified needs
  - Remain consistent with policy goals
  - Engage stakeholders and target groups
  - Build carriers' institutional capacity

- They are **efficient** when they:
  - Achieve results at reasonable costs
  - Are financially viable or have positive economic return
  - Produce high quality results
  - Are co-ordinated, managed and financed adequately

- They are **effective** when they
  - Deliver the anticipated outputs and outcomes
  - Have transparent and rigorous management
  - Address unexpected and negative side effects
  - Are owned by stakeholders and target groups

- They are **sustainable** when they
  - Attract the support of stakeholders
  - Set up monitoring and evaluation mechanisms
  - Develop management skills on an ongoing basis

- They have an **impact** when they
  - Deliver products or services to stakeholders and target groups
  - Improve the socio-economic position of target groups
  - Change behaviour and organisational culture
  - Affect the wider environment
  - Contribute to overall policy objectives

Performance and process indicators, targets and benchmarks can be developed for all. Benchmarkers define an area of improvement, analyse impediments and facilitators and assess the successfulness of integration and the strengths and weaknesses of policies.

Conclusions

- European efforts to develop indicators on immigrant integration are interlinking. As the Council of Europe moves from specific immigrant integration indicators towards more general social cohesion indicators, the European Union has used the Council's work to move from general social, economic and educational indicators towards the incorporation of dedicated integration indicators

- Measuring the successfulness of integration and the strengths and weaknesses of integration policies are related, but distinct operations

- The design of indicators for successful integration should aim to capture the diversity of its target groups, facilitate nuanced and reasoned assessments, stress the long-term, multi-generational, non-linear and multi-faceted nature of integration, involve all relevant stakeholders and employ a definition of integration suited to benchmarking

- Successful integration achieves the active participation of all residents in the respect and exercise of comparable rights and responsibilities and the acquisition of intercultural competencies. The basic comparative measure is convergence between immigrants (and groups within the immigrant population) and the overall population, as successful integration strives for equality

- Strong integration policies achieve a level playing field that equips immigrants and national citizens the tools to willingly pursue integration as active citizens in diverse societies. The basic comparative measure is equality of inputs, as policies are assessed on their relevance, efficiency, effectiveness, sustainability and impact

Recommendations

- Various stakeholders can select integration indicators, targets and benchmarks in accordance with their mandate, interests and perspectives. For that purpose, stakeholders can form learning and benchmarking communities

- Indicators, benchmarks and targets should be incorporated into the final stage of any benchmarking exercise in order to track the implementation of lessons learned through changes in current policies and practices

- Benchmarkers should use the full set of indicators (context, governance, global/outcome, output, operational/input and process/performance at their disposal

- These indicators should aligned to any benchmarking definition of integration and identification of impediments (equity, dignity, development, participation indicators)

PART TWO

Part Two of this report explores how benchmarking exercises can give shape to and structure cooperation on integration policy at the European level. In contemporary Europe, individual countries can no longer adopt purely local or national policies to address migration and integration issues. Ministries responsible for (or certain aspects of) integration share practices in European cooperation mechanisms. But also non-governmental organisations act on these matters at European level. All these actors have gradually acquired the capacity to act within their specific integration realm and design specific policies and tailor-made projects (mainstreaming). Where agencies have a general and broad mandate, they assess to what extent their general measures and programmes incorporate immigrants (impact assessments). Part Two establishes whether European policy mechanisms fulfil the core elements of benchmarking and how much this benchmarking affects integration policy. Each mechanism will be qualified by its comprehensiveness and intensity. Each chapter will also draw up conclusions on the particular agencies' inclusiveness of stakeholders and their willingness to apply lessons learned and to adopt proposals for change.

CHAPTER VII. BENCHMARKING CIVIC CITIZENSHIP

Civic citizenship encapsulates the gradual granting of the key statuses, rights and responsibilities that activate all citizens, with or without an immigrant background, to promote the well-being of all and make integration possible. The European Union and its relatively new DG Justice, Freedom and Security (JLS) has acquired competence to facilitate the entry, settlement and pathways to citizenship of immigrants in Europe.

The chapter outlines EU benchmarking on the topic of civic citizenship and specifically how EU legislation and standard-setting act as benchmarking mechanisms, namely through the Long-term Residence Directive, the Family Reunion Directive and the Anti-Discrimination Directives. The chapter identifies the criteria that make benchmarking through EU law-making and implementation on civic citizenship successful. It also proposes the development of EU-wide codes of practice.

7.1. The conceptualisation of civic citizenship

Civic citizenship has emerged as a concept of belonging distinct from nationality. The adjectives 'civic' and 'civil' naturally flow from the concept of citizenship, since they imply a certain 'citizenship of, by and for the citizens.' 'Civil' denotes citizens as a community. The community concerns both the internal organisation of a given society (or community, or interest groups, voluntary organisations, social movements, etc.) and its membership of individual citizens. 'Civic' relates more specifically to the citizens in their relationship with the State, that is, in the exercise of their rights and responsibilities towards the State.

Civic citizenship is based on a common set of fundamental rights and responsibilities, which immigrants gradually acquire depending on their years of residence. Civic implies that this concept more concerns rights and responsibilities than membership, since it speaks more to an individual's formal relations with the state than to his or her relations with other citizens.

This rather dictionary definition highlights the need to differentiate 'civic citizenship' from other forms of citizenship. **Legal citizenship** is defined by an individual's official nationality. It is acquired by birth, naturalisation or other procedures. It is legally sanctioned by an identity document (card or passport). It automatically confers all the rights and responsibilities, particularly the political rights of participation and representation that are guaranteed in the state's constitution and laws. As a citizenship of belonging, legal citizenship based on nationality denotes the official connection between the individual and the nation state, of which the individual is a citizen.

European citizenship is a concept recently devised by the European institutions to grant all EU nationals resident in another Member State the right to vote and be eligible to stand in local authority and European elections([71]).

Active citizenship arises from the effective participation of all society's members in societal life, including political processes, trade unions and the volunteer sector. Certain social groups may fall victim to various forms of exclusion, which impede such participation as active citizens. **Active policies and measures must provide resources and opportunities to members of these groups in order to establish the conditions for individuals to empower themselves and participate in societal and political life.**

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[71] Elspeth Guild, <u>The Legal Elements of European Identity: EU Citizenship and Migration Law</u>, (The Hague, 2004).

Civic citizenship emerged from the European Commission's proposal to guarantee third-country nationals a series of fundamental rights and responsibilities over time to enable their active citizenship in their countries of residence (see Chapter III). Civic citizenship, according to the Commission([72]), should draw on the Charter of Fundamental Rights of the European Union and represents a sufficient guarantee that immigrants may successfully integrate into Europe's diverse societies.

In order to build up the conditions for active civic citizenship, immigrants must secure their residence, first through admission and then through long-term residence. Family reunion, a fundamental human right, also allows immigrants to secure their residence within the full and stable life of a family, which contributes to a sense of personal settlement, family stability, a sense of community belonging, social interaction and therefore cohesive societies.

The essential preconditions for a sense of belonging are non-discrimination and equal treatment. Anti-discrimination promotes equality in relations between and within various groups in society. As such, it benefits all members of society, irrespective of their disability, ethnic origin, gender, race and sexual orientation. A non-discriminatory environment eliminates obstacles for active economic, societal and cultural participation in cohesive societies.

Fostering a sense of belonging in diverse societies requires States to open and encourage accessible pathways to citizenship, particularly for the second- and third-generation descendents of immigrants. Nationality offers immigrants the ultimate possibility to achieve the same rights and obligations as their fellow citizens.

7.2. Benchmarking in EU legislation

Both the Council of Europe and the European Union have set standards pertaining to free movement, settlement and pathways to citizenship in Europe. They include, among many others:

- The **Directive concerning the status of third-country nationals who are long-term residents**, 25 November 2003 (2003/109/EC);
- The **Directive on the right to family reunion**, 22 September 2003 (2003/86/EC);
- The **Directive implementing the principle of equal treatment between persons irrespective of racial or ethnic origin**, 29 June 2000 (2000/43/EC);
- The **European Convention on Nationality**, of 6 November 1997 (ETS 166);
- The **European Convention on the Participation of Foreigners in Public Life at Local Level** of 5 February 1992 (ETS 144).

These legislative measures are in varying degrees binding upon the Member States of these two European institutions. This section will describe the EU's legislative process on civic citizenship in terms of benchmarking's four stages and various steps.

For the benchmarking planning stage, the European Commission finds **legal competence** to initiate proposals for Community law on issues of the movement to and within the Union of non-EU nationals from Schengen, Third Pillar under the Maastricht Treaty to Title IV under the Amsterdam Treaty. The Maastrict and Amsterdam treaties have explicitly excluded nationality law, naturalisation and voting rights for non-EU citizens from the European Union's competence. Other European standards on nationality instead emanate from Council of Europe standards through the ratification of European Conventions.

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[72] European Commission, <u>Communication on a Community Immigration Policy</u>, (Brussels, 2000), COM (2000) 757.

The European Commission and in particular **DG Justice Freedom and Security** (DG JLS) has taken the lead on civic citizenship. DG JLS has developed Community law concerning long-term residence and family reunion, while **DG Employment, Social Affairs and Equal Opportunities** initiated the Directives on anti-discrimination. This report will primarily focus on JLS' policy infrastructure for the investigation of EU lawmaking and implementation as a benchmarking mechanism.

Chapter III described JLS' distinct definition of beneficiaries as third-country nationals (see 3.2.1.1. personal scope). It also outlines the stated policy goals of comparable rights and obligations, fair treatment and non-discrimination, approximate legal status and as near as possible uniform rights for long-term residents, including opportunities for naturalisation (see 3.2.1.2. material scope). **Without competence on nationality, the Union has introduced both European citizenship and civic citizenship and set benchmarks for the rights and responsibilities that are comparable to national and European citizenship respectively.**

The legislative initiative for EU civic citizenship legislation comes from the European Commission and responds to demands put forward by, among others, civil society organisations([73]). These initiatives for European legislation receive greatest support among immigrant organisations and other advocates, the Commission and some Member States, who all act in varying degrees as **benchmarking partners**.

Initiatives tend to emerge from a distinct **mapping of beneficiaries and integration impediments**, where governments, parliaments, civil society stakeholders and/or academics demonstrate the need for the design of new European legal measures. 'Incubator institutions' like the Council of Europe are often the sources of studies that inventory the existing policy situation within European states. The Commission often commissions these authors to compose similar studies that are tailored for an EU policymaker audience([74]).

These studies initiate the analysis stage by **defining areas of improvement that could be addressed by binding Community legislation** and by linking proposals to EU legal competencies, policy goals and agreed international and European standards. Policymakers test the waters among European and national policymakers and stakeholders: through a French Presidency conference in the case of long-term residence and family reunion.

This **further stage of analysis and endorsement** help persuades the Commission to publish its proposals for Directives and **enter into negotiations with Member States and the European Parliament**. The Long-term Residence and Family Reunion Directives' ensuing battle of almost five years ended after a considerable watering down of the original proposals and after interventions of the European Parliament([75]), which, among other things, led to a ruling of the European Court of Justice. In the legislative process, the **design of common measures is linked to the setting of European minimum standards** with a view of improving the policy situation across the Union.

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[73] See, for example, Immigration Law Practitioners' Association and the Migration Policy Group, The Amsterdam Proposals : The ILPA/MPG proposed directives on immigration and asylum, (Brussels, 2000).
[74] See for instance, C.A. Groenendijk, E. Guild and R. Barzilay, The Legal Status of Third Country Nationals who are Long Term Residents in a Member State of the European Union, (European Commission; Brussels, 2001) and C.A. Groenendijk, E. Guild and H. Dogan, Security of residence of long-term migrants: a comparative study of law and practice in European countries, (Council of Europe; Strasbourg, 1998). See also C.A. Groenendijk, S. Peers, E. Guild and R. Barzilay, The legal status of persons admitted for family reunion. A comparative study of Law and Practice in some European states, (Council of Europe; Strasbourg, 2000).
[75] Peers and Rogers, EU Immigration and Asylum Law. Text and commentary (Nijhoff, Leiden, NL, 2006). For an analysis of the European Parliament's voting pattern on civic citizenship Directives, see Simon Hix and Abdul Noury, "Politics, Not Economic Interests: Determinants of Migration Policis in the European Union," *International Miration Review* (Center for Migration Studies, New York, Vol. 41, No. 1, Spring 2007).

The implementation stage incorporates international standards into national law (through transposition of EC Directives or ratification of Council of Europe conventions) and often leads to changes in national policies and law. EU monitoring is performed by the Commission or outsourced to independent expert networks. Enforcement agencies and judicial bodies reinforce implementation. The body of work carried out in international supervisory mechanisms proves that Member States are not always eager to change. Rulings of the European Court of Human Rights, Treaty Bodies and the European Court of Justice remind governments to live up to their international legal commitments.

The obligation to implement binding Community legislation may be overriding, but the wish to learn from other countries and adopted common standards is usually implicit. Member States wish to be seen as adhering to the same standards as do other Member States. They also adhere to these standards to make situations between Member States similar so as to provide security across borders or to avoid false competition ('levelling the European playing fields').

7.3. Measuring the success of benchmarking in civic citizenship

Through transposition, the adopted standards can serve as benchmarks for national legislation. This section will assess how legislation on two areas of civic citizenship (long-term residence and family reunion) has developed the concept of civic citizenship through the legal systems of the 25 Member States. The following sections will examine nationality and anti-discrimination. Based on a questionnaire to and consultations with legal experts, the evaluation determines the degree to which the design of civic citizenship legislation at the European level can be categorised as a benchmarking exercise.

The components of civic citizenship can be identified by posing a series of questions:

- Who is **eligible** to access a given status and what is its scope?
- What are the **conditions** to acquire a given status?
- How **secure** is a given status?
- What are the **rights** associated with a given status?

The report summarises the answers to those questions under the headings of **eligibility, conditions for acquisition, security of status and rights associated.**

Civic citizenship policies must address all four areas and, within these areas, tackle issues of eligibility for a certain status, conditions for its acquisition, the security of a status and rights associated with it. The areas and issues are equally important for sound integration policies.

An analytical or normative framework (see Annex 4) enabled an evaluation of whether national and European standards converge in these civic citizenship areas. The components are described in terms of measures creating favourable, less favourable and unfavourable civic citizenship conditions. Although civic citizenship policies in the United Kingdom, Ireland and Denmark are not governed by the Directives on long-term residence and family reunion, the report compares their existing policies to the same normative framework.

7.3.1. Long-term residence

In November 2003, the EU Council of Ministers adopted the *Directive concerning the status of third-country nationals who are long-term residents in a Member State*, proposed by the Commission and passed by the Parliament (2003/109/EC). The Directive's date for transposition was 23 January 2006. Only a few of the Member States had already transposed the Directive into their legislative systems by February 2006. With regard to the criteria defined above, each State offers third-country nationals conditions that are more or less favourable or unfavourable. However, the report observes **no coherence whatsoever, either within the EU or within each national legal framework.**

7.3.1.1. Eligibility

All the States, in the spirit of the Directive, use the length of legal residence as the main criterion for obtaining a (more or less) long-term residence permit. The majority of the States (14 out of 25) offer favourable conditions: continuous residence for five years – the period laid down by the Directive – or less. The other States are split equally between less favourable conditions (between 5 and 8 years) and conditions which the report's framework considered unfavourable (more than 8 years). Half take professional activity into account, either as a positive factor reducing the required length of residence or as a supplementary condition determining the amount of the time spent in the country based on years working.

In order to calculate the required period of residence, the vast majority of States only take legal residence into account. The Directive proposes that years spent studying should considered, but that they should be halved for the purposes of calculating the length of legal residence (two years of study would be equivalent to one year of recognised residence). Only the Republic of Malta, Estonia and the United Kingdom make mention of the application of this provision. No distinction between those in work, residents or students in assessing long-term residence applications seems to be made in Spain or in Luxembourg, where decisions are made on a case-by-case basis.

Student eligibility for long-term resident status is almost unanimously unfavourable throughout the EU. The majority do not grant this status to former students. Access for students to a less precarious status is one of only two aspects of the law relating to TCNs (together with access to nationality) where this survey finds collectively negative responses.

A favourable system for granting access to civic citizenship allows immigrants to be occasionally absent from EU territory and remain recognised as residents. Thus temporary periods of absence during the years of residence should not result in these years being discounted when the authorities are making their calculations. 9 Member States conform to the principles of the Directive by accepting periods of absence of a maximum of 6 months consecutively or 10 months non-consecutively. One fifth of the States consulted allow longer absences or do not make an explicit stipulation in this respect, such as Greece. Others only allow much shorter absences or none at all, as in the Czech Republic. Denmark is not opposed to temporary absences, but also subtracts from the total length of legal residence.

The different interpretations of long-term residence – long-term or permanent – present a lack of coherence and uniformity in the responses, even within the same national legal framework. Only 3 or 4 countries (the Czech Republic and Ireland, closely followed by Latvia) stand out in that eligibility for long-term resident status seems to be uniformly unfavourable. No country emerges as being overwhelmingly favourable with regard to eligibility (the Netherlands comes the closest except on students). No significant difference between the old and new Member States exists. The report observed a general effort to harmonise eligibility criteria for long-term resident status towards more favourable options across the EU.

7.3.1.2. Conditions for acquisition

Additional conditions and administrative processes are necessary to access long-term resident status. A policy favourable to the integration of third-country nationals should reduce these conditions and processes to a simple minimum (processing a straightforward application in the ensuing six months).

Almost all (21/22 with the exception of Cyprus, Ireland and Portugal) the countries set financial conditions for the acquisition of long-term resident status. Most require proof of financial resources, which are stable, regular and sufficient to support the needs of the applicant and his/her family members.

In some cases, the conditions relate to employment or professional activity. With this criterion, Member States intend to block possible dependents on social assistance systems, which would increase the burden on public spending.

This interpretation explains the imposition of an additional requirement of prior possession of sickness insurance, whether basic and equivalent to that of nationals (in a third of the countries consulted) or covering an extended range of risks (Austria, Latvia and Malta). 13 Member States out of 25 do not impose this requirement and thus offer more favourable conditions than those advocated by the Directive. Of these 13, 9 do not use integration criteria (assessed by means of language tests and tests on knowledge of the country's history and institutions, etc.). 5 other countries, which impose insurance conditions, do not use integration tests. Of these, Lithuania proposes official language tests, which interestingly applicants are not required to pass. Rather, passing reduces the required length of prior residence by a year.

In practice, the length of the procedure for acquiring long-term resident status does not exceed 6 months in the majority of countries, with the longest procedures for more than 9 months observed in Hungary, Greece and Portugal. Only Denmark does not impose any fees on third-country nationals during the course of the administrative process. In the other countries, these costs amount to the same sum paid by nationals for an identity card (in 9 cases) or higher (in 14 cases). The costs levied are paradoxically higher in countries with higher GDP per capitas and stronger welfare state infrastructures: higher in Sweden, Austria and the Netherlands than in for instance Slovakia, Estonia and Portugal.

While conditions for access do not take account of financial issues (in fees or access to the procedure, which are in the majority of cases unfavourable), the conditions for access to long-term resident status are on the whole largely favourable for third-country nationals in the European Union.

7.3.1.3. Security of status

By definition, long-term resident status must be stable and durable. Security can be measured according to the status' length and validity (at least five years); its ease of renewal (ideally automatically or upon simple application); the possibility of temporary absence; the limitations and guarantees governing the conditions for withdrawal of status (only serious and limited defined grounds with legal guarantees and redress procedures); and protection from expulsion.

With regard to the validity of resident status, all the States respect the provision of five years in the Directive. This is in fact the only aspect of the legal framework, which is upheld unanimously by all 25 States. However, the Directive specifies that; "The status as long-term resident shall be permanent" and that it must therefore be renewable "automatically" at the end of these five years, like the identity card for nationals or "upon application if required".

A number of countries (many of which have not transposed the Directive) have a residence status or authorisation, which is permanent (i.e. the Republic of Cyprus, the Czech Republic, Denmark, Portugal, Slovakia and Sweden), continuing (Finland), of unspecified length (Greece and the Netherlands). Or, they may possess a 'settlement permit' (Belgium) or a residence permit (Ireland) without conditions. Whatever the term or type of status, the majority of States (22/25) uphold the permanence of the status through automatic renewal (9) or upon simple application (13). Hungary, Lithuania and the Slovak Republic only renew the status if the original conditions are still fulfilled. Leaving aside the period of validity of at least five years, Hungary is the only State whose legal provisions on the security of long-term resident status are entirely unfavourable.

The possibility of authorised absence from the country without loss of status varies enormously from one country to another. In almost half the cases, the absence may not exceed one year. Of the 12 States, which impose this limitation (defined as an unfavourable condition in the report's framework but in line with the Directive), most are old Member States, with the addition of Hungary, Lithuania and Slovakia. The 13 other States allow an absence of less than three (6/25) and or more than three years (7/25).

Overall, the conditions for withdrawal or non-renewal of long-term resident status are less favourable. 22 of the States use a serious and current threat to public policy or national security as grounds for a negative decision. Only Spain receives a favourable rating by discounting this criterion. The two countries rated as unfavourable, Hungary and Luxembourg, add other grounds for refusal or withdrawal, such as lack of economic activity.

Protective measures against expulsion (for long-term residents in the event of serious misconduct or compelling necessity) are far from guaranteed. Most of the States (18/25) have no clause prohibiting expulsion of long-term residents who are from third countries. Only the countries of the Iberian peninsula rule out the possibility of expelling a long-term resident who has a permit for at least twenty years, a minor or a resident born on their territory or a major was admitted under the age of ten.

Austria, Belgium, Italy, Poland and Slovakia prohibit expulsion for at least one of the two examples (resident for twenty years and minors). With regard to the factors to be taken into account in expulsion decisions, just under half (11 out of 25) of the States consider at least the age of the resident, the length of his/her period of residence, the consequences of expulsion both for him/her and family members and the links or attachments to the host country.

At least one of these factors is not considered in Belgium, Hungary, Italy, Lithuania, the Netherlands, Portugal and Slovakia. Meanwhile, Austria, the Czech Republic, France, Germany, Ireland and Sweden are less interested in these factors and more in the personal conduct of the long-term resident; the absence of links with the country of origin and potential alternative measures (such as downgrading to a restricted residence permit).

States' positioning in relation to these two lists of measures for protection against expulsion is not coherent; some define more criteria prohibiting expulsion but take fewer factors into consideration, while others do the opposite. Others emerge as unfavourable on both counts, but no country integrates all criteria and factors.

In terms of procedural and legal guarantees, 80% of States consulted (20/25) accord the individual the right to a reasoned decision, fair hearing, appeal and possibility of appearance before an independent administrative authority or tribunal, in the event of the withdrawal or non-renewal of long-term resident status and the issuing of an expulsion order. Lithuania accords all these rights except for this last one, while Hungary, Ireland (where authorities possess significant discretionary powers on long-term residence), Italy and Luxembourg do not even guarantee all the other rights.

7.3.1.4. Equal treatment and rights associated with the status

Through a long-term resident status, the European Commission intends to promote civic citizenship, equal treatment and, ultimately, the integration of third-country nationals into the social and economic fabric of their host society. Since the residence permit is linked more to the length of residence than to economic activity, it cannot be withdrawn when the resident reaches retirement age. This applies in all the States consulted, with the exception of Ireland and Luxembourg. which do not per say have a long-term resident status, but more of a long-term work permit.

In terms of equal treatment, the situation in all countries is largely favourable. Almost half the States surveyed operate a favourably coherent policy. 12 countries offer third-country nationals equal access to education and vocational training, social security, social assistance (including minimum income support and housing support) and health care (including long-term treatment), public goods and services, employment, self-employment and other economic activities (with the one exception of posts involving the exercise of public authority), under identical working conditions, with the option of belonging to and being active in trade unions and other associations. These countries are Belgium, Germany, the United Kingdom, Denmark, Finland, Sweden, Spain, Portugal, Hungary (albeit still precarious in terms of security of status), Malta, Estonia and Slovenia.

The 'near' favourable States on equal treatment are Austria, which affords all except for housing assistance; the Czech Republic, which restricts involvement in trade unions; Latvia, which limits access to certain public services; Slovakia, which requires language skills for access to education and blocks union membership; and Lithuania, which allows the same access in all areas except priority given to nationals and European citizens in competitive posts. The Netherlands and Italy are favourable in terms of social assistance, public services and education and involvement in trade unions and associations but unfavourable in terms of set restrictive conditions for access to employment. France is similar to these two, but also restricts access to representative positions in trade unions. Ireland is much stricter in the area of education, Poland in social security and assistance to the basic allocation and Luxembourg in the labour market and education system. In contrast, Greece receives unfavourable rates on social security and social assistance and slightly more favourable ratings on education and employment.

The fair provision of and access to public goods and services is almost ubiquitous (favourable everywhere except in Latvia), the social and education sectors score better within the European Union (22 states out of 25) than the labour market (18/25), although involvement in trade unions is more favourable (21/25).

While the States are very favourable in relation to the integration of long-term residents into their education systems, the recognition of skills and qualifications acquired in countries of origin is not so favourable. Only 7 States apply the same diploma recognition procedures to third-country nationals as to nationals of the European Economic Area (EEA). Notably, these States do not belong to the common immigration policy or have only recently joined: Estonia, Latvia, Lithuania, Malta, Ireland and the United Kingdom. France, Greece and Italy do not recognise diplomas and downgrade qualifications. Other countries impose different procedures on third-country nationals than on EEA nationals.

Finally, long-term resident status should allow holders to move within the common area of freedom, security and justice, to benefit from the same treatment in all the Member States and potentially to settle, under the same conditions, in another Member State, if the individual sees the possibility of integration there.

A number of experts did not respond to two of the questions on this subject, because the legislation in their country makes no provision relating to the free movement of long-term residents or the simultaneous holding of long-term residence permits in several Member States. Moreover, these issues seem too recent to have influenced policy in practice. Where it was impossible to ascertain the position of a State, the report assumes an unfavourable rating.

The majority of States (15 out of 25) do not recognise freedom of movement for long-term residents. Sweden allows it only for professional purposes or for some States with which they have particular ties. Third-country nationals only enjoy the same freedom of movement as European citizens in the Czech Republic, Denmark, Estonia, Latvia, Slovenia and the United Kingdom (which nevertheless lies outside the Schengen zone). The possibility of holding long-term resident status in any two Member States simultaneously is recognised by 10 States. France does not decide on the basis of the State concerned, but case by case and assessed by a tribunal.

The rights associated with long-term resident status are reasonably well protected in the majority of Member States. Indeed, the provision of rights and equal treatment represents the most favourable area of legislation relating to third-country nationals. States are still suspicious in their acceptance of long-term residents and over-cautious in granting them an enduring status. Once they become long-term residents, States more readily accord them equal treatment with nationals and European citizens.

7.3.2. Family reunion

On 22 September 2003, the Council enacted a Directive on the right to family reunion (2003/86/EC). The Directive only sets out **basic principles and minimum requirements.** EU Member States retain with the possibility of establishing (through their own legislation or through bilateral or multilateral agreements with other Member States) more favourable provisions and clauses specific to particular migrant groups.

Eligible sponsors under the directive are immigrants legally resident for one year, who have housing, adequate financial resources to support his/her family and a realistic prospect of obtaining a permanent residence permit. Eligible family members are the nuclear family (spouse and minor children; the rights of the extended family are decided by the States) of a third-country national. The conditions to access the right to family reunion may be refused for reasons of public policy, but not for health reasons. As concerns security, the status may be withdrawn if it has been acquired fraudulently or if family relations have broken down. The family members must have a renewable residence permit, as long as the sponsor possesses the right to reside and then an autonomous permit, after five years of residence. Equal treatment and rights associated with family reunion involve equal access for family members to education, vocational training and the labour market.

Barely a third of the States concerned have already transposed the Directive into national law. As stated in the section on long-term residence status, the United Kingdom and Denmark are included in the report's analysis because they make provision for the right to family reunion in their legislation on foreigners, with different criteria from those of the EU. In Ireland, a provision on family reunion does not exist in law but in practice through decisions on a case-by-case basis.

7.3.2.1. Eligibility

Family reunion concerns both the European Union resident – known as the sponsor – and the family members that wish to join him/her. The States surveyed tend to be more favourable in their treatment of the sponsor than the family members. In half the countries, the resident is entitled to apply for family reunion after no more than one year of legal residence while holding a residence permit valid for one year or less. Notably, these countries are not necessarily those that have already ratified the Directive.

The eligibility criterion (residence or residence permit of more than one year but less than two years) are slightly less favourable in Austria, the Czech Republic, France, Malta and Spain, which received a less favourable rating with their eligibility criterion of residence or residence period of between one and two years. The least favourable requirements exist in Latvia, Lithuania, Poland and Estonia (which have ratified the Directive), Denmark (which is not subject to the Directive), Greece and Luxembourg.

Eligible family members range from the registered partner (married or not), children (minors or not) and dependent adults (in the ascending line). The acceptance of these different people for family reunion varies enormously from one country to another, with no discernible trends. The Czech Republic is uniformly favourable towards all these people (no conditions for married or unmarried partners, no conditions for minor or major children and eligibility for adults in the ascending line). Denmark, is uniformly unfavourable (certain conditions for married partner, eligibility for minor children under 15 upon time of application and only minors in the ascending line). Italy is moderately favourable for all these aspects.

The rest of the States apply different eligibility criteria to various combinations of family members. Based on calculations of country scores, the report finds that, the Czech Republic, Portugal and Slovenia offer the most favourable family reunion eligibility criteria. 10 States (in addition to the three already mentioned: Estonia, Finland, Ireland, Latvia, Slovakia, Sweden and the United Kingdom) have a more favourable average. Italy and Luxembourg lie in between the favourable and unfavourable ratings, while the remaining countries are on the whole more unfavourable.

The worst scores concern adult descendants: 12 States unfavourable and 9 States less favourable. The situation for adults in the ascending line is unfavourable in a different set of 9 countries and less favourable in 12. Only the Czech Republic, Finland, Lithuania, Sweden and the United Kingdom accept an unmarried registered partner. Overall the most advantageous provisions are for minor children (although the score is not especially high in absolute terms): 8 States accept them with no conditions and 12 States require only that they be unmarried.

7.3.2.2. Conditions for acquisition

States can require that the sponsor fulfil certain conditions in order to be considered suitable to receive his/her family: appropriate housing, financial resources which are stable and sufficient to meet the needs of the whole family, sickness insurance, proof of integration etc. The Directive includes these conditions as optional.

Only Finland and Sweden do not set any conditions for family reunion, despite the disproportionately high fees imposed for processing applications. The rest make family reunion dependent on the financial resources of the sponsor. 10 States (Denmark, Estonia, Germany, Lithuania, Luxembourg, Malta, the Netherlands, Portugal, Slovakia and Slovenia) are satisfied with reasonable resources on the part of the sponsor (proved, for example, by a contract of employment). However, the 13 others require proof of stable and sufficient to support the needs of the whole family. Before authorising family reunion, the majority of the

States (16/25) check that the sponsor has appropriate housing to accommodate a family and fulfils the normal health and safety standards. Denmark (as opposed to the other Scandinavian countries), France and the United Kingdom set more restrictive housing requirements.

In addition to favourable Finland and Sweden, 4 countries (Belgium, Greece, the Netherlands and Slovenia) do not investigate housing conditions. Conditions relating to integration are rare in relation to family reunion. The integration test (questions on the history and institutions of the host country and the customs of the applicant etc.) is used in Italy, Denmark, Slovakia and the Netherlands. Although they make no assessment of integration, Austria, Latvia and Slovenia require the sponsor to take a language test.

As concerns the conditions of the family reunion process, the States fall almost evenly into three groups; less than 6 months is needed in a third, between 6 and 9 months in another and over 9 months in the last. This last third is composed of recent or major countries of immigration, who have inefficient administrative procedures or resources to cope with the level of demand: France, Spain, Italy, Belgium, Austria, Hungary and Ireland.

The only countries where the process is free are Denmark and the United Kingdom, two countries that tend not to be favourable in terms of requirements for financial resources and housing. 8 States obtain a relatively favourable rating for associated administrative fees that are more or less equal to the cost of renewing an identity card for nationals. However, the majority of States (15/25) set higher costs.

7.3.2.3. Security of status

Once a family member has entered the host country, the logic of integration requires they enjoy the same residence status as the sponsor. This underlying principle is only respected in under half of the States (12/25), without any identifiable trend. In 11 States, the residence permit for family members is valid for more than one year, renewable, but not equivalent to that of the sponsor. The residence permit is valid for less than one year and/or must be renewed in Denmark and The Netherlands.

A dissolution of family relations within a three year period following application constitutes an additional ground for withdrawing the residence permit for family reunion or the refusal of renewal in the majority of States (17/25). Only Luxembourg, Poland, Portugal and the United Kingdom do not include this ground. With the exception of Poland, these countries do not take into account any factor, which might rebut a withdrawal of status, such as strength of family relationships, length of residence, links with the host country and absence of links with the country of origin. Paradoxically, these countries receive a favourable rating for excluding the break-up of family relations as reasons for withdrawal of status and an unfavourable rating for excluding the strength of family relations as reasons against withdrawal.

Regarding legal guarantees in the event of a negative decision, the majority are favourable: 22 out of 24 states stipulate that the reasons for the decision must be given and make provision for the right to redress (Ireland and Poland fail to make such provision). 17 countries also offer the possibility of taking the case to an independent administrative body or tribunal.

Significant trends with regard to the security of family reunion are difficult to establish: some States extend the reasons for withdrawal, but consider more factors as reasons against it. Others are quite favourable with regard to the positive and negative factors considered, but provide little in the way of legal guarantees. Sweden and Latvia occupy a position, which is uniformly 'less favourable'. The Czech Republic, France, Malta and Slovenia take a less favourable position on reasons for withdrawal and a favourable stance on the factors to be considered and the legal guarantees.

7.3.2.4. Equal treatment and rights associated

Like all policies on immigration and integration, family reunion must be underpinned by the principles of non-discrimination and equal treatment. Once they have joined the sponsor, family members should enjoy rights as similar as possible to those of the sponsor. These rights chiefly concern the right to an autonomous residence permit after a certain period of time and access to education, employment and social security. **Responses from 6 countries were uniformly favourable on all questions of rights associated with family reunion: Belgium, Italy, Latvia, Portugal, Spain and Sweden.**

The right to an autonomous residence permit is authorised for the spouse and major children after a maximum of 3 years in 10 out of 25: offer the same conditions to other family members are offered in Belgium, Italy, Latvia, Portugal, Spain and Sweden and in France and Slovenia upon extra conditions. Germany and Lithuania grant an autonomous residence permit only to the spouse and children. Austria, Finland and Hungary only grant to those two categories after a period of residence of between 3 and 5 years; and Denmark, Greece, Ireland, Luxembourg, Malta after 5 years or subject to other conditions.

A lack of coherence within a State's policies on rights associated with family reunion may give rise to peculiar situations. In Poland and Slovakia, spouses and children may secure an autonomous resident permit after more than 5 years of residence. Yet other family members may access it after less than 3 years in Poland and more than 3 years in Slovakia.

Access to education and vocational training, employment or self-employment, social security, and social, medical and housing assistance are available to family members on the same terms as the sponsor in 16 out of 25 States. Hungary and Ireland offer full, but not equal access. Austria and Slovenia offer equal access, except in relation to employment and self-employment. In the Czech Republic and Denmark, the exception concerns social security and assistance. Malta applies exceptions to both employment and social security and totally restricts access to education and vocational training. Luxembourg blocks access to education, training, social security and assistance, but offers equal access in the professional sphere.

As with long-term residence, States adopt a much more favourable position in granting equal rights to the beneficiaries of family reunion than in the granting of the right of family reunion itself. Equal treatment and rights associated generally receives positive scores: favourable on all grounds for 6, generally favourable for 13 out of 25 States, less favourable for Denmark and unfavourable for Hungary, Malta, Ireland and Luxembourg.

In conclusion, this exercise of mapping Member State policy situations on long-term residence and family reunion demonstrates that the two EU Directives lead neither to substantial changes in national law, nor to higher standards to improve the current policies in Member States. On the contrary, transposition established only low minimum standards, within which Member States have considerable room to manœuvre. The legislation lowered or cannot prevent the future lowering of standards.

The implementation stage on civic citizenship suffers from a lack of direct effect as Member States transpose Directives very freely, 'à la carte' and the Commission undertakes monitoring with a very light touch([76]). The stage cannot be credited with goal-setting around best standards or harmonisation around any set of standards. The Amsterdam and Tampere summits' aims to foster the integration of TCNs seem far from achieved([77]).

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[76] On 26 October 2006, the Commission launched a call for tender for a 'conformity checking' of measures of Member States to transpose directives in the sector of asylum and immigration.
[77] On 28 September 2006, the European Parliament adopted a resolution which condemned the non-completion of the common immigration policy (including integration policy) 7 years after the commitments made at Tampere and after repeated calls by the European Parliament, See on next page;

7.4. Benchmarking administrative practices on naturalisation

Viable pathways to citizenship in the host country are one of the core elements of civic citizenship. The granting of nationality is one of the sole prerogatives of the State and utmost expressions of national sovereignty. Nevertheless, some States have found the discussion of certain basic international principles on nationality useful to improve national standards and practices and to solve international disputes.

Since the European institutions have no power to act on naturalisation in terms of legislative initiatives, they must adopt other initiatives to raise this important issue. They could initiate debates on the signing of the European Convention on Nationality (see box). In this context it is interesting to note that years of consultations and light forms of EU Member State co-operation on anti-discrimination preceded the inclusion of an anti-discrimination clause in the Treaty providing the European institutions with powers to act on discrimination. Apparently, it takes time and years of more informal co-operation on sensitive issues before a fully-fledged EU strategy can be deployed.

Benchmarking the ratification of the European Convention on Nationality

The European States within the Council of Europe have developed the European Convention on Nationality([78]), adopted in Strasbourg on 6 November 1997. This Convention recognises national prerogatives on nationality law, but also sets rather high standards in the form of minimum standards regarding the right to nationality, the possibility of naturalisation, certain conditions for the loss of nationality and the acquisition of nationality for children, children born abroad, spouses, residents in the territory for a certain period of time 'to be determined by internal law.'

The Convention encourages States to ensure that the process for the acquisition of nationality occurs within a reasonable period of time, at a reasonable administrative cost, with reasons given for refusal or withdrawal and subject to an administrative or judicial review.

The Convention establishes European cooperation between States on internal nationality laws by obligating all signatory States to communicate information on nationality law to the Council of Europe.

The Convention on Nationality authorises States to exclude certain sections or articles upon ratification. Ratification of Council of Europe conventions, like transposition of Community law, imposes some minimum requirements, within which States often find a great deal of room to manoeuvre.

For instance, on first-generation immigrants' **eligibility** for naturalisation, the Convention does not adopt quantifiable standards and instead accords States the freedom to determine the length of legal residence necessary before first-generation immigrants may apply. Without such standards, the report found internal law of States regarding first-generation immigrants to be unanimously unfavourable, with 23 of the 25 States setting a period of more than five years. The fate of second and third generation children was no better, with 15 out of 26 imposing unfavourable conditions.

Notwithstanding this considerable flexibility, 15 out of the 25 concerned States have signed the convention and **to date only eight states have ratified and had it enter into force.**

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http://www.europarl.europa.eu/news/expert/infopress_page/019-10973-268-09-39-902-20060922IPR10897-25-09-2006-2006-false/default_en.htm.

[78] Council of Europe, European Convention on Nationality, (Strasbourg, 1997) http://conventions.coe.int/Treaty/en/Treaties/Html/166.htm.

Therefore, the European institutions could **stimulate international exchanges** on developments in Member States, in particular on **areas of improvement in administrative practices.** Naturalisation laws must be implemented by responsible governmental agencies. Here, the human factor plays an enormous role as well as administrative traditions and bureaucratic cultures.

Authorities set legal conditions and administrative measures for the acquisition of nationality, (but also of other statuses: residence and family reunion). These measures amount to **the delivery of services to immigrants and 'new' citizens**. These persons are the first to benefit from the correct and timely handling of the necessary formalities for the acquisition of the desired and deserved status. Employers, social and health services also welcome short, simple and transparent procedures for the application of work permits, family certificates, etc. The means of delivery can convey a powerful message of respect for immigrants and of welcoming citizens; in the extreme, administrative practices can intimidate immigrants or treat them unfairly.

The European Union could fashion its own role regarding naturalisation standards through the adoption of codes of conduct that reinforces high standards set down in the European Convention on Nationality. This approach could offer Member States a framework of high administrative standards and an inventory of good practices, should they voluntarily choose to learn and improve the implementation of their nationality laws.

Research among NGOs in support of immigrants has demonstrated the variety of applications and interpretations of nationality laws across Europe ([79]). The research formulated a number of recommendations, which indicate areas of improvements in administrative practices. They can be summarised as follows:

Clear procedures
> Clear, detailed and binding guidelines for naturalisation procedures should be given to administrative bodies in order to reduce their discretionary powers.

Training
> Staff of naturalisation agencies at the local and national level should receive continuous training on immigrants' rights and integration objectives

Outreach
> The authorities should play an active role in providing information through naturalisation campaigns on procedures and the advantages of citizenship

Communication
> The applicant should be fully informed of the progress of his or her procedure. The agency should answer written requests for information from the applicant who should also have the option of being heard by the deciding administrative body.

Documents
> All documents and certificates should be requested once so as to avoid that due to the length of an application procedure, the administration repeatedly asks for the same documents. Which documents are required should be made clear from the start of the procedure.

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[79] Isabelle Chopin, Comparing administrative practices. In: Acquisition and loss of nationality Policies and trends in 15 European states. Volume I: comparatives analyses. Volume II: Country analyses (Amsterdam, 2006).

Avoiding bureaucratic delays

An inter-agency system should be developed of requesting documents that are issued or registered in other administrative and state services. There should be more flexibility should be a in the interpretation of the 'impossibility' of obtaining a birth certificate from certain countries should be more flexible. There should also be leniency for recognising the identity of applicants from countries without or with a weak government.

Reducing costs

The costs of naturalisation should not exceed those of the acquisition of a national identity card. The costs of renouncing the former nationality - to take place only after naturalisation - should be reduced.

Waiting times

Waiting times for a decision on asylum/leave to remain/residency should be taken into account in every situation where residence criteria are relevant to naturalisation applications. Time limits should be reduced and be respected.

Tests

Naturalisation test, if introduced, should be clear, testing applicants on relevant issues and not on general matters (or matters which are generally not widely known) and should be culturally sensitive.

Justification and right of appeal

The naturalisation procedure should be simple, strait-forward and transparent. In case of rejection of citizenship a justification should be given and there should be a right of appeal.

Justice and Home Affairs Ministries have a great interest in improving their immigration and naturalisation services. To this end, they could:

- Develop codes of good conduct and good practice
- Monitor their implementation
- Develop performance indicators and benchmarks
- Facilitate co-operation between Ombudsman and citizens advice centres
- Assist them in their efforts to benchmark service provision

DG JLS could facilitate these national actions at the European level by:

- Draw up a **European Code of conduct for administrative practices**
- Draw up a benchmark document for monitoring compliance
- Assist Member States in reviewing and improving administrative practices

> **Standards and good practice on language requirements**
>
> **The European institutions could promote greater exchange of standards and good conduct on language requirements.**
>
> Many European countries have imposed language requirements for migration, long-term residency and/or citizenship. It is common practice for examination and certification bodies to base their assessments on the Common European Framework of Reference for Languages (CEFR). However, the proficiency level varies between countries from A1 (basic user) to B1/2 (independent user) and the assessment process also varies. An inventory of language certification in Europe conducted by the National Foundation of Education Research concluded that the B1 level on the CEFR corresponded most closely with the level considered necessary for citizenship, where the most stringent criteria apply, in those countries which have language requirements.
>
> **Language proficiency is one of many competencies to enable integration, so long as strict criteria (high levels of proficiency) placed at inappropriate channels in the integration process (see Chapter III, 3.2.1.3) are not imposed that block viable pathways to integration and citizenship.**
>
> In an effort to promote transparency and equity, the Council of Europe's Language Policy Division 2006-2009 programme for Language Policy for Democratic Citizenship and Social Inclusion includes a project on the **usage of the CEFR proficiency standards in assessments to determine eligibility for permanent residency or citizenship.** The project aims to build on the commitment made at the Third Summit of Heads of State and Government of the Council of Europe, held in Warsaw in 2005, to promote the acquisition of citizenship, and to facilitate co-operation among stakeholders on issues related to languages and residence or citizenship. It can be expected that this work will be able to

7.5. Community anti-discrimination law as a benchmark

Whereas benchmarking long-term residence and family reunion have not been very successful, legislative measure to fight discrimination([80]), the fourth element of civic citizenship, have become benchmarks for national legislators. Their design, adoption and implementation can be qualified as a benchmarking exercise.

Within the **planning stage**, the Racial Equality Directive was shaped along the same lines as a proposal for Community anti-discrimination law that was put forward by a broad coalition of civil society organisations and semi-governmental agencies. This proposal, known by the name **The Starting Line**, was **backed by the European Parliament and drafted after intensive consultations among stakeholders**.

The **mapping stage** had been undertaken by the Starting Line coalition, who assessed the situation in the Member States and identified areas of improvements in national anti-discrimination law, policies and practices. They also **identified various benchmarks** for anti-discrimination law, which were found in countries such as the United Kingdom, the Netherlands and Sweden, and in Community gender discrimination legislation, respectively([81]).

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[80] Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, L 180/22, 19.07.2000. Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation.

[81] See for a historical overview, Jan Niessen and Isabelle Chopin, "The Starting Line and the Racial Equality Directive," In: Jan Niessen and Isabelle Chopin, eds., The development of legal instruments to combat Racism in a Diverse Europe (Nijhoff; Leiden, NL, 2004).

DG Employment, Social Affairs and Equal Opportunities in turn employed **the Starting Line as its benchmark** in the drafting of its proposals for a Directive on racial equality and a Directive on employment equality. The proposals were made after years of consultations with and mobilisation of stakeholders culminating in the European year against Racism (1997). The subsequent **negotiation stage** slightly watered down the Commission's proposals within the Council of Ministers([82]). Still, the adopted Directives set high minimum standards of anti-discrimination law in terms of both substance and enforcement. The two Directives are similar, but differ in terms of grounds of discrimination covered and fields of application.

The Directives provide a definition of discrimination and expressly include 'direct' and 'indirect' discrimination. Direct discrimination occurs where one person is treated less favourably than another and has been or would be in a comparable situation on grounds of, among others, racial or ethnic origin.

Indirect discrimination is taken to occur where an apparently neutral provision, criterion or practice would place persons of a racial or ethnic origin at a particular disadvantage, compared with other persons, unless that provision, criterion or practice is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary. The Directives also prohibit harassment as well as instruction to discriminate and victimisation. Harassment, a concept clearly taken from gender legislation, constitutes discrimination when an unwanted conduct related to racial or ethnic origin takes place with the purpose or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading, humiliating or offensive environment.

The Directives apply to both the public and private sectors, including public bodies. The Racial Equality Directive covers access to employment, including self-employment and occupation, vocational training and working conditions, membership of and involvement in an organisation of workers or employers, social security and healthcare, social advantages, education, and provision of "goods and services which are available to the public, including housing. The Employment Equality Directive covers only employment.

Disappointingly, **nationality was not included as discrimination ground**. The Racial Equality Directive expressly states that it "does not cover difference of treatment based on nationality and is without prejudice to provisions and conditions relating to the entry into and residence of third country nationals and stateless persons on the territory of the Member States, and to *any treatment which arises from the legal status of third country nationals and stateless persons concerned (emphasis added)*". Nevertheless, the Directive's recital states that any direct or indirect discrimination based on racial or ethnic origin should be prohibited throughout the Community. This prohibition of discrimination should also apply to nationals of third countries, but does not cover differences of treatment based on nationality and is without prejudice to provisions governing the entry and residence of third country nationals and their access to employment and to occupation.

7.5.1. Implementation and the defence of rights

The Community also provides for **means of enforcement**. It requires the establishment of "**judicial and/or administrative procedures**" to implement anti-discrimination law. These may concern criminal, civil or administrative law. This could include a special prosecutor for criminal offences related to discrimination, special tribunals or chambers for criminal offences, an Ombudsman for relations between citizens and public authorities with competence and capacity to deal with discrimination cases, special courts or chambers of

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[82] Adam Tyson, "Negotiating the race directive,"*European Journal of Migration and Law* (Nijmegen, NL 2001) 199-229.

courts for administrative and civil law offences, legal advice centres with the special capacity to deal with discrimination, mediation procedures and agencies with the competence and capacity to deal with discrimination or specialised bodies with quasi-judicial powers.

Associations, organisations or other legal entities are authorised to engage in a legal action on behalf or in support of a victim. The law requires that "effective, proportionate and dissuasive" sanctions be imposed. Finally, the burden of proof is shared; once the fact of discrimination is established, the victim must not prove that he/she has been discriminated against. Instead, the alleged perpetrator must prove that he/she has not been discriminating.

A number of more **institutional measures** are to be taken, such as the **establishment of equality bodies. Equality and anti-discrimination** should be part of the **Social Dialogue** and with the dialogue with non-governmental organisations. Third-country nationals have already turned to the European Ombudsman as a means of redress in cases of discrimination. From 2003 to 2005, 418 complaints from TCN were lodged with the European Ombudsman. Nationals or residents of new Member States lodged an additional 209 before the date of their accession. Community law also calls for the abolishment of provisions contrary to the principle of equal treatment in existing legislation and rules governing profit-making and non-profit making associations, collective agreements and contracts, etc.

The **Fundamental Rights Agency**, which is due to be operational in 2007, will bolster implementation and foster new initiatives on anti-discrimination and the civic citizenship rights of third-country nationals. The Agency could play a stimulating role in the benchmarking process on civic citizenship.

The Directives provide that current and future legislation must not include provisions that are contrary to the principles of equal treatment. In order to establish whether this is the case, existing legislation has to be screened and where applicable amended. A similar screening process must be carried out with regard to individual and collective contracts or agreements, internal rules of undertakings, rules governing profit-making or non-profit-making associations, and rules governing independent professions and organisations of workers and employers.

Finally, the **reporting stage** was put in place with the Directive requirement that Members States provide the Commission every 5 years with all necessary information for the drawing up a report to the European Parliament and Council of Ministers on the application of the Directives. The European Commission's report on the 'application of this Directive' must "take into account, as appropriate the views of the European Monitoring Centre on Racism and Xenophobia, as well as the viewpoints of the social partners and relevant non-governmental organisations."

7.5.2. Transposition of the Racial Equality Directive

The transposition of the Directives is almost complete. Of all EU Member States, Luxembourg is lacking far behind. Germany has only very recently adopted new anti-discrimination law. Other countries have not yet fully transposed the directives. Member States used different methods in order to transpose the directive. Some countries such as Cyprus, Greece and Italy decided to more or less reproduce the Directives. Austria, Belgium, Finland, Ireland, Hungary, Netherlands and Slovakia opted for Anti-discrimination Acts covering more grounds than the Directives. Denmark, Netherlands and Sweden adopted a combination of multi-ground Acts and single-ground Acts. The United Kingdom adopted several pieces of single-ground anti-discrimination legislation and Slovenia a combination of specific legislation and employment Act. France, Lithuania and Portugal have put in place a combination of specific legislation, labour and penal codes, some administrative law. Spain

has transposed the directives through a much wider Act and Estonia, Czech Republic, Latvia, Malta and Poland have so far only transposed in employment law.

Whatever method used, anti-discrimination law changed dramatically in all Member States as a result of Community law and its higher standards. The two anti-discrimination Directives had a tremendous impact on the legislative landscape in the Member States. With some exceptions and on a number of limited issues, anti-discrimination law was reinforced and upgraded in all Member States.

Community anti-discrimination legislation itself was the result of a benchmarking exercise, which included various 'communities' of benchmarkers: NGOs, governments, social partners, etc. Community law has set high standards, which served as benchmarks for the change of national policies.

Whether or not Member States were actually knowingly and willingly embarked on a benchmarking exercise remains an open question. Some found that implementation pushed the limits of their will, as for instance the newly adopted Directive required much more review of changes in existing national legislation than many expected. Others initiated new national legislation as a simple matter of compliance with new rules and not so much as part of a strategic plan on equality and anti-discrimination.

Other stakeholders, in particular organisations defending potential victims of discrimination, may well have considered the whole process as a benchmarking exercise. They mapped and assessed the situation of their members or clients, made proposals to change the situation, identified good working remedies (benchmarks), called for and subsequently monitored changes in law and policies.

The process of adaptation and change is documented by a **group of independent legal experts** known as the Commission-financed Network of Legal Experts in the field of non-discrimination. This group prepared, on behalf of the European Commission, detailed country reports on the implementation of the two Directives. The Commission made these reports public([83]). The Group also prepared thematic reports on legal issues and provided an ongoing monitor of the further development of anti-discrimination policies and law by publishing the European Anti-Discrimination Law Review([84]).

The success of the whole benchmarking operation fact is attributed to the development of a strong anti-discrimination and equality governance infrastructure:

- A set of international norms and standards that are adopted and adhered to
- The inclusion of key-stakeholders who agree on an overall equality strategy
- A strong European leadership, active policy-making and a considerable budget
- Well-functioning networks of interests groups, enforcement bodies and academics
- An ongoing mapping and assessment of the situation
- Ongoing dialogue between stakeholders at various levels.

7.5.3. Gaps in the transposition

Gaps in the transposition of the anti-discrimination Directives have arisen and a number of concerns remain about the practical effectiveness of legislation. The most common violations of the Directives appear to be the following:

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[83] See Migration Policy Group, "Anti-Discrimination Country Reports – 2005 Edition," (2006) http://www.migpolgroup.com/documents/3169.html.
[84] See Migration Policy Group, "Anti-Discrimination Law Review – Issue No. 1 – 3," (2006) http://www.migpolgroup.com/topics/3059.html.

- Lack of protection against racial and ethnic discrimination in the areas outside employment
- Lack of protection of all employees and self-employed against discrimination, especially in the public sector
- Law does not cover public sector employees
- No special anti-discrimination provision as regards to access to and supply of any goods and services
- Possible justification in respect of direct discrimination in certain areas
- In many countries, the rules on legal standing do not permit NGOs to act on behalf of an individual complainant, (Lack of individual legal standing, Limitation of legal standing to Trade Unions
- No provision for legal standing by NGOs to bring cases on behalf of individuals
- The provisions on the burden of proof and victimisation are often not fully compatible with the Directives
- Maximum limits to the amount of compensation which can be awarded
- No or unclear or incomplete provision on victimisation, specially outside employment
- Whilst most countries have designated an equal treatment body, there are doubts around the sufficiency of the resources of these bodies and their capacity to conduct their functions with independence from the government

Working on the gaps and effective implementation lends itself to benchmarking. Ongoing monitoring of implementation by such agencies as the EUMC and the future Fundamental Rights Agency can help to identify best legislative practices. The Network of Independent Legal Experts can help to solve legal problems by comparing solutions from various countries. The implementation can be made effective and the emerging Network of Equality bodies (Equinet) can benchmark the policies and practices of its members. NGOs and associations supporting victims can benchmark their practices as well. They are well organised at European level.

Finally, the continuous improvement of the effectiveness of anti-discrimination policies and law may use benchmarking as a method. For example, the Racial Equality Directive may be used as a benchmark for further expansion of Community law, by bringing the protection against discrimination on all grounds, including nationality, and in fields within and outside employment at the same level as this Directive([85]).

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[85] For a mapping of the current situation, see European Human Consultancy and Migration Policy Group, "Mapping national measures and their impact in fields where there is no Community legislation," (Brussels, 2007) http://www.migpolgroup.com/documents/3607.html.

7.6. Improving benchmarking in civic citizenship

Civic citizenship represents a field of uneven success. The transposition and implementation of the EU Directives on long-term residence and family reunion did not complete the stages of benchmarking. The low minimum standards did not serve as benchmarks to facilitate learning and improving national policies. Naturalisation is not within the powers of the European institutions. None of the European institutions found a way to creatively work around this lack of competence and initiate softer forms of cooperation around the pressing issues of naturalisation. Conversely, the adoption of Community anti-discrimination measures can be considered as a benchmarking exercise, since high adopted standards served as benchmarks for the improvement of national policies.

This asymmetry in benchmarking civic citizenship largely emerges from the planning and implementation stages. These stages point to underlying weaknesses in DG JLS' **nascent planning infrastructure, a mismatch between its policy goals and its current mandate, a restricted cooperation structure, a lack of a dedicated network of benchmarking partners on immigrant integration and a restrictionist climate in some national debates.**

DG JLS, the Commission department primarily responsible for civic citizenship, is a rather new Directorate General, which was created just after the adoption of the Amsterdam Treaty in 1999. In its formative years, DG JLS simply lacked the institutional experience, knowledge and staff to successfully advocate for a more effective legislative programme.

Member States meanwhile have contested and are still contesting to some degree the DG's policy goals on integration, where its legal competence to act is recognised in theory (namely by Treaties, Presidency Conclusions and the Constitutional Treaty) but not fully in practice. These Member States have limited the DG's room to manoeuvre within the field of migration and integration, which were and still are one of the foremost battlefields between intergovernmentalists and supranationalists.

Legislative initiatives on integration are therefore littered with minefields that can set off conflicts over DG JLS' legal competence, the latest of which erupted over the Integration Fund. This conflict between DG JLS' capacities and increasing requests to act on the one hand and its contested competence to act on the other hand absorb much of the energy that could have been directed more towards the design, negotiation and implementation of legislation on civic citizenship.

As a consequence of these conflicts over competence, Member States have limited DG JLS' infrastructure for the design and implement integration strategies. Unlike other DGs, Member States have denied JLS an open method of coordination on immigration or integration.

The limited infrastructure partially explains the absence of a strong integration policy network of stakeholders for DG JLS, despite the marked interest that civil society actors, the private sector and multiple levels of governance (including some Member States) have express for common approaches. A distinct and well-functioning consultation and dialogue structure would activate stakeholders as the Commission's potential allies in negotiations and as active partners in benchmarking.

When questions of competence have not entirely hampered DG JLS legislative initiatives, EU public debates have directed these initiatives more towards migration-control than a citizens-based approach to integration. Chapter III's assessment of EU and national debates highlighted the deeply restrictionist tone adopted in EU debates since the 1990s.

Despite these circumstances, DG JLS' infrastructure has expanded and matured since 1999 and its programme is catching up with increasing capacities. A reenergized

constitutional process could produce the necessary constitutional treaty to remedy questions of competence and cement the institutional settlement with regard to integration policy strategies at the European Union level. A secured legal mandate would release much of DG JLS' policymaking energy to be redirected at planning and implementation on issues of migration and integration.

DG JLS is succeeding to outfit its expanding governance infrastructure. Without an open method of coordination, JLS has introduced many ingredients for developing a common strategy. The Thessalonica European Council and the Hague Programme endorsed this piecemeal approach. It includes the establishment of the National Contact Points, the publication of an Annual Report, the adoption of Common Basic Principles, the preparations and publication of a Handbook on Integration (followed by an Integration Website), a European Migration Network (on information exchange), the creation of an Integration Forum and, last but not least, the setting up of an Integration Fund.

As part of a strategy to counter some Justice and Interior Ministries' restrictive views on migration and integration and 'hostility' towards the launch of a Community approach, the Commission has encouraged the mainstreaming of integration into other DG portfolios. This mainstreamer role could be bolstered by designating DG JLS as the agency in charge of overseeing the mainstreaming of migration and integration into the respective mandates of other DGs on the basis of the agreed Common Basic Principles.

The Commission could pick up on the new ideas and approaches that were brought to the fore at the technical seminars by a wide variety of stakeholders (pragmatic discussions, life-cycle approach, focus on individual competencies rather than societal models, see Chapter V). If the Commission reinforces these persistent trends in the discourse, the restrictionist and migration-control tone of the 1990s may no longer overwhelm policy debates at the EU level.

DG JLS could in particular assess the 'civic citizenship situation' in the Member States. This would allow European elected representatives, the European institutions and involved actors (from the public and NGO sectors) to track the policy implementation closely, both on a country-by-country basis and across the Union. This analytical framework can serve to:

- Define standards for civic citizenship
- Formulate clear goals for their adoption
- Devise indicators which will enable:
    - Verification of whether these standards are met
    - Comparison of the Member States with each other
    - Identification of good practice
    - Encourage policies and practices at the highest possible standard

Conclusions

- DG JLS have pioneered the new integration concept of civic citizenship, which guarantees third-country nationals a series of fundamental rights and responsibilities to enable their active citizenship in their countries of residence and in Europe
- The adoption and transposition of EU Directives on civic citizenship produces EU-wide standards that can serve as benchmarks for improvements in national legislation
- DG JLS has experienced uneven success in benchmarking EU legislation on civic citizenship, since the planning and implementation stages tend to suffer from structural weaknesses in the JLS planning infrastructure
- On long-term residence and family reunion, no coherence within the EU or within each national legal framework has been found in the implementation stage
- Neither Directive produced substantial changes in national laws towards higher standards that would improve current policies. Their implementation suffered from 'à la carte' transposition and light Commission monitoring
- Despite no competence to initiate legislation on nationality and naturalisation, the European institutions have not exhibited the creativity to discover other methods to act on this essential component of civic citizenship within the EU
- On anti-discrimination, in contrast, the EU has acquired competence through inventive benchmarking efforts that produced two Directives. They now serve as benchmarks for the substantial upgrading of legislation in all Member States around higher Community standards
- Benchmarking in civic citizenship should learn from the successes of benchmarking in anti-discrimination legislation: high adopted international norms and standards, well-functioning networks of key stakeholders, enforcement bodies and academics, strong European leadership and dedicated resources, an ongoing mapping and assessment stage and continuous dialogue between stakeholders at various levels

Recommendations

- DG JLS, still undergoing its initial development process, should continue to tackle structural areas of improvement for benchmarking civic citizenship, such as:
    - Forge alliances with national partners and key-stakeholders and facilitate their co-operation (also for benchmarking purposes) through the creation of the announced Integration Forum
    - Foster deeper relations with the European Parliament, as it gains greater competence in integration issues
    - Link immigration with fundamental and citizens rights as a rallying point for a broad range of governmental and non-governmental stakeholders
    - Install new and reinforce existing supervisory mechanisms
    - Secure a robust role for the Fundamental Rights Agency in mapping the EU's civic citizenship situation, encourage its active participation in the planning stage through own-initiative opinions, safeguard its independence and create an well-functioning NGO network through the Fundamental Rights Platform
- Further efforts to address gaps in transposition and the practical effectiveness of anti-discrimination legislation would operate well under a benchmarking framework
- DG JLS should design an analytical framework to map and evaluate the access criteria, the conditions for acquisition, the guarantees provided for their security and the rights associated with the civic citizenship situation in Member States
- The European institutions should encourage the improvement of naturalisation procedures through non-binding, soft benchmarking on administrative practices and language tests. This cooperation should aim to produces European codes of conduct and other benchmark documents for monitoring compliance

CHAPTER VIII. BENCHMARKING ECONOMIC PARTICIPATION

The European Union and its Member States have put in place policy instruments in achieve their ambitious set of economic goals. Immigration and the integration of immigrants into the labour market have risen on the political agenda, not only because immigrants pose particular challenges to the set goals, but also because they contribute to achieving these goals. European employment strategies can advance their goals through the mainstreaming of immigrants into these general policies and the development of policies to address specific immigration-related issues.

This chapter examines **DG Employment's European Employment Strategy (EES)** and **DG Enterprises' Ethnic Minority Entrepreneurs programme**. It describes and measures to what extent these strategies can be qualified as benchmarking and promote integration policy goals.

8.1. The European Employment Strategy

8.1.1. Planning

A new title on employment in the Amsterdam treaty in 1997 entrusted the European institutions with stronger roles and instruments to complement Member States, who possess the sole competence for employment policy. The subsequent EES operated as an **Open Method of Coordination (OMC)**, ensuring coordination of the employment policies in all the Member States based on a set of common objectives and targets. The EES underwent a 2002 impact evaluation and streamlining as well as a 2003 revision with new objectives and targets.

The EES's **main subject area** was best captured in the 2000 **Lisbon Strategy**, which aimed to make the EU the most competitive and knowledge-based economy in the world by 2010. This economy would sustain more and better jobs while maintaining greater social cohesion. Its 2005 revision stemmed from its failure to deliver on its targets, particularly related to slow growth, unemployment and lack of investment in research and development. The strategy was re-oriented towards growth and jobs as a precondition for delivering other elements of the strategy. This focus contains three underlying objectives: achieving full employment, improving quality and productivity at work, and strengthening social and territorial cohesion.

Where EES meets the Lisbon Strategy	
1997:	The European Employment Strategy (EES) launched at the Luxembourg Job Summit to make decisive progress against unemployment within five years.
2000:	March European Council sets Lisbon Strategy goals to achieve full employment, improve quality and productivity of work and strengthen social and territorial cohesion
	The EES' mid-term review assessed its five-year goal and examined the implications of the new Lisbon Strategy for future Employment Guidelines
2002:	Barcelona Council confirmed the EU's overarching full employment goal and encouraged a reinforced EES to underpin the Lisbon Strategy
	Following the Barcelona Council, the Commission adopted its communication on streamlining the EES
2005:	Mid-term review of the Lisbon Strategy proposes new start based on two goals of growth and jobs
	The EES and Lisbon's micro- and macroeconomic goals are synchronized within a common three-year governance

The complete revision of the Lisbon strategy also reformed the EES governance to maximise synergies and efficiency between national measures and Community action.

The unsettled structure of the EU's employment strategy complicates a retrospective evaluation of the EES as a benchmarking mechanism. Within its near ten-year existence, the EES has undergone re-structuring every two or three years, be it streamlining, impact evaluation, revision or incorporation. **The current strategic framework, which has offered resolution to this sense of uncertainty, has set a more intelligible and transparent OMC structure that can be evaluated according to benchmarking's steps.**

DG Employment and Member State employment officials are the main partners in the EES. **Private sector representative organisations and social partners** have participated in the consultation process. These organisations include the European industry and employers federation (UNICE), the European Trade Union Confederation (ETUC), Eurochambres, the European Crafts and small and medium-sized enterprises employers association (UEAPME) and other networks.

8.1.2. Mapping

The EES' mapping stage begins with the employment guidelines and joint employment reports, which identify the general areas of improvements and target groups for investigation. Within the EES Open Method of Coordination, the Commission proposes and the Council adopts integrated macro- and micro-economic guidelines every three years. The 2005 Spring Council agreed to the 2005-2008 Integrated Guidelines for Growth and Jobs, which contain Marco and Micro Economic Guidelines and the Employment Guidelines. The Employment Guidelines included 8 guidelines (numbers 16 to 23) and three key priorities. They are updated and amended every year with new areas of improvement and specific groups, in line with the Council's recommendations or with changing circumstances.

The further definition of areas of improvement and target groups is conducted by Member States. On the basis of these guidelines, Member States report on their employment policies in National Reform Programmes (NRPs), formerly known as National Action Plans (NAPs). Member State statistical bureaus employ their own national definition of a specific group with due regard to the board definition provided in the integrated guidelines,

The NRPs carry out the collection of national data and the mapping of specific and the policy situation. However, Member States hardly provide all the requested data, either because it goes unrecorded at the national level or unreported to the European level. It is worthy to note that NRPs rarely includes labour-market needs assessments. **The mapping stage is largely reliant on the will of Member States, whose national definitions of special groups and data collection efforts may hinder coordination.**

The mapping of policies and target groups may be **supplemented with comparable research** on employment policies and labour market trends from the European Employment Observatory (EEO). The EEO comprises networks of independent labour market experts as well as Member State labour market officials. The EEO publishes a review twice a year with consistent, up-to-date and comparable information on general trends. Each edition also concentrates on collecting and comparing information on a particular trend or special group defined by DG Employment. The EEO intends this information base to facilitate the development of the EES by DG Employment and Member States.

The Community may also pull employment statistics from the EU Labour Force Survey (EU-LFS). Since 1983, Member States have been compelled to conduct the quarterly EU-LFS on the basis of common definitions, nationality and country of birth classifications and

demographic, economic and social variables. National statistical institutions select the sample, conduct the direct interviews among households and forward the results to Eurostat for processing. Statistics on employment and unemployment in the future EU-27 countries have been available since 2001.

The limited resources for these two Community data sources do not remedy the NRP's gaps in available and comparable data that render mapping beneficiaries or policy situations difficult.

8.1.3. Analysis

The analysis stage is largely undertaken by the Commission, whose **Annual Progress Report (APR)** evaluates these annual NRPs and monitors the implementation of the guidelines. As part of the APR, the Commission may propose and the Council decide to issue **country-specific recommendations on national areas of improvement**. The Commission therefore examines Member State data on a case-by-case basis that avoids direct comparisons. Unofficial comparative scoreboards are prepared by a number of actors, from the Commission to thinktanks and NGO stakeholders([86]). Every year each Member State must also present an annual report on its NRP.

Targets play the core role in the EES' analysis stage. The most notable of these targets in the Guidelines originate from the Lisbon Strategy's call for a 70% employment rate by 2010 for the overall population as well as rates for special groups, such as women (60%) and the elderly (50%). Other specific targets address issues, such as access to training and retraining, an increase of the effective average exit age, the provision of childcare and a decrease in the percentage of school dropouts.

The Council Employment Committee's working group on indicators annually approves a **list of indicators**. The criteria employed to select indicators are policy relevance, clarity, statistical availability (preferably from Community sources) and a degree of comparability between Member States. Indicators are developed on two levels: *key (or primary) indicators* measure progress in relation to the objectives defined in the Employment Guidelines. *Context (or secondary) indicators* support key indicators by placing national policies and performance into perspective. These targets and indicators are incorporated into each new set of integrated guidelines. Each may be adjusted in the yearly joint employment report or the three-year guidelines.

Although the Commission strongly encourages Member States to set their own additional targets in line with the guidelines and identified special groups, the 2002 EES impact evaluation remarks that the use of target setting is not widespread. Inconsistent data delivery from Member States obliges the Commission to limit the design of common targets and indicators to a smaller number of more reliable quantitative measures. Additionally, the utility of identification, study and exchange of good practice may be questioned, when practices cannot be compared and evaluated.

Some Member States also conduct impact assessments within their evaluations. The 2002 EES impact evaluation observed that seven countries provide such analysis: Denmark, Finland, France, Germany, Spain, Sweden and the United Kingdom. **National targets and NRP impact evaluations do not figure prominently in the EES mapping structure.**

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[86] See the Centre for European Reform's annual Lisbon Scorecards
http://www.cer.org.uk/lisbon_comp_new/index_lisbon_comp_new.html or DG Enterprises' annual European innovation scorecard (EIS) http://trendchart.cordis.lu/tc_innovation_scoreboard.cfm.

8.1.4. Implementation

Criticism of the Lisbon's Strategy's implementation stage([87]) could also be levelled against the EES, where a greater sense of urgency, channels of accountability and stakeholder participation are needed.

The **search for and study of best practice** operates under an open, user-oriented mechanism of exchange of information and mutual learning among Member States. Community Incentive Measures allow the EU to support the Strategy's goals in Member States' employment strategies. Chief among these measures is the Mutual Learning Programme, where Member States themselves may exchange good practice and employment policies through peer review exchanges, broader thematic review seminars and awareness-raising activities. The mutual learning programme will be folded into the new PROGRESS programme.

For the Peer Review Programme, Member States submit proposals of good practice that must meet the approval of the Commission and the Council's Employment Committee. The country then hosts a peer review for the evaluation and dissemination of these good practices. Member State participants contribute reports on their national situation and consider the potential transferability of the identified good practice. These exercises are viewed as a critical step towards the implementation of EES objectives.

Another major programme area concerns Thematic Reviews, which are organised around one of four priorities: increasing adaptability of workers and enterprises, attracting more people to the labour market, investing more and more effectively in human capital and ensuring effective implementation of reforms through good governance. These topics are organised around seminars of key experts, policymakers and stakeholders, where Member State delegations present national achievements in these fields as the basis for further discussion. Other Mutual Learning programmes include synthesis reports and follow-up and dissemination activities to develop mutual learning networks.

8.1.5. Best Practitioners in EES benchmarking

Many of the criticisms of the EES and Lisbon Strategies in their own right and as benchmarking exercises boil down to questions of Member State resolve to learn, change and improve policies. Some Member State governments dread the political costs of reform that come with learning and applying lessons in the labour market. Likewise, some hesitate to develop robust indicators within the EES for fear of naming and shaming from stakeholders or ceding competence to Brussels.

For these reasons, critics and other stakeholders consider some national contributions to the EES non-transparent and judge the implementation of the EES to be uneven and unimpressive. Without mandatory implementation of NRPs or enforcement mechanisms against refractory Member States, the effectiveness of an OMC among non-learning organisations is open to discussion. **In this sense, the EES can be judged as a light and partial benchmarking exercise, where the questionable desire of some partners to learn and improve policies weakens the mapping, analysis and implementation stages.**

While the EES may not impose robust indicators or a common system of benchmarking upon Member States, it provides an **excellent structure and array of machinery for individual Member States to pursue loose benchmarking systems at the EU level. A benchmarking**

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[87] Ian Begg, "Lisbon relaunched: What has changed? Is it working better?" (Special CEPS Reports; Brussels, 2006) 41-42.

analysis of the EES cannot overlook the great potential that arises from the currently 'partial' benchmarking exercises.

Despite the reticence of some Member States, a leading group of others has been activated by the EES. These Member States establish specific definitions, regularly provide thick datasets, identify areas of improvement, set quantitative targets over time, engage in peer reviews and implementation measures, take action on Commission recommendations and conduct impact evaluations. The EES has offered these active Member States the methodology and toolbox to benchmark as well as the platform to exchange policies together as partners. The evaluation section on immigrant inclusion in EES benchmarking will flag these active partners and lay bare their achievements.

8.2. Immigrant integration in the EES

8.2.1. Planning

Article 127 of the Amsterdam Treaty introduced the concept of mainstreaming, whereby the EES should take into account the employment impact of all community policies. The Commission's January 14 2003 Communication on the Future of the EES reinforced this principle with regard to immigrants, who it argued must likewise be better considered in EU employment coordination strategies.

The employment guidelines for 1999 first identified this **subject area**, with the introduction of a separate guideline on disadvantaged groups. **Guideline 9 set the goal of the integration of disadvantaged groups and individuals into the labour market, including the disabled, ethnic minorities and other groups.** The Commission significantly expanded this guideline in 2001 to include migrant workers, cover the combat against discrimination and substitute 'disadvantaged groups and individuals' with 'the promotion of social inclusion.' The 2003 Communication on the Future of the EES qualified that this integration into the labour market must be 'sustainable.'

8.2.2. Mapping

The different sets of guidelines and joint employment reports have set areas of improvement and targets of varying scopes. **The prioritising of immigrant inclusion therefore appears in waves of intensity**, with a rather heavy focus in 2003 and 2004 preceded and followed by rather sparse treatments in the periods of 2002 and 2005-2008.

The 13 February 2002 Commission Action Plan for skills and mobility established four goals to expand occupational mobility and skills development. Immigrants (defined as TCNs) and ethnic minorities were mainstreamed into two of these goals and targets:

- Intensify support for integrating disadvantaged people, including ethnic minorities and immigrants, into the education and training system
- Ensure access to lifelong training for all, particularly workers from disadvantages or minority groups

The 2003 Communication on the Future of the EES expanded on these two points to incorporate more targets and a disaggregate approach to immigration and gender, age, mother tongue and education. The target group was expanded from just third-country nationals to also include first and second generation youth:

- Access to training and employment services to increase labour market participation and reduce unemployment by 2010
- Develop sanctions and preventative measures to turn undeclared work into regular employment
- Closer monitoring of EU labour market needs
- Increased job mobility for third-country nationals
- Exchange of information and peer review for the promotion of employment incentive measures, the recognition of skills and diplomas, entrepreneurship among first and second generation youth, barriers to integration in the labour market, local employment strategies, language training for professional purposes including fast-track schemes

The 2003/2004 joint employment report proposed a more compact set of five targets to guide the actions of the employment task force, Member States and the social partners. Here the target group consists of third-country nationals, with focus on one sub-group, immigrant women:

- Greater participation of third-country nationals in education and training programmes for integration into the labour market
- Develop measures to combat discrimination in the workplace
- Incorporate the needs of immigrant women into strategies
- Promote immigrant business creation
- Improve the recognition of qualifications and competences acquired abroad

The current edition of Integrated Guidelines is less elaborate than its predecessors. Guideline 19 of the current 2005-2008 Integrated Guidelines pertains to immigrants; "ensuring inclusive labour markets, enhancing work attractiveness, and making work pay for job seekers, including disadvantaged people and the inactive." Non-EU nationals are targeted as a specific disadvantaged group. The guidance is broken down into a more detailed explanation, which stresses that the national labour markets must give full consideration to the potential additional labour supply resulting from immigration of non-EU nationals.

Figure 8(a) compares the impediments to economic participation identified in Chapter V with the areas of improvement identified in the 1999 to 2005-2008 Guidelines. The EES Guidelines have aimed to address some of the impediments, although only labour market participation/reduce unemployment, the recognition of skills and diplomas and access and participation in training have appeared repeatedly.

Figure 8(a) Translating Integration Impediments into EES Guidelines - Areas of Improvement	
Report's Impediments to Economic Participation	EES Guidelines - Areas of Improvement on Integration
Non-discrimination	
* access to employment for all	
* access to public sector employment	
* access to welfare benefits	
* non-discrimination in the job hunt	* combat discrimination in the labour market (2001)
Dignity	
* transparent, timely and affordable procedures	
* security of residence and work status	
* recognition of skills and qualifications	* recognition of skills and diplomas (2003, 2004)
* fair work conditions	* turn undeclared work into regular employment (2003)
* respect for diversity in the workplace	* combat discrimination in the workplace (2004)
* access to benefits for elderly immigrants	
Development	
* mobility within the labour market	* increase job mobility for TCNs (2003)
* career guidance and job lifelong and language training	* access to and participation in training (2002, 2003, 2004)
* specific needs of immigrant entrepreneurs	* promote immigrant business creation (2004)
Participation	
* unemployment gaps	* increase labour market participation and reduce unemployment (2003, 2004, 2005-2008)
* labour market situation of immigrant women	* incorporate needs of immigrant women (2004)

Target groups in EES guidelines tend to be defined **ambiguously** and refer **interchangeably** to ethnic minorities, immigrants and TCNs. For the purpose of this chapter, references to 'immigrants' encompass the entire breadth of EES references, including ethnic minorities and third-country nationals. The definition process becomes more confused as Member States select their own national definitions from these generally recommended definitions of disadvantaged groups. Disaggregations of immigrants appear rarely.

The definitions in Member States' NRPs address disadvantaged groups in either a very narrow or broad manner. Whereas Austria, the Netherlands and the United Kingdom do or once provided information on 'ethnic minorities,' Belgium, Denmark, Spain and Sweden speak of as 'immigrants' and Finland and Germany of all 'foreigners.' Furthermore, some countries sub-divide these definitions to distinguish between low and medium qualified immigrants as in Denmark or immigrants from inside or outside the EU/EEA as in Sweden. Yet only this last definition from Sweden corresponds to settled EU definitions of third-country nationals as the target group for integration policies. France, Italy, Luxembourg, Portugal and Slovakia use or have used the more ambiguous term of the 'socially excluded,' which tends to focus on the disabled. In the 2004 NAPs and the 2005 NRPs, 15 of the EU-25 countries do not provide a definition of disadvantaged groups.

The indistinct definitions provided in the guidelines and NRPs do not cover all categories and disaggregated groups of immigrants that are relevant for benchmarking economic participation. The NRPs target groups are left too open to interpretation and rule out any comparative assessments and exchange.

Data collection by the national employment agencies on immigrant integration into the labour market has been scarce, inconsistent and not comparable. The 17 July 2002 Impact Evaluation of the EES provided a rather scathing review of statistical gaps on immigrant inclusion that persist in the EES' current form.

When data is even reported, the question of comparability arises. Five of the 2004 NAPs provided information on the total unemployment rate of non-EU nationals based on their national definitions. This figure worsened in the 25 2005 NRPs, where only the United Kingdom reported this statistic. In addition to the UK, three other countries (Finland, the Netherlands and Sweden) supplied the employment rate and Sweden included similar figures on the inactivity rate. **This severe lack of reported data and inconsistencies over time undermine any individual assessments, let alone comparisons.**

DG Employment attempts to fill these enormous gaps in Member State data collection by drawing on Community statistics. Data from the EU-LFS is commonly disaggregated by age, economic activity, education, gender and occupation. Information on nationality or country of birth is occasionally and only partly provided. The Commission's 29 September 2006 indictors for monitoring the Employment Guidelines compendium drew on the Labour Force Survey's statistics on non-EU national unemployment rates to supplement the Member State figures, which were only provided by the UK. All the same, the EES monitoring indicators still lacked statistics from eight Member States (Hungary, Italy, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia). The Labour Force Survey therefore represents an occasional and incomplete instrument that suffers from enduring problems of national definitions, national statistical reporting and comparability.

The European Employment Observatory is another alternative albeit limited Community source for Member State labour market statistics on immigrants. Whilst the EEO does not incorporate immigrants into its reviews, its Autumn 2003 edition contained a thematic report on immigrant workers on the EU-15 countries, except the UK. Each chapter provided detailed overviews and elaborate datasets on participation, employment, unemployment, naturalisation rates and mappings of immigrant workers disaggregated by education, sector and status. Some chapters provided additional statistics on age (youth), gender, income, social assistance and training rates. Data from Denmark also compared statistics over time. Nevertheless, a lack of subsequent updates makes these figures outdated and thus not comparable.

EES data collection arrangements on immigrant integration from Member State or Community sources are therefore neither complete nor comparable nor reliable over time.

8.2.3. Analysis

No EES targets specifically relate to immigrant integration. Just as target setting is generally not widespread among Member States, so too is **target-setting even more rare on the topic of the labour market inclusion of immigrants.** The 2001 Employment Guidelines **called for Member States to use national targets for disadvantaged groups.** The 2002 EES impact evaluation pointed out that only three Member States (Denmark, the Netherlands and the United Kingdom) set targets for ethnic minorities. Denmark set the target of raising the participation rate through 25,000 new jobs for immigrants. The Netherlands set the target of a 54% employment rate among ethnic minorities by 2005. The United Kingdom put forth a pledge to 'close' the gap between overall and ethnic minority employment rates.

In 2003/2004, the number of national targets slightly increased from 3 to 6 (BE, DK, FR, IE, NL, SE). The Netherlands maintained its target, while the Danish target shifted to 3.5% of

state employees as non- European or North American immigrants or descendents. The Flemish community of Belgium set the target of 2,000-5,000 extra jobs. Ireland concentrated on the education rate of Travellers. France's target did not concern labour market inclusion per say; it aimed for 90% of targeted immigrants to sign an integration contract by 2005.

In the most recent 2005/2006 joint employment report, only Denmark put forward a target related to immigrants: its former 2001 target of 25,000 new jobs for immigrants and refugees.

Currently only two indicators refer to immigrant integration. One of them is the same key indicator as mentioned in Chapter VII: the **unemployment rate gap** between EU nationals and non-nationals. This key indicator is complemented by a secondary (context) indicator derived from national sources, which should establish **labour market participation gaps for disadvantaged groups. These two quantitative outcome indicators do not measure the breadth of areas of improvement identified in the guidelines.** They arbitrarily measure what is readily available from the narrow national data, rather than what is pertinent for immigrant inclusion and anti-discrimination policies in the labour market.

The likelihood of new targets or indicators on immigrant integration is slight within the current EES approach. Some critics fear diminishing the implementation will of Member State governments who are seeking to avoid new political commitments([88]). Indeed, the most recent 2005/2006 Joint Employment Report on More and Better Jobs confirmed that these targets, indicators and benchmarks will remain unchanged at present in order to prioritise the implementation of the current guidelines. Any new targets, indicators or benchmarks that incorporate immigrant integration should not be expected until at least 2008.

To what extent is immigrant integration addressed in the most recent National Reform Programmes? A number of Member States outline the future importance of immigration in sustaining their labour markets in the future. However, **acknowledgement of the challenge of integrating immigrants, a big issue in recent NRPs for inclusion, is not evident in the NRPs.** In its review report of the new 2005 NRPs, the European Anti-Poverty Network (EAPN) especially highlights the lack of reference to discrimination([89]). In the Belgian, German, Danish, Swedish, Irish and UK reports discrimination was only addressed in the context of labour market integration, which is according to EAPN too limited.

In years past, **country-specific recommendations on immigrant integration** have been issued to Austria, Denmark, Finland, Germany, the Netherlands, Portugal, Spain and the United Kingdom, which largely corresponds to the list of countries that report statistics on immigrants, foreigners or ethnic minorities. These recommendations are either of a general (active labour market inclusion measures and incentives) or specific (focus on immigrant youth participation, monitor impact of reforms, etc) nature.

The 2006 Annual Progress Report used EU-wide rather than country-specific recommendations. The ARP stressed the need to target specific groups, such as immigrants, through comprehensive action on anti-discrimination and labour market integration.

8.2.4. Implementation

The exchange of good practice and implementation measures on anti-discrimination and the inclusion of immigrants into the labour market within the EES have been minor.

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[88] See footnote 87, page 176.
[89] See EAPN, "Back to the Future? An EAPN assessment of the Implementation Reports on the NAPs Inclusion," (Brussels, 2005) 15-17. See most recent, EAPN, "Making Lisbon deliver for people experiencing poverty: EAPN response to 2006 Implementation Reports on the National Reform Programs," (Brussels, 2007).

The Irish Department of Enterprise, Trade and Employment hosted a June 2005 Peer Review on 'Increasing labour supply through economic migration.' The peer review drew together 12 countries, including non-EU Bulgaria, Norway and Turkey. National delegations and independent experts examined one immigrant in the 2005-2008 guidelines, immigration as an additional labour supply. They mapped national policy situations on managing migrant flows, work permits and public debates. These reviews were conducted in comparison to the Irish good practice, whose booming economy and questionable longer-term sustainability were emphasised by other Member States sceptical of transferability. Few contributions tackled the labour market inclusion of immigrant stocks or anti-discrimination measures.

Among all the activities of the Mutual Learning programme, this **one peer review programme** addressed only tangentially the specific goals of immigrant inclusion in the labour market and anti-discrimination. This represents one programme out of the reported 47 peer reviews, five thematic reviews, nine follow-up/dissemination networks and three synthesis reports from 1999 to 2005. **The EES pays little attention to the implementation of its immigrant inclusion goals or to the promotion of benchmarking communities.**

8.2.5. Best Practitioners in benchmarking immigrant integration in the EES

The partial inclusion of immigrants in EES structures and limited resolve of some Member States has not diminished the benchmarking of immigrant labour market inclusion by some active Member States. A review of the previous section demonstrates commitments and contributions to many of the benchmarking stages from **six Member States, Belgium, Denmark, Ireland, the Netherlands, Sweden and the United Kingdom and to a lesser extent Finland and Germany.** These countries provide **clear definitions** of immigrants as a specific disadvantaged group. Some of these countries provide **regular and disaggregated data** on immigrant labour inclusion. This group of six has, at one point or another, **set targets and reported on their results**. Most conduct **regular impact evaluations**, take Commission recommendations into account and participated in Ireland's **peer review**.

Denmark stands out as a benchmark for an active commitment to benchmarking integration within the EES. Denmark has engaged in most steps from definition to data collection, impact evaluation, target setting and reporting and identifying areas of improvement. Moreover, Denmark is the only Member State to provide a largely constant target since the 2001 Employment Guidelines' call for national targets on disadvantaged groups.

The Danish Ministry of Refugee, Immigration and Integration Affairs has paired this target of 25,000 new jobs for refugees and immigrants with benchmarking initiatives on the municipal level. The 2006 publication, <u>Benchmarking analysis of Danish municipalities</u>([90]), developed an indicator for integration success based on the duration of time from when immigrants receive Danish residency until they find employment. The indicator used a differentiated target group definition that considered gender, residence status, country of origin, age, marital and family status, health, language skills, socio-economic background, etc. The rather imprecise indicator (based on limited information, short time-period and small sample) provided a ranking of municipalities as a starting point for further qualitative research on the differences between the integration policies of high and low-scoring municipalities.

These Member States, with Denmark in the lead, can be qualified as active partners in systems of benchmarking immigrant inclusion within the constraints of the EES structure.

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[90] Husted, Leif and Heinesen, Eskil, Benchmarking Analysis of Danish Muncipalities' Integration Policies in the period of 1999-2003, Report, February 2006 http://www.akf.dk/udgivelser_en/container/udgivelse_1976/.

8.3. Ethnic Entrepreneurship

8.3.1. Planning

The European Commission Directorate General on Enterprise has decided to consider one particular aspect of immigrant inclusion in the labour market: self-employment. Since most employment policies conceive of third-country nationals as migrant workers, ethnic minority entrepreneurs, their contribution and their unique challenges remain uncharted territories.

The third multi-annual programme for small and medium-sized enterprises in the European Union 1997-2000 proposed the development of measures and initiatives to address the needs of small enterprises and specific target groups of entrepreneurs. The programme identified ethnic minorities as one of these target groups and set in motion a programme on ethnic minority entrepreneurship.

The programme set out on a process that loosely followed the initial benchmarking stages in planning and mapping.

The 2004 Commission Action Plan on the European agenda for Entrepreneurship([91]) gave some shape to this programme, with ethnic minorities appearing on its agenda. **Key action 5 of the Action Plan sets the main goal for this programme as the provision by the Commission and Member States of tailor-made support for women and ethnic minorities.** DG Enterprise would apply to ethnic entrepreneurs the methodology of its well-established efforts for another mainstreamed target group, female entrepreneurs. The process would rely on the **identification and evaluation of policy measures and good practice** in order to encourage ethnic entrepreneurs. DG Enterprise also ambitiously declared its support the **active involvement of their representative bodies in new policymaker networks** to stimulate EU, national and regional dialogue.

The programme on ethnic minority entrepreneurship has been coordinated **under DG Enterprises' Multi-annual Programmes** (1997-2000, 2001-2004, 2004-2007). Within these three multi-annual programmes over ten years, the programme has amounted to two studies, a pilot project, a conference and one permanent network.

As concerns the **involved partners**, DG Enterprise placed a few civil servants in change of the promotion of ethnic entrepreneurship. On request, Member States have occasionally contributed local, regional and national authorities responsible for the field. Other expert organisations and academics have also participated in consultations.

The programme sought out **organisations that provide support services for small business or representatives of their interests.** These business support service providers ranged from general to specific support and membership organisations. Regardless of whether they had already developed specific support programmes for ethnic entrepreneurs, business support service providers represented the main partners and beneficiaries. Ethnic entrepreneurs, listed as the other beneficiaries and important partners in consultations, primarily serve as 'success stories' in the search for best practice.

Key Action 5   high standards of inclusiveness are implemented in consultations of a narrow sample of stakeholders and with a loose and infrequent coordination structure.

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[91] COM(2004) 70 final.

8.3.2. Mapping

The mapping stage began with the so-called 1998-2000 Middlesex Study, which was conducted by the Centre for Enterprise and Economic Development Research (CEEDR) at the Middlesex University Business School in the United Kingdom in association with other research partners([92]). Middlesex and its partners carried out the study in the EU-15 along with six Central and Eastern European countries: Bulgaria, the Czech Republic, Estonia, Hungary, Poland and Slovakia. The study consisted of a questionnaire survey of business support and representative organisations in the 21 countries. The survey was supplemented with some insights from a series of case studies of sixty entrepreneurs from the four target groups in Estonia, Germany, Greece, Poland and the United Kingdom. The ethnic entrepreneur case studies included a Turkish entrepreneur operating a language school in Germany, a Vietnamese self-employed in Poland and a Nigerian wholesale ethnic food supplier in the United Kingdom.

The study mapped these **business support service providers as the main beneficiaries**. The data pointed to a lack of special arrangements for ethnic minority entrepreneurs in the vast majority of responding organisations. 22% of the general organisations supplied some degree of support. 23 business support service providers identified ethnic entrepreneurs as their exclusive client base. The group involved ten organisations in the UK, eight in the Netherlands, two in Germany and one in Denmark, France and Luxembourg.

The study and subsequent datasets from DG Enterprise have **not provided detailed or comparable information on ethnic entrepreneurs themselves**. DG Enterprise does not publish quantitative data on the stock or increases in immigrant business in the EU-25. Its website takes note of some evidence of the impact of ethnic entrepreneurs and a higher percentage in two Member States of ethnic entrepreneur than national start-ups.

The Observatory of European SMEs, established to improve the monitoring of the economic performance of SMEs in Europe, has not been tasked to collect comparable Community statistics on ethnic minority businesses. DG Enterprise should engage the well-respected Observatory and its network of researchers, economists and SMEs to provide comparable Community-wide data on ethnic minority entrepreneurs, their business service providers and national support schemes.

Available DG Enterprise data characterises ethnic enterprises as a very small proportion of the membership or client base of most business support organisations, although two-thirds of organisations could not provide ethnic breakdowns of their membership. The 2000 study generally characterised them as a heterogeneous group of micro-enterprises that tend to concentrate in immigrant communities, low-entry threshold activities and niche markets based on word-of-mouth.

The Ethnic Entrepreneurship programme relies mainly on qualitative data collected in the questionnaire to identify impediments and areas of improvement. The study listed the major impediments perceived by those 23 specialist organisations, including:

- Problematic access to start-up and business development finance
- Perceived discrimination by financial institutions and support providers
- Language difficulties with administrative and regulatory requirements

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[92] Centre for Enterprise and Economic Development Research (CEEDR), "Young Entrepreneurs, Women Entrepreneurs, Co-Entrepreneurs and Ethnic Minority Entrepreneurs in the European Union and Central and Eastern Europe," Middlesex University Business School, United Kingdom, July 2000
http://ec.europa.eu/enterprise/entrepreneurship/craft/craft-studies/entrepreneurs-young-women-minorities.htm.

- Limited skills and experience in business and management and marketing issues
- Limited scope for breakouts and diversification into mainstream markets

The specialist business service providers were asked to translate these impediments into areas of improvement for ethnic minorities entrepreneurship:

- Start-up grants and specific finance and growth programmes
- Loan funds and equity funds specifically aimed at ethnic entrepreneurs
- Low-cost start-up loans
- Access to loan guarantees
- Targeted advisory services
- Anti-discrimination legislation
- Networks of entrepreneurs and mentors

The mapping of the policy situation has concerned the private-sector service provision that could be supported by the state. The 2000 Middlesex study considered the range of private-sector actors, their concentration per country and the depth of their interventions. 22% of all organisations provided some services to ethnic entrepreneurs, including training, advice and counselling for owners and managers, start-up programmes, support programmes to develop networks and special financial support in the form of micro-credit and targeted support initiatives. The 23 specialist organisations additionally acted as lobbyists/representatives and research providers. The second study to be completed by September 2007 will cover public interventions and map national measures and support schemes.

8.3.3. Analysis

Although the ethnic entrepreneurship's process adheres to some of the core steps of benchmarking, these steps do not ultimately lead to benchmarking in the analysis and implementation stages.

The ethnic entrepreneurship programme has so far not used this qualitative and rather general data to conduct policy impact assessments or set standards and policy targets. The absence of standards or policy targets does not secure the programme the reference points to suggest actions on the provision of tailor-made support. A lack of analysis instruments in the current and publicly projected state of the programme inhibits the realisation of DG Enterprises' call for common measures and initiatives.

Rather, the 2000 study provided some **general and specific recommendations** for EU action with respect to ethnic minority entrepreneurs.

General recommendations:
- Raise awareness at all levels on the possibilities of entrepreneurship and existing EU support programmes
- Promote the development of tailor-made local support services and the recruitment of staff from these target groups
- Facilitate the international exchange of good practice
- Support further research and data collection to inform and monitor policy

Specific Recommendations:
- Increase access of ethnic minorities to mainstream support provision, including existing EU support programmes

- Increase access to finance through loan guarantees and micro-credit schemes as well as strategies with mainstream financial institutions
- Support ethnic minority development in new sectors of activity
- Network initiatives to build local capacity

DG Enterprise has chosen to reinforce these recommendations through the further identification of impediments. The study formed basis of what was called a European platform, which was activated with the 26 June 2003 European Conference on Ethnic Minority Entrepreneurs. Participants included ethnic minority entrepreneurs, representative organisations, European professional organisations and administrators from all levels of governance. The participants discussed impediments concerning isolation and breakout strategies, involvement in the political process and access to finance and support services.

8.3.4. Implementation

The **search for good practice** was initiated by the "Ethnic Minority Business Network" (EMBNeT), a DG Enterprise 1998-2000 pilot project led by the Swedish Association of Ethnic Entrepreneurs (IFS) and also managed by the Migration Policy Group and London Enterprise Agency. EMBNeT identified good practice for the development and expansion of ethnic minority business through a trans-European multi-sector exchange network([93]).

This exchange network was formalised with the creation of the Ethnic Minority Entrepreneurs Network in 2004. The exchange of good practices on immigrant entrepreneurs concerns national public officials and their administrative practices, researchers

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Supplier Diversity Europe: addressing breakouts and diversification of ethnic minority enterprises into mainstream markets

Supplier Diversity Europe, a project managed by the Migration Policy Group, addresses the impediment of **'limited scope for breakouts and diversification into mainstream markets'** that was identified by the 2000 Middlesex study. **The project aims to ensure equal opportunities for under-represented businesses, such as ethnic minority-owned, women-owned and disabled people-owned businesses, to bid for business contracts and procurement opportunities with the public and private sectors.** It raises awareness of the potential of a more diverse pool of suppliers and facilitates their business growth, strengthens overall economic growth and expands multinationals' and large public bodies' markets. Supplier Diversity often forms part of a company's approach to diversity and equality as an integral component of a Corporate Social Responsibility programme.

Supplier Diversity Europe builds relationships with under-represented suppliers and encourages utilisation of these businesses where opportunities exist. It ensures equal opportunities by facilitating, educating and advocating equality in procurement practices, and by increasing public and private sector involvement with under-represented businesses.

Supplier Diversity Europe is a pioneering initiative that promotes this concept in Europe. The concept of Supplier Diversity is well established in the US, where it is also backed by legislation. The aim of this European programme is to develop the concept within a European context. Supplier Diversity Europe is membership driven and European based. Member companies and public bodies are working on this project in several European countries including the UK, Germany, France, Sweden and the Netherlands. So far, twenty

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[93] See The Swedish Association of Ethnic Entrepreneurs (IFS), Ethnic Minority Business: the future of economic growth, (Stockholm, 1999) www.ifs.a.se.

and their studies on good practice as well as stakeholders and their recommendations. Meetings of the Ethnic Minority Entrepreneurs Network have flagged trans-European research and data on impediments, areas of improvement and recommendations.

According to its mission statement, the network serves as interlocutor with the European institutions and as a central link with other European networks. The network intends to establish a national contact directory, promote public awareness, and **engage in benchmarking**. These ambitious objectives offer it high potential to act, if its overstretched resources can deliver on this mandate.

Lastly, the 2007 Facet-IMES-EMN study may also represent a more intense mechanism for the search for and study of good practice.

Since 2000, DG Enterprise has identified three examples of good practice. The 2000 study identified one two-year Dutch project entitled Inside Out, which offered training for local advisors to migrant-owned business. The conference studied two other examples of good practice, the Swedish Association of Ethnic Entrepreneurs and the Business creation through immigration initiative in France. The study of best practice has been carried out through short write-ups and the conference discussion of this handful of examples.

Monitoring of the implementation of DG Enterprise's 2004 Action plan, including Key Action 5 on ethnic minority entrepreneurs, was carried out in a 2005 progress report and a 2006 final implementation report. The 2005 progress report labelled the work on ethnic minority entrepreneurs "in progress", with the launch of the tender for the 2007 study. The final implementation report in 2006 highlighted that DG Enterprise had successfully delivered on 90% of the sub-actions. Ethnic entrepreneurship received the same "in progress" status, with the signing of the study contract. The study would culminate in a second conference on results and exchange of good practice and meetings with national experts in late 2007.

Integrating immigrant entrepreneurs outside DG Enterprise

Other EU actors have given increased consideration to immigrant entrepreneurship. The 2006 second edition of the Commission's handbook on Integration raises awareness of the vital importance of ethnic minority business to Europe's entrepreneurial culture and job creation. The handbook dedicates a number of 'Economic Integration' conclusions to immigrant entrepreneurship, which reinforce the aforementioned areas of improvement:
- Start-up grants and specific finance and growth programmes
- Targeted advisory services
- Networks of entrepreneurs and mentors

The handbook calls for immigrant businesses to be included in supplier lists, which addresses the impediment of limited scope for breakouts and diversification into mainstream markets.

The handbook contributes two Italian examples of good practice in access to banking and credit services. The CBB (Banche di Credito Cooperativo), a network of cooperative and agricultural credit banks, services 145,000 immigrant-owned businesses that value the personal service and advice given by branch staff, for instance on credit allocation. Likewise, the BCC Trevigiano, together with the municipality of Castelfranco Veneto, operates a micro-credit initiative for individual migrants seeking to start business activities. One million euros are available for loans with ceilings of 6,000 euros, low interest rates of 2% and no guarantee requirements.

These two examples fulfill the 2000 Middlesex study's recommendations to promote tailor-made local support services and the recruitment of staff as well as to increase access to finance through start-up grants and micro-credit options with mainstream financial institutions.

Conclusions for the EES

- The EES has incorporated the subject area of integration of immigrants and ethnic minorities since 1999 and expanded on this goal throughout its guidelines
- These guidelines have aimed to address some of the impediments identified in Chapter V, although only participation/ unemployment rates, the recognition of skills and diplomas, and access and participation in training have appeared repeatedly
- The EES data collection arrangements on immigrant integration are neither complete, comparable nor reliable over time
- No EES targets specifically relate to immigrant integration. Despite calls for national targets for disadvantaged groups, target-setting on the labour market inclusion of immigrants remains rare
- The two indicators, unemployment and participation rates for non-EU nationals, serve as narrow and quantitative measures of the implementation of the EES' integration goals
- Most NRPs do not acknowledge the serious integration impediments to economic participation
- The EES' exchange of good practice and implementation measures pay little attention to the promotion of benchmarking communities on immigrant inclusion and anti-discrimination
- The best practitioners on benchmarking immigrant integration within the EES regularly use clear definitions, collect consistent and disaggregated data, set and report on national targets, conduct regular impact evaluations and participate in peer reviews

Recommendations

- Anti-discrimination and immigrant labour market inclusion should be mainstreamed into EES data collection, target setting, analysis programmes and monitoring
- The EES' guidelines should flesh out a more thorough list of areas of improvement. DG Employment may consult its own 2003 Communication on the Future of the EES and its 2003/2004 joint employment report for guidance (i.e. enhance access to tailor-made training and employment services, turn undeclared work into regular employment, increase job mobility, develop workplace anti-discrimination measures, address the needs of immigrant women, etc)
- The APR should be more assertive in identifying the reporting gaps in Member State NRPs on the topic of immigrant labour market inclusion and non-discrimination
- Non-EU nationals should be mainstreamed into Community data sources, such as the quarterly EU-LFS, the bi-annual EEO review and periodic Eurostat surveys. A wealth of national and expert data sources will diminish many of the statistical gaps that currently hinder the most elementary of mapping and analysis exercises
- The 2008 guidelines should set a target to close the employment gap—a 70% employment rate for non-EU nationals by 2018. An EU-wide target would prove that immigrant integration is considered as vital as gender and age mainstreaming to the well-being of competitive, innovative and socially cohesive economies
- This main target should be accompanied by quantitative indicators for disaggregated groups of non-EU nationals (women, youth, elderly, etc) and other input indicators on the tailor-made training services, the use of labour market needs-assessments, etc.
- The use of country-specific recommendations on immigrant inclusion should intensify and focus on Member States other than the 'usual suspects'
- DG employment should maintain these targets and indicators over time, so as to ensure a comparable, consistent and effective implementation
- More integration stakeholders should be mobilised in the implementation stage

- The Mutual Learning programme should prioritise the mainstreaming of anti-discrimination and the labour market inclusion of immigrants
- Within the Thematic review, job mobility and undeclared work should be taken up under the 'adaptability of workers priority,' incorporating barriers to integration under the 'attracting more people into the labour market' priority, youth entrepreneurship, language training and the recognition of skills and diplomas under the 'human capital' priority and the local immigrant employment strategies under the 'better governance' priority
- The Commission should highlight 'good practitioners' of EES benchmarking and encourage these active partners to share their experiences with others

Conclusions for Ethnic Minority Entrepreneurs

- DG Enterprise's Ethnic Minority Entrepreneur programme has set out on a process that loosely followed the initial benchmarking stages in planning and mapping
- The consultation of experts and the commission of studies over time does provide for data collection and the mapping of the beneficiaries and policy situation
- The impediments and areas of improvement, which the 2000 study did and the 2007 study will identify, are not however translated into indicators or benchmarks
- The programme contains the basic mechanisms for the search for, identification and study of good practice, such as studies, conferences and networks
- The monitoring scheme of the DG Enterprise's progress and implementation reports are measurable, transparent and public
- Benchmarking represents one of the core objectives of DG Enterprise's Ethnic Minority Entrepreneurs Network
- In terms of benchmarking, the ethnic entrepreneurship programme may be characterised as full at its start, but light and incomplete at the present

Recommendations

- In a field like ethnic entrepreneurship of increasing political interest, public and private organisations have demonstrated a marked willingness to learn and improve. The current DG Enterprise programme has the objective and basic structure to facilitate the former. The adoption of analysis and action instruments has a high potential to foster the latter through what then could be qualified as a full and intense benchmarking exercise
- The Programme should focus more on ethnic minority entrepreneurs as beneficiaries. The mapping of beneficiaries should be supplemented with quantitative statistics, which should be collected over time as business providers begin to collect data on the composition of their membership
- Ethnic minority entrepreneurs should considered in the reports of the Observatory of European SMEs as an either one-time or preferable permanent area of investigation
- DG Enterprise could use the Ethnic Minority Enterprise Network much more frequently and bolster its instruments so as to intensify benchmarking and mutual learning through visits, peer reviews and personnel exchanges
- DG Enterprise, in consultation with national policymakers and stakeholders, should select recommendations from the 2000 and upcoming 2007 study to set the standards, policy targets, benchmarks and common measures. Follow-up questionnaires could provide qualitative and quantitative data to assist the development of indicators and benchmarks
- Budgetary schemes should augment resources for Member State implementation and monitoring measures on ethnic minority entrepreneurs

CHAPTER IX. BENCHMARKING SOCIAL COHESION

Both the Council of Europe and the European Union have taken up the promotion of policies to reinforce social cohesion in increasingly diverse European societies. Since the launch of the Lisbon Strategy, the EU has assembled new mechanisms to tackle these challenges. The intersection of immigration and social cohesion emerged within the Social Inclusion Strategy and the current Open Method of Coordination on Social Protection and Social Inclusion (OMC/SPSI). The EU approached social cohesion in diverse societies from the perspective of the combat against social exclusion and poverty. Each year, the Commission and Member States have used these mechanisms to direct increased attention to immigrants, who are framed as a group vulnerable to social exclusion and poverty. Compared to other disadvantaged groups such as the elderly or women, **the unique risks of poverty and social exclusions facing immigrants had been and perhaps still are largely overlooked.**

This chapter first describes the policy exchange and mutual learning machinery of the OMC/SPSI and assesses to what extent its structure satisfies the specific stages of benchmarking. It then analyses how immigrants (and distinct groups of immigrants) are incorporated into its structures and how useful the OMC/SPSI is for benchmarking immigrant integration policies.

9.1. The Social Inclusion Strategy

9.1.1. Planning

The OMC/SPSI embarks on many of the initial benchmarking stages, with an **identifiable lead agency, defined policy goals, network of partners and clear cooperation structure.**

DG Employment, Social Affairs and Equal Opportunities has headed the European Union's strategy on social inclusion. The **subject area** was set out in the 2000 Lisbon summit's call for "greater social cohesion" in the European Union, with social exclusion and poverty identified as the two greatest impediments. The European Council asked for Member States and the Commission to undertake a social inclusion strategy with the **central goal** of eradicating poverty by 2010.

Ever since 2001, Member States have coordinated their policies on social inclusion on the basis of an OMC process of policy exchanges and mutual learning. In 2003, the Commission proposed to streamline the OMC on the eradication of poverty and social exclusion together with two other separate policy areas, the provision of pensions and of long-term care.

The Commission intended this combination to better integrate the EU's social inclusion, health and pension strategies within the Lisbon process and particularly the European Employment Strategy (EES). The Commission, along with Member States and involved NGOs, aimed for a streamlined OMC with greater effectiveness, visibility and linkages with other policy fields and actors. As of 2006, these three stands were incorporated into a new OMC called the Social Inclusion and Social Protection strategy (OMC/SPSI), whose time schedule was synchronised with the EES. **Three common objectives** in the OMC/SPSI apply to all three strands on social inclusion, health and pension policies:

- To promote social cohesion, equality between men and women and equal opportunities for all through adequate, accessible, financially sustainable, adaptable and efficient social protection systems and social inclusion policies;

- To promote effective and mutual interaction between the Lisbon objectives of greater economic growth, more and better jobs and greater social cohesion and the EU's Sustainable Development Strategy;

- To promote good governance, transparency and the involvement of stakeholders in the design, implementation and monitoring of policy.

Three more detailed objectives have been defined for each strand of work. The three additional objectives on poverty and social exclusion consisted of:

- Equal access to resources, rights and services needed for participation in society and the prevention of exclusion and all forms of discrimination

- Active social inclusion through participation in the labour market and the combat against poverty and social exclusion

- Coordination and active involvement of all levels of government and relevant actors in social inclusion policies, which should also be mainstreamed into all relevant public policies, notably structural and European Social Funds programmes

The objectives are complemented by commonly agreed **'key priorities'**. The 2006 and most recent Joint Report highlighted the following seven priorities:

1. Increasing labour market participation
2. Modernising social protection systems
3. Tackling disadvantages in education and training
4. Eliminating child poverty
5. Ensuring decent accommodation, particularly the lack of social housing for vulnerable groups.
6. Improving access to quality services
7. Overcoming discrimination and increasing the integration of people with disabilities, ethnic minorities and immigrants.

The OMC/SPSI specifically incorporates the **involvement of stakeholders in policymaking and implementation** as one of its third overarching objective. Most Member States set up committees involving relevant ministries and agencies to coordinate the preparation of national contributions. Whether or not a range of different actors is consulted in drafting these contributions varies considerably across the EU. Some Member States directly involve different ministries and representatives of other actors (social partners, regional and local government, NGOs) in working groups, while others limit the involvement of non-governmental actors to meetings, seminars and written submissions.

Member States are not always inclusive of partners in their planning and mapping stages. The ETUC (European Trade Union Conference) signalled an **insufficient involvement of social partners** in drafting the National Actions Plans on social inclusion throughout Europe. They are often only consulted in the final drafting stage when the scope for influencing matters is limited. This view is shared by UNICE, the European Employers' Organisation, and other NGOs who report significant limitations to the consultative process.

9.1.2. Mapping

Because the streamlining of social inclusion, health and pensions into one OMC has yet to run its course, the degree of interaction and synergy between the three strands requires greater evaluation at a later date([94]). Instead, this report scrutinises the specific social inclusion strand, whose mechanisms have been operational since 2001, as a potential benchmarking system.

Member States assemble national strategies for social protection and social inclusion to address the specific challenges that arise from these common objectives. **The National Action Plans (NAPs) map the social situation and its major trends and challenges. A mapping of the national policy strategies follows, with constant reference to the three overarching objectives and appropriate common EU and national indicators.**

The parameters of the mapping process are often set down with ambiguity, as the target groups can be defined with imprecise, catchall expressions. This terminology problem is acute for disadvantaged groups, as the report will examine on immigrant integration.

Data collection does not tend to pose serious problems for the OMC/SPSI, depending on the policy area. In these cases, Member States cannot provide statistics that are comparable over time and across countries, due to questions of timeliness, continuity, reliability, coverage and interpretation. The next section will demonstrate these data gaps in-depth, where statistics on immigrants pose particular problems.

The OMC/SPSI may resort to alternative Community data sources at its disposal to address possible data gaps. National datasets are supplemented with statistics from the EU-SILC, European Union Statistics on Income and Living Conditions. EU-SILC aims to collect timely and comparable cross-sectional and longitudinal household-data on income, poverty, social exclusion and living conditions. The EU-SILC initially drew on statistics broken down by the variables of age, gender and household type, activity status, work intensity and tenure status. The instrument has gained force since its launch in 2004 and incorporated all 25 Member States in 2005. EU-SILC data already forms the sole basis for certain social inclusion indicators on housing, material deprivation, persistent at-risk poverty rate and the unmet need for care by income.

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[94] The incorporation of immigrants is not limited to the the OMC/SPSI's social exclusion and poverty strand. Because the common objective of social cohesion and equal opportunities for all applies to all three strands, many impediments identified in Chapter 5 should also be incorporated into the OMC/SPSI's work on pensions and health care. The strand on health and long-term care specifically aims for 'ensuring effective access for everyone to health care and tackling health inequalities,' with special attention to disadvantaged groups.

At present, few Member States NAPs (AT, BE, FR, ES) select immigrants as a disadvantaged group or identify areas of improvement on adapting health services to their specific needs. Examples of NAP reporting include enlarging population coverage for statutory/social health insurance to asylum seekers (AT), guaranteeing the right to health care for illegal residence (BE) or those with a precarious situation of stay (BE and FR), tailoring psychological support to newcomers (BE and FR), providing intercultural mediators at care institutions (BE) and designing health policies to address new migratory waves (ES).

The potential usefulness of the NAPs on Social Inclusion and the National Strategies on Health and Long-Term Care will be the subject of an EU project on Access to Health Care for Undocumented Migrants. The Platform for International Cooperation on Undocumented Migrant (PICUM) leads this project, along with 19 partners in 11 EU Member States. The project aims to develop and promote a methodology for data collection, reporting, stakeholder involvement and sharing of good practices within the OMC/SPSI. This European-wide project on access to health care for this particular group of immigrants could serve as a useful example for other benchmarking communities on immigrant health issues.

9.1.3. Analysis

The robust planning and mapping stages give way to a looser analysis stage made up of few common EU targets and indicators.

The Commission then assesses these NAPs in a Joint Social Protection and Social Inclusion Report that must be adopted by the Council and Commission. The Commission assesses main issues and trends, Member States' progress towards the common objectives and the impact of the Lisbon process on social cohesion strategies. The first Joint Report in the revised OMC will be published in 2007.

The NAPs, submitted in September 2006, will normally cover a three-year-period, once aligned with the Lisbon cycles in 2008. In the intervening (also known as light) years, Member States may chose to report on new initiatives or provide progress reports on implementation. The light years concentrate on implementation with in-depth analyses on specific issues and study of good practice. During the light years, occasional Commission staff reports supplement its assessments on key issues and good practice.

The OMC/SPSI aims to encourage **common targets** set by both Member States and the Commission. The 2005-2008 "Guidelines for preparing national reports on strategies for social protection and social inclusion" call for clear and specific quantified targets on the reduction of poverty and social exclusion and for implementation outcomes. These indicators might refer to social outcomes, intermediate social outcomes or outputs. This overall set of indicators form a common framework to diagnose and set priorities, compare best practice, measure progress and set targets.

Target setting has always been a part of the social inclusion process. The 2000 Lisbon summit's demand to "make a decisive impact on the eradication of poverty" was followed up by a March 2002 Barcelona summit invitation for Member States to set targets "for significantly reducing the numbers of people at risk of poverty and social exclusion".

The Social Protection Committee (SPC), which consists of Member State and Commission representatives, has been charged with putting forward common indicators for Member States to employ in their national strategies. The SPC's October 2001 Report on Indicators established high standards for indictors to be relevant, clear, robust, statistically verified, comparable, reliable, timely and responsive to policy interventions. The most recent set of SPC indicators date from June 2006. Target setting has slowly but steadily increased within the social inclusion strategy as the SPC aims to develop indicators to encompass the first two objectives on social protection and social inclusion([95]).

The Social Protection Committee allows both the Commission and Member States to steer the OMC structure and serves as a clear leading vehicle for policy exchange. Its **indicators sub-group** provides a distinct forum for the design of common analytical and implementing tools. These two bodies at the European level have designed and refined an OMC structure that has worked out questions of transparency, synergy and comprehensiveness over time.

The process for establishing OMC/SPSI indicators involves three types of indicators developed for each portfolio (inclusion, health, pensions). These three are commonly agreed EU indicators, commonly agreed national indicators and contextual information.

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[95] Indicators are not applied to good governance and the involvement of stakeholders in the design, implementation and monitoring of policies.

The first bundle of indicators consists of **commonly agreed EU indicators**. Commonly agreed EU indicators apply to all Member States and contribute directly to a comparative assessment of Member States' progress towards the common objectives. As part of the Lisbon strategy, the December 2001 European Council solidified the SPC's recommendations into the first set of commonly agreed EU indicators for social exclusion, the so-called **Laeken indicators**. The set of 19 common statistical indicators disaggregated the population by certain criteria, such as age, gender and household type. The Laeken indicators largely mirrored those adopted for the EES, but emerged from a better-documented and more reflective process based on a cross-national academic study, Social Indicators: the EU and Social Inclusion([96]).

The SPC's 2006 Report on indicators dispersed the 19 Laeken indicators between the two categories of commonly agreed EU indicators and contextual information. Nine indicators were folded together within the new set of commonly agreed EU indicators. Commonly agreed EU indicators, which tend to remain fixed over time, make up the bulk of OMC/SPSI indicators.

Commonly agreed EU indicators are complimented by '**commonly agreed national indicators.**' Although based on commonly agreed definitions of certain objectives, these indicators distinctively limit direct cross-country comparison or clearly normative interpretations. Since 2001, Member States have preferred to expand on national indicators in order to avoid policy comparison and top-down evaluations in favour of individual data analysis and bottom-up learning.

SPC Proposed List of Indicators on **Social Inclusion: 2006**

Total Primary Indicators	11
Common EU:	7
Common National:	1
To be developed:	3
Total Secondary Indicators	11
Common EU:	11
Common National:	0
Contextual Information:	11

The third set of indicators, '**contextual information,**' is strongly linked with the national indicators, whose scale and nature require they be interpreted jointly with the relevant background information. Consequently, the SPC proposed an indicative list of 'context information', which should include the necessary statistics to better frame and understand the national context.

Within these three types, distinctions are made between primary indicators and secondary indicators. Primary indicators are a condensed set of lead indicators covering all essential dimensions of the defined objectives and/or highlight the social situation of key sub-populations. Secondary indicators support these lead indicators by providing greater insight into the nature of the problem.

Most Member States tend not to set intensive or qualitative targets with specific levels or percentages. They opt for targets and indicators that are open-ended, difficult to measure and easy to achieve to some degree, such as general 'to improve' rates or 'close' gaps.

Reliance on national indicators and targets hinders the systematic identification of best practice. The SPC has difficulties evaluating Member States when their indicators are non-measurable, non-comparable or even non-existent. Such national indicators also limit the Commission's ability to select and disseminate best practice on a European scale. Instead, Member States designate some of their own policies as 'good' and then propagate them

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[96] T. Atkinson, B. Cantillon, E. Marlier and B. Nolan, Social Indicators: the EU and Social Inclusion, (Oxford University Press; Oxford, 2002).

through narrow channels, such as peer reviews. The good practices often possess a very small scale, as participatory micro-measures([97]). Member States use OMC/SPSI targets and indicators opportunistically in lieu of setting up a comprehensive system that would demand more regular commitment and accountability.

The Commission's December 2005 Communication on "working together, working better" endorsed of a **renewed focus on target setting for poverty and social exclusion**. Benchmarking would require partners in the OMC/SPSI to set standards and benchmarks around the systematically identified good practice. A few Member States used the 2006 Commission Evaluation report to advocate for a selective system of benchmarking within the OMC/SPSI. Luxembourg recommended benchmarking to specific areas of the three best performing EU countries. Greece and Italy promoted a looser approach, which substituted benchmarks for common targets with very precise policy goals.

This normative and evaluative goal for the OMC/SPSI also finds support in the vision of some scholars and policymakers, particularly those linked to the formation of the SPC's subgroup on indicators. Frank Vandenbroucke, Belgian Federal Minister of Social Affairs and Pensions, argued that commonly defined EU indicators and 'standards of excellence' would provide Member States a toolbox to use a common language of Europe's core social values for mutual assessment and emulation. Other scholars shared the opinion that this common language on social policy would bring about a sort of cognitive convergence([98]) where the OMC functioned as a normative system to, in the words of Vandenbroucke, "define in a more precise way the substance of the European Social Model"([99]).

Most Member States do not endorse an expanded future role for common EU target setting in the OMC/SPSI. The overwhelming majority of Member States did not echo Greece, Italy and Luxembourg's proposals. The March 2006 evaluation report([100]) found that most Member States are satisfied with the progress already made on common EU indicators. Few Member States believe the OMC/SPSI should promote common targets (i.e. Cyprus, Greece and Italy). Most question whether a greater focus on target setting is either possible (i.e. Denmark, Estonia and Slovenia) or even desirable (i.e. Ireland, Luxembourg, the Netherlands and the UK). Several expressed their reluctance to adopt common targets or standards by referring to the particularities of their different national contexts. Instead, they prefer for more national data and contextual information to continue to illustrate the nuances, which common indicators cannot.

The analysis stage demonstrates that OMC/SPSI uses an open, voluntary and loose mutual learning logic. In contrast to those who support normative and evaluative goals for the OMC/SPSI, the chair of the SPC indicators subgroup has emphasised; "the point is not to create league tables and reward good performance…the purpose is to learn from the experience of others"([101]). In its place, mutual learning logic permits Member States to share their own examples, learn their own lessons and voluntarily apply them (or not) to their different social models.

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[97] For this argument, see Deborah Mabbett, 'Learning by numbers: The role of indicators in the social inclusion process,' (Oxford, 2004) 2.
[98] I. Begg and J. Berghmann, 'Introduction: EU social (exclusion) policy revisited?' *Journal of European Social Policy*, Vol. 12 No 3, 2002. 179-194.
[99] Frank Vandenbroucke, 'Foreward,' T. Atkinson, B. Cantillon, E. Marlier and B. Nolan, <u>Social Indicators: the EU and Social Inclusion</u>, (Oxford University Press; Oxford, 2002) v-xi.
[100] European Commission, <u>Evaluation of the Open Method of Coordination for Social Protection and Social Cohesion</u>, (Brussels, 2006) SEC(2006) 345.
[101] See D. Stanton, 'Social Inclusion in a Wider Europe. The interaction between Indicators and National Plans: The Risks for National Policy Priorities and for the Determination of National Specific Priorities' in M. Foerster, F. Maas, B. Marin, eds, <u>Understanding social Inclusion in a Larger Europe : An Open Debate</u>, *Eurosocial Reports*, Vol 71, European Centre, Vienna, 2003, 39-44.

9.1.4. Implementation

Despite the absence of strong common targets, benchmarks or standards in the analysis stage, the implementation stage meets many benchmarking criteria for the exchange of good practice and mutual learning.

Implementation revolves around the Community Action Programme to promote policy cooperation, mutual learning and exchange of good practice. The Community Action Programme supports three strands of actions for the widest possible range of stakeholders.

The first strand enhances the **quality of data and research** that improves the understanding of poverty and social exclusion. The second promotes the **exchange of information and best practices**. It consists of two major components: networks of independent national experts that produce non-governmental reports and a transnational exchange programme that sustains long-term partnerships with concrete outputs. The Peer Review programme is the keystone of this strand, as an alternative form for Member States to evaluate themselves rather than the Commission and Council in their joint report. The third and final strand encourages participation and networking at the European level through specific Presidency events, and round table conferences.

The OMC/SPSI's implementation stage involves stakeholders extensively as key and even leading partners in peer reviews, transnational exchange programmes. Community Action programmes have also well integrated networks of independent experts and academics.

Member States have expressed strong support for the expansion of the mutual learning and policy exchange, which lies at the very heart of the OMC. Many satisfied Member States credit the Community Action Programme with a great deal of instruction on social exclusion, social and civil dialogue, targeting and monitoring. Several Member States pointed out that the information that motivated improvements in policy often came from the OMC. Even those most Member States who could not attribute specific reforms or policy impacts to the OMC found it useful in creating a strategic framework for national policy-making. They recommended that the various current tools to facilitate such exchanges be given greater prominence within the process.

9.2. Immigrant Integration in the OMC/SPSI

9.2.1. Planning

Key priority number seven of the 2005 and 2006 Joint Reports on Social Protection and Social Inclusion states:

> **1. Overcoming discrimination and increasing the integration of people with disabilities, ethnic minorities and immigrants**

The Joint Report called for Member States to implement this key priority with a threefold approach:

- Increase access to mainline services and opportunities
- Enforce legislation to overcome discrimination
- Develop targeted approaches for ethnic minorities and migrants, with special attention to the difficulties faced by the Roma population

9.2.2. Mapping

The absence of comparable data makes the setting of common targets in the field of immigrant integration problematic.

The extensive reporting done by Member States on immigrants is presented in a non-comparable format. Methods, nomenclatures and data availability are much more developed in some Member States than in others, due to different policy and historical integration contexts (e.g. specifically targeted policies vs. universalistic policies) across Member States.

Figure 9 (a) Immigrant Target Groups in 2006 NAPs on SPSI	
Ethnic Minorities	UK
Immigrants	AT, EL, FI, FR, DE
Non-Nationals	EE
Third-Country Nationals	CY
Ethnic Minorities + Immigrants	BE, CZ, LT, LU, NL
Ethnic Minorities + Immigrants + Descendents	DK, SE
Ethnic Minorities + "Roma"	HU
Immigrants + "Roma"	ES
Ethnic Minorities + Immigrants + "Roma"	IE, PL, SI
Ethnic Minorities + Immigrants + Irregular Migrants	MT
Ethnic Minorities + Immigrants + "Roma" + Victims of Trafficking	LV, PT
No Information Available	IT, SK
"Roma" = Gypsies (PT, ES) Roma (HU, LV, PL, SI), Travellers (IE)	

The common objectives of the OMC/SPSI do not include reference to one specific target group, but rather to ethnic minorities, immigrants and particularly the Roma, so that Member States can set specific target groups that capture their national realities. Figure 9(a) reveals the eleven arrangements of target groups identified in the 2006 NAPs.

A word-for-word transcription of the common objectives (ethnic minorities, immigrants and Roma) is found among three NAPs (Ireland, Poland and Slovenia). Five omit Roma and focus on the general groups of ethnic minorities and immigrants. Five opt for one (immigrants) and one opts for the other (ethnic minorities). A few select another combination of the three, while others create categories that are not found in the common objectives (irregular migrants, non-nationals, third-country nationals and victims of trafficking).

Some Member States take good advantage of the flexibility in the definition process to select target groups that are specifically at-risk of poverty and social exclusion in their country. Malta boldly includes irregular migrants, who may fall outside the JLS integration scope, but whose risk of poverty and social exclusion policymakers cannot ignore. Lithuania and Portugal include victims of trafficking, while Denmark and Sweden consider families and descendents of immigrants in order to consider persistent inequalities across generations.

However, **others exploit this flexibility to create ambiguous definitions.** The loss of comparability becomes clearer in cases where Member States apply very different criteria and vocabulary for the same groups. Ethnic minorities in the UK, for instance, might be called ethnic minorities or immigrants in Belgium, non-nationals in Estonia or third-country nationals in Cyprus. Sometimes the closest concepts are those with totally different terminologies: the designation of ethnic minorities in the UK is most similar to the Danish and Swedish definition of immigrants and their descendents. These definitions would be much too liberal in Austria, Finland, France, Greece and Germany, which do not include descendents or ethnic minorities. All-inclusive terms like ethnic minorities and immigrants fail to treat immigrants as a disaggregate group and acknowledge the multiple levels of social exclusion faced by different age groups, communities, genders and generations.

These specific breakdowns are not always clarified([102]) or used consistently in NAPs. The situation of a specific group is monitored with different terms used interchangeably, such as 'foreigners', 'immigrants', 'ethnic minorities', 'non-nationals', etc. The inconsistent use of terminology reveals that these designations are intended to serve as catchall phrase.

Major obstacles arise in national data collection on these ambiguously defined groups. The national data sources for indicators vary widely, from general administrative data, over targeted policy related data, population censuses to sample surveys, such as the EU Labour Force Survey. Data collection at the national level may encounter problems linked to the sample sizes, accuracy of estimates, under-coverage and non-response. For instance, sample surveys may suffer from higher non-response rates linked to legal status and/or language barriers. Finally problems also arise linked to a lack of nomenclatures (i.e. ethnic minorities) and misclassification (esp. administrative data)([103]).

Some countries acknowledge the challenge for their national statistical offices. The Irish 2006 NAP explicitly states that Member States are incapable of assessing progress and evaluating targets when national data on immigrants and ethnic minorities does not exist. While some attempt to rectify this situation through occasional field research or special case studies, few set out comprehensive remedies to the collection, analysis and publication of statistical data.

The OMC/SPSI could not initially drew on the EU-SILC as an alternative data source at the Community Level. The EU-SILC had relied on its established variables on age, gender and household type, activity status, work intensity and tenure status. The 2005 questionnaire inserted new identifying variables on citizenship and place of birth. These two migration-related criteria were coarsened in four broad categories: local, EU, non-EU and world. **If new dataset incorporating citizenship and place of birth are harnessed for OMC/SPSI NAPs and indicators, it may reduce the major data gaps on immigrant integration.** Member States expressed the hope that a move to EU-SILC will resolve quality issues, so long as they continue to rigorously monitor the collected data.

9.2.3. Analysis

The absence of a common EU indicator on immigrants prevents setting EU targets on immigrant integration. Equally diminished is the prospect of picking common indicators to benchmark the performance of one Member State against others. The absence of comparable data prevents one Member State from best identifying another that performs best on a given indicator in order to benchmark the policies that it wishes to achieve.

All but one of 22 primary and secondary indicators proposed in the SPC's 2006 report were common EU indicators. This one concerns immigrants. In lieu of a common EU indicator on immigrants, the SPC used a **national primary indicator on the 'employment gap of immigrants.'** This national primary indicator is the same indicator as mentioned in Chapter VII on the employment rate gap and is defined as the percentage point difference between the employment rate for nationals and non-EU nationals, who are defined based on the variable of 'born abroad'. Each country decides whether this variable also includes nationals born abroad. The indicator is disaggregated for gender, but not age. By way a short comment, the SPC suggests; "this indicator needs to be supplemented by relevant national data covering other key aspects of inclusion of immigrants"([104]).

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[102] Isabelle Engsted-Maquet, "Review of National Action Plans on Social Inclusion 2004 - 2006 for the New Member States and the NAPs/incl: National Action Plans on Social Inclusion 2003 - 2005 for the EU-15" (Brussels, 2006).
[103] See footnote 100, page 195.
[104] European Commission, Proposal for a portfolio of overarching indicators and for the streamlined Social Inclusion, Pensions, and Health portfolios, (Brussels, 2006) 20.

No other commonly agreed indicators on immigrants exist within the OMC/SPSI. Nationality or country of birth does not appear in the disaggregations of most other indicators, which focus on age and gender. In its 2004 Joint Report on Social Inclusion and 2006 Implementation and Update Reports, **the Commission argued that the OMC/SPSI's analysis stage must be enhanced through common indicators on definitions of immigrants that capture the distinctions between and within immigrant groups.**

However, only two member states expressed an interest in further incorporating immigrant integration in the 2006 evaluation report. Spain suggested a emphasis in the inclusion objectives on poverty and exclusion linked to migration. Estonia proposed immigrants as a target group for **new common qualitative indicators.** The vast majority of Member States did not prioritise increased measures. Indeed, Latvia and Slovakia argued the OMC/SPSI over-emphasised the social inclusion of immigrants.

A contrast with the social cohesion indicators developed by the Council of Europe further indicates that the lack of common EU indicators is not a question of data availability but member state will. Compared to the OMC/SPSI's one common national indicator on unemployment, the Council's methodological guide on social cohesion indicators proposes 35-odd indicators. These indicators apply to the three-pronged set of objectives of the Joint Report's key priority on integration: opening up mainline services and opportunities (20), anti-discrimination legislation (12) and targeted approaches (12). The guide recommends that problems with national data sources be bypassed through Community or international organisation sources for 17 of these indicators and specifically commissioned surveys for 7.

The anomaly of one common national indicator and the absence of immigrants from other common variables and indicators suggests a glaring reservation on the part of Member States to treat immigrant integration in the same comparative EU-wide manner as all other indicators of social inclusion.

Member States adopt individual and non-comparable indicators of their own initiative. More than two-thirds of countries (18 out of 25) used at least one indicator relating to immigrants, foreigners and/or ethnic minorities[105]. Several use other indicators than the one commonly agreed indicator on ‚employment gap'. The indicators used are partly policy and mixed input/output indicators, such as the percentage of recipients of targeted policy measures and partly outcome indicators. The immigrant indicators covered include:

- Poverty or income level: 7 countries
    - Income level: 5
    - At-risk of poverty rate: 2
    - People living in jobless households: 1
- Labour market: 11 countries
    - Employment gap: 5
    - Unemployment gap: 9
- Education and skills: 9 countries
    - Gap in education participation of young: 4
    - Gap in educational attainment of young: 2 / of adults: 4
- Health: gap in life expectancy: 3 countries

Although common indicators on immigrant integration are limited to one national indicator on unemployment, the OMC/SPSI allows for **identifying multiple areas of improvement** on immigrant integration. A reading of the 2006 NAPs reveals a rising concern for immigrant issues, which are flagged in dedicated chapters on 'ethnic minorities as vulnerable target groups' as well as other thematic chapters into which immigrant integration is mainstreamed.

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[105] See foote 100, page 195.

The 2006 implementation report(^{106}) traces the mapping of policy beneficiaries and impediments in the 2003-2005 and 2004-2006 NAPs of nineteen Member States (EU-15 plus Cyprus, Hungary, Lithuania and Malta). The majority of Member States identify the significant and sometimes widening gaps between the majority and ethnic minority or migrant population. These gaps are generally evident with regard to unemployment, education and poverty levels. Four of the 19 (Germany, the Netherlands, Sweden and the UK) reported high levels of unemployment among foreigners, immigrants and/or ethnic minorities. 10 Member States drew attention to poverty among immigrant children and 8 identified a higher poverty and/or exclusion risk for immigrants and ethnic minorities.

A number of Member States have incorporated the specific needs of immigrants and ethnic minorities into Key Priority 5 on decent accommodation, which made reference to the lack of social housing for vulnerable groups. Denmark, Finland, the Netherlands, Spain and Sweden took the initiative to place immigrants and the Roma at the top of their agendas, among the other vulnerable groups. They resolved to open up their mainline housing services to find housing catering to immigrants' specific needs.

The report noted that most Member States frame integration an area in need of policy improvement. Mapping the policy situation highlighted new policy challenges of immigration and integration. Six countries (Austria, Denmark, France, Ireland, the Netherlands and Spain) acknowledged the new social challenges arising from inward immigration, while 11 (aforementioned list plus Germany, Finland, Luxembourg, Sweden and the UK) focused specifically on challenges for integration policy. Only 5 countries (Denmark, the Netherlands, Portugal, Spain and the UK) paid attention to the challenge of reducing the high risk of poverty and social exclusion. Member States also stated their eagerness to engage civil society in the design and execution of such policies.

The implementation report concluded that the first key priority, **increased access to mainline services and opportunities**, has not been addressed through the mainstreaming integration policy. The NAPs do not sufficiently situate the social inclusion of migrants within the wider context of integration and social cohesion policy. Immigrants for instance were not mainstreamed into other mappings of single parents, low educational and vocational qualifications, young unemployment, jobless households or the working poor. Furthermore, few EU-10 reports consider the link between immigration and social exclusion or poverty.

Introduced anti-discrimination legislation often lacked adequate implementation and monitoring, which was called for in the second objective. The Commission believed that Member States must exert greater efforts in monitoring risks of discrimination in the labour market and access to services, assisting the proper enforcement of legislation and conducting impact assessments.

The third approach, **a targeted approach to immigrant needs**, is hampered by the unclear and incomplete national definitions. Unclear (use of ethnic minorities, immigrants or some combination) or roaming (use of ethnic minorities and immigrants interchangeably) targets in the NAPs make setting and sticking to a targeted policy unfeasible.

The use of specific targets and objectives, which also contribute to targeted approaches, was found lacking in most NAPs. The implementation report noted the setting and reporting on targets in only 5 countries, Denmark, Greece, the Netherlands, Portugal and the UK.

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[106] European Commission, Evaluation of the Open Method of Coordination for Social Protection and Social Cohesion, (Brussels, 2006) SEC(2006) 410.

On a positive note, targeted strategies have been incorporated into many national legal frameworks. The report took note of a growing emphasis on integration measures, such as language and skills training. This increased policy attention often translated into measures to tackle the increased poverty risk, housing exclusion and higher unemployment rates of immigrants, ethnic minorities, and the Roma community.

9.2.4. Implementation and Action

The Community Action Programme has given some attention to the key priority on immigrants and ethnic minorities, particularly through its project-oriented programmes. There, different stakeholders and different levels of governance engage as active partners in what can be termed partial or micro-benchmarking exercises.

The Peer Review programme, the core of the second strand, has devoted three out of its 22 peer reviews to the general category of foreigners and ethnic minorities. A 2006 Spanish-led and 2005 Czech-led peer review programme each addressed Roma social integration policies. Only one of the 22 has focused specifically on immigrants: the November 2004 French-led peer review on the topic of "'Reception Platforms' to promote the integration of immigrants.'

The French Inter-ministerial Integration Committee headed this peer review of 7 Member States (Czech Republic, Cyprus, France, Ireland, Germany, Portugal and Sweden) and three NGO actors. The invited peers evaluated and considered the transferability of France's reception platforms and integration contracts. The French government report served as a map of the policy situation from which peers identified policy impediments for different groups of immigrants. These impediments included insufficient territorial coverage, difficult access to educational programmes for some groups, a limited involvement of local authorities and associations, a lack of child-care facilities to ensure the participation of women, a lack of translated materials for some language groups and a high course drop-out rate.

The partners identified a few areas of improvement and recommended France build on its reception platforms policy with new instruments for **future systematic evaluations, impact assessments and above all relevant and reliable indicators**. They drew a **few transferable elements of good practice**, such as the provision of social follow-up services, a systematic process-based approach and inter-ministerial coordination. Yet the possible transfer of good practice was quite limited, as most peers found the practice neither feasible nor desirable compared to more flexible and locally adapted schemes.

The first transnational exchange programme (2002-2005) supported two phases of projects on social inclusion and social protection. Phase I actions mapped current data on immigrant and policy situations on a particular issue through transnational and multisectional partnerships. The programme envisioned specific objectives and proposals to be developed by these partners that would sustain a longer-term network for cooperation. Phase I laid the groundwork for Phase II, where the same partnerships applied to gear their networks towards concrete outputs, such as seminars, short studies or literature reviews. Leading partners organised each network of similar partners in three to nine other EU Member States.

38 of the 95 (or 40% of) projects addressed issues of immigration and ethnic diversity. 8 of the 31 in Phase I addressed impediments to social inclusion through culture, citizenship, service delivery and labour market inclusion. Of Phase II's 64 projects, 29, or the largest single category of projects, consisted of follow-up actions to Phase I projects on immigration as well as new initiatives on psychological care, health concerns and civic engagement.

The leading partners on immigration and ethnic diversity included international, governmental, NGO and private sector stakeholders from **Austria, Estonia, France, Germany, Greece, Italy, the Netherlands, Portugal, Spain and the UK.** Lead partners were coupled with networks of additional partners in all the EU-15 plus Norway. The specialised nature of each project allowed immigrants to be treated as a disaggregate group, with particular attention to adolescent immigrants and refugees, migrant women, elderly and specifically elderly women and unaccompanied minor asylum seekers. The transnational exchange programme has yet to publish evaluation reports on the two phases of projects. These projects' procedures for mapping beneficiaries and policy situations, identifying areas of improvement and adopting common targets, indicators, measures and implementation measures could provide greater insight into the possibility of European benchmarking exercises within the OMC/SPSI.

In the future, the Community Action programme envisions a second transnational exchange programme as well as twice-a-year semester reports written by the independent national social inclusion experts. The 2006 and 2007 semester reports will each include at least one chapter for each country devoted to the joint reports' seven key policy priorities, including the integration of ethnic minorities and first and second generation immigrants.

At present, the 12 finished and current studies include **one study on immigrant integration.** The 2005 study on "policy measures to ensure access to decent housing for migrants and ethnic minorities" is worthy of particular attention, as an example of how the Community Action Programme can generate rather comprehensive micro-benchmarking exercises. The study identified its target group and mapped these beneficiaries, which revealed an over-representation of immigrants or ethnic minorities among those facing housing hardship. It then compared the policy situation in seven EU Member States and one candidate country and grouped these countries together into three types of policy approaches. The study employed evidence on the housing situation of the mapped beneficiaries to articulate a number of impediments that were highlighted in Chapter V of this report.

The study used these impediments to develop areas of policy improvement at the national and EU level. The set of key Member State actions revolved around planning on housing, supply, access and information. The report recommended that the European institutions encourage NAPs to specify and analyse policies on access, identify common targets and establish monitoring procedures. The last measure could be accomplished through guidelines on the development of housing action plans and the active dissemination of good practice. The report also found that indicators on housing exclusion and homelessness (i.e. overcrowding and affordability) must take nationality or country of birth into account.

These instances of micro-benchmarking exercises within the OMC/SPSI's Community Action programme are intense, albeit severely limited in size and impact. The large number of transnational exchange programme projects should be interpreted as a sign of the considerable initiative and innovation from civil society actors and other levels of government on the social inclusion of immigrants that the OMC/SPSI implementation stage can support.

These partners develop the NAPs and EU policy initiatives with new areas of improvement, potential indicators and good practice. **The results of such a small-scale exercise point to the need for more robust analysis and implementation stage based on common indicators and validate the potential effectiveness of benchmarking within the OMC/SPSI.**

The Community Action programme is complimented by other EU budgetary implementation schemes, which intermittently address the social inclusion of immigrants and ethnic minorities. Member States have allocated some of their structural funds from the European Social Fund (ESF) and specifically the ESF's EQUAL programme in the combat against

discrimination and inequalities in the labour market. Austria, Germany, Italy and Spain make reference to particular ESF and EQUAL programmes for the labour market integration and language training of immigrants.

The rest of the Community Action Programme's second and third strand has yet to produce implementation reviews or programmes on immigrants. The 14 awareness-raising projects, the 2002-2006 EU Round Tables, and the Presidency events all retained a rather general focus.

9.2.5. Best Practitioners in benchmarking immigrant integration in the OMC/SPSI

The OMC/SPSI has nourished **active partners who fulfil particular stages of micro-benchmarking on disaggregated groups** within the Community Action Programme. In general, it has capitalised on the will of Member States and other stakeholders to improve their policies and learn from others. Most important of all, Member States like learning and improving their policies within the OMC/SPSI's structure.

As concerns that Member States are pushing forward immigrant integration within the OMC/SPSI, it is difficult to distinguish between pro-active players and mere benchwarmers. Some of the usual suspects, like **Denmark, Ireland, the Netherlands, Portugal and the UK,** are among the active partners with national targets and many leading partners in the transnational exchange programme. Many other countries also partook in the latter programme as well as the peer review exercise on immigrant integration. **Greece, Italy and Luxembourg** have generally advocated for stronger common measures and benchmarks.

Conclusions

- The OMC/SPSI presents an established and inclusive cooperation structure, ambitious and relevant objectives, a method for identifying impediments and areas of improvement, a well-tested methodology for indicators, robust implementation programmes and decent financial resources
- Ambiguous definitions, non-comparable NAP data, open-ended national indicators and a dearth of common EU indicators and targets undermine the mapping and analysis stages on immigrant social inclusion and anti-discrimination
- These missing links leave the Commission less able to conclude if Member States are implementing the OMC/SPSI's key priorities of opening up mainline services and opportunities, anti-discrimination implementation and targeted strategies
- Even where micro-benchmarking exercises succeed within the OMC/SPSI's Community Action Programme, the conditions are far from ideal. Partners in particularly small-scale projects must invent their own benchmarking tools often through trial-and-error. Benchmarking at the project level is by its nature restricted by resource and time limits, small scales and localised impacts
- The OMC/SPSI's current structure and analytical toolbox appear ill-suited to the heightened political stakes that many Member States attach to poverty and social exclusion among immigrants. Its current structure offers more of a mutual learning tool than a mechanism for benchmarking integration policies

Recommendations

- The 2008 guidelines must treat migrants and ethnic minorities as a disaggregate group in order to clearly define and analyse multiple levels of disadvantage and unique needs within groups
- National definitions must be specific and refer to common objectives in order to preserve an element of comparability
- Data collection requires stronger collaboration between statistical offices, national, regional and local authorities, researchers and civil society organisations
- EU-SILC data on nationality, period of residence, country of birth and parental origin should form the basis of national indicators where nationally collected data proves insufficient
- The SPC Indicators subgroup should propose possible common EU indicators for the 2008 guidelines on disaggregated groups of immigrants and ethnic minorities based on EU-SILC data
- SPC should also take into account the specific recommendations of the 2005 Community Action Programme study on housing that the indicators on housing exclusion and homelessness (i.e. overcrowding and affordability) include the variables of nationality or country of birth
- Identifying areas of improvement needs to balance a focus on integration and language training with more measures to monitor access to services and opportunities and discrimination implementation
- Immigrant integration and anti-discrimination should continue to be steadily mainstreamed into the Community Action Programmes, particularly the peer review programme, Presidency events, and roundtables
- Future transnational exchange programmes should have a platform to share methodologies for benchmarking stages or to develop a common framework
- Lessons on benchmarking immigrant poverty and social exclusion should be drawn from evaluations of the methodologies of transnational exchange programmes and future peer reviews

CHAPTER X. BENCHMARKING EDUCATION

European countries, regions and individual schools and education providers have different approaches to facilitating the integration of immigrant students. Some of these approaches appear to be more successful than others in reducing the gap in learning outcomes between immigrants and natives and in creating a setting in which immigrant students feel a sense of belonging. In short, benchmarking immigrant integration policies in education promotes a better understanding of the impact of different practices and the sharing of best practice. The process contributes to the improvement of not only learning outcomes, but also the well-being of immigrant students in order to enable them to realise their full education potential.

In this chapter, the integration of immigrant students will be viewed from two perspectives: firstly, the extent to which they are 'integrated' into the education system; and secondly, the extent to which the education system facilitates their integration.

Two areas of activity are essential to the effective integration of immigrant students.

The first is **assistance with settlement-related needs** arising specifically from the migration experience, such as learning the host country's language and obtaining recognition of their prior learning. The assistance the newcomer requires is likely to depend on a number of factors, including migration history and socio-economic, cultural and linguistic background.

The second area of activity is assistance in **overcoming any cultural or linguistic barriers, which may prevent full access to learning and social opportunities**. Actions may be focused towards the individual, for example providing additional tuition in the language of instruction to a second-generation immigrant student who speaks his or her mother tongue at home, or to the school system as a whole, for example providing intercultural education in order to foster an appreciation of cultural diversity.

This chapter will examine the work of the European Union in benchmarking education processes and outcomes and its relevance to the integration of immigrants. It will focus upon two European benchmarking communities. The first is the Eurydice network, an established benchmarking community and the second is the task-oriented benchmarking community brought together to implement Lisbon objectives via the Education & Training 2010 work programme. It will then briefly touch on two international benchmarking exercises and highlight their contribution to benchmarking in education. It will conclude by assessing the current and potential effectiveness of both Eurydice and Education and Training 2010 in benchmarking immigrant integration in education.

10.1. The Eurydice Network

Using the four benchmarking stages (planning, mapping, analysis and implementation) as a framework, this section of the report will firstly establish the extent to which the Eurydice network, or the projects they sustain, can be considered benchmarking exercises. Secondly, it will examine the Eurydice network's efforts in benchmarking education practices known or surmised to facilitate the integration of immigrant students within Europe.

10.1.1. Eurydice as a Benchmarking Community

Eurydice is an information network that was established by the European Community in 1980 to enhance European cooperation in education matters. Eurydice developed exchanges of information about policies and practices and conducted research on common issues. Eurydice concerns itself with all levels of education - from pre-primary to higher education.

The network consists of one European Unit in the European Commission and National Units, which are based in education ministries in the 31 participating countries. In addition to EU Member States, its **membership** includes Iceland, Norway and Liechtenstein on the basis of their membership to the European Free Trade Association and Turkey, as an EU candidate country participating in the Socrates programme.

Eurydice cooperates closely with **European and international partners**, including Eurostat, the Council of Europe, Cedefop (the European Centre for the Development of Vocational Training), the European Training Foundation (ETF), the European Agency for Development in Special Needs Education, the OECD and UNESCO.

Eurydice's aim is to offer policy-makers and those involved in the provision of education with information and studies geared to their needs. To this end, Eurydice prepares and publishes **comparable and current information on each country's education system** and compiles these reports on Eurybase – Eurydice's information database on education systems in Europe. Indicators and figures supplement this information.

Eurydice also produces **comparative studies** on a wide range of topics of mutual interest. Recent topics, for example, have included school measures for integrating immigrant children, changes in the structure of higher education linked to the Bologna process, key competencies in compulsory education and foreign language teaching in schools.

Eurydice describes itself as an institutional network for gathering, monitoring, processing and circulating reliable and readily comparable information on education systems and policies throughout Europe. Eurydice's focus on identifying issues of mutual interest and collecting and analysing information and data demonstrates its **strengths in the mapping stage of the benchmarking process**.

Eurydice's **analysis of subject areas is more descriptive than prescriptive**. Eurydice generally stops short of making clear assessments of the effectiveness of national practice and/or identifying best practice or standards, leaving this up to the discretion of its members.

The implementation stage involves the design and deployment of policies and practices to meet the desired goals and objectives identified in the analysis stage.

The implementation stage is beyond the scope of the Eurydice network's mandate. Although Eurydice does use indicators to measure educational practices and outcomes, it does not set or enforce targets. The Eurydice network's primary aim is to provide its members with information, which enables them to examine the policy and practice of other members. This provides members with the opportunity to make their own assessments of 'good practice' and adjust their own policies and practices accordingly.

10.1.2. Eurydice's role in benchmarking immigrant integration

10.1.2.1. Planning

Eurybase does not routinely collect or include information on the integration of immigrant students. Some country reports include information about special measures for the benefit of immigrant children under the heading of 'Special Educational Support.' However the information provided varies greatly in scope and detail. Other information

relevant to the integration of immigrant students can be found in the chapter on political, social and economic background, which covers topics including ongoing debates, religion and demographic characteristics of the population. Although some countries discuss the immigrant population in these sections, many do not. Chapters on European and international dimensions in education provide information relevant to integration, such as the promotion of intercultural education.

Although data on immigrant integration is not routinely collected for Eurybase, **Eurydice has identified the integration of immigrant children as an issue common to education systems** in Europe. To address this issue, the Eurydice network produced the report *Integrating Immigrant Children in Schools in Europe (2004)*. This was a one-off report and there are currently no plans to repeat the exercise. It is primarily concerned with compulsory schooling, however it does briefly examine pre-school education.

Eurydice's remit extends to lifelong learning. **It does not, however, appear to engage in any activity relating to the integration of immigrant students in tertiary, adult and vocational education and training.**

10.1.2.2. Assessment: Mapping and analysis

As Eurydice does not routinely collect or include information on immigrant integration, this analysis of the mapping and analysis stages examines solely its comparative studies. Figure 10(a) uses the areas of improvement identified in the section on integration impediments in Chapter V as a basis from which to examine whether these areas for improvement have also been identified in Eurydice's comparative studies and if so, whether they have been included in the mapping process.

Figure 10(a) Areas of improvement identified in Eurydice's comparative studies		
	Identified	Mapped
Equity / non-discrimination		
* improve access to education	✓	✓
* improve assessments of prior learning	✓	✓
* address early-leaver/dropout rates	✓	✗
* improve acquisition of key competencies	✓	✗
Dignity / recognition		
* accommodate cultural and religious needs in school life	✓	✓
* improve access to training in and of the mother-tongue	✓	✓
* prepare teachers for educating people from culturally and linguistically diverse backgrounds	✓	✓
Autonomy / development		
* extend support measures beyond the initial settlement phase	✓	✓
* provide additional academic tuition	✓	✓
* provide courses in the host-country's language to students and their parents	✓	✓
Participation / commitment		
* introduce a greater focus on intercultural education	✓	✓
* evaluate immigrant support measures	✓	✓

Figure 10(a) indicates that Eurydice's mapping of areas for improvement issues is broadly similar to those identified in Chapter V. Eurydice focussed on mapping integration 'processes', rather than outcomes (acquisition of key competencies and attrition).

Integrating Immigrant Children in Schools in Europe (2004), sought to establish how education systems attempt to integrate immigrant pupils. This study explored measures taken to overcome barriers to integrating immigrants into the compulsory education system:

- the right to compulsory education and associated support measures;
- facilitation of integration through the provision of orientation assistance, the recognition of prior learning and whether immigrant pupils are placed in mainstream or specialised classes;

- schools-based recognition of immigrant culture, including measures to support the language and culture of origin and the adaptation of daily school life in recognition of cultural and religious differences; and
- the provision of intercultural education.

Although not specific to immigrants, a second study by Eurydice, *Foreign Language Teaching in Schools in Europe (2001)* ([107])*,* also compares practices across Europe for providing language support for children of foreign mother tongue in order to improve their knowledge of official language(s) and to support mother-tongue tuition.

The weakness of the mapping and assessment process is that it does not effectively examine the link between integration processes and outcomes. The two comparative studies do identify different practices across Europe, **but they do not assess the effectiveness or desirability of these practices,** therefore it is **not possible to establish best practice** at a national and European level. To do this, the following questions raised by the report would need to be answered:

- Is it ever appropriate to exclude immigrant children from education and if so, under what circumstances?
- What are the strengths and weaknesses of the 'integrated model', where immigrant students entered mainstream education and received support measures in normal school hours, in some cases also receiving extra-curricular tuition and the 'separate model', where immigrant children received education tailored to meet their needs and is their effectiveness contingent on particular contexts?
- What is the most effective type of support to assist immigrant children in learning the language of instruction([108]) and does introducing legislation lead to better outcomes?
- What is the most consistent and equitable way to determine the appropriate level of schooling for a new student?
- What is the impact of mother-tongue and culture-of-origin tuition on integration?
- What is good practice in adapting daily school life in recognition of cultural and religious requirements?
- What is the most effective way to provide intercultural education?

To gather information that would assist in answering these questions, Eurydice could conduct further analysis to establish the link between the processes investigated in *Integrating Immigrant Children in Schools in Europe* and integration outcomes.

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[107] There is a more recent Eurydice study, Eurydice, <u>Key data on teaching languages at school in Europe - 2005 Edition</u>, (Eurydice; Brussels, 2005)*,* however the information contained therein regarding immigrants is the same as found in Eurydice, <u>Integrating immigrant children into schools in Europe</u>, (Eurydice; Brussels, 2004).

[108] This question may be answered by the Council of Europe current initiative, Policies and Standards in Languages of School Education, which aims to identify and analyse different approaches to language of instruction courses.

10.1.2.3. Implementation

The setting of standards and benchmarks in immigrant integration is beyond the scope of Eurydice's mandate.

Eurydice's mapping and analysis stage could be further developed to make best practice more evident, which would enable members to engage in their own benchmarking exercises and set their own standards and benchmarks. Eurydice could examine the correlation between 'process indicators', for example, the availability of support measures (data collected by Eurydice), with 'outcome indicators', such as those presented in section 10.3.

Furthermore, while Eurydice does not make judgments on the approaches countries have taken, there are instances in *Integrating Immigrant Children in Schools in Europe* **where good practice appears to be self-evident and could be modified into standards by its members**. For example, the finding regarding orientation assistance could be transformed into a standard advising that the following should be provided to immigrant children and their families: translated information, access to interpreters and, depending on the proportion of immigrant students, the provision of dedicated support/liaison staff and meetings specifically for immigrant families.

10.2. Education & Training 2010

This section looks at the Education & Training 2010 work programme to implement the Lisbon objectives. It will identify its benchmarking characteristics and will then explore the extent to which immigrant integration is incorporated into the planning, assessment and implementation stages.

10.2.1. Education & Training 2010 as a benchmarking exercise

10.2.1.1. Planning

In order to implement the Lisbon strategy, Heads of Government agreed to a new and voluntary protocol of engagement known as the Open Method of Coordination (OMC) in the relevant policy areas. The introduction of the OMC in the field of education was groundbreaking as the Treaty of European Union explicitly states that the content of teaching and the organisation of educational systems is a national responsibility. The OMC would see cooperation and collaboration with Member States agreeing on **common objectives and methods of evaluation in order to identify and disseminate best practice in education**.

Lisbon signalled the need for the adaptation of education and training systems to ensure they prepared the people of Europe for living and working in the 'knowledge society'. The focus of the reform is defined by the **three concrete future objectives of education and training systems** identified at the European Council in Stockholm in 2000, including increasing the quality and effectiveness of education and training systems, facilitating access for all and opening up the education and training systems to the wider world.

European Council in Barcelona set five ambitious goals for education and training. By 2010:

1. the highest quality will be achieved in education and training and Europe will be recognised as a world-wide reference for the quality and relevance of its education and training systems and institutions;
2. education and training systems in Europe will be compatible enough to allow citizens to move between them and take advantage of their diversity;
3. holders of qualifications, knowledge and skills acquired anywhere in the EU will be able to get them effectively validated throughout the Union for the purpose of career and further learning;
4. Europeans, at all ages, will have access to lifelong learning; and
5. Europe will be open to cooperation for mutual benefits with all other regions and should be the most-favoured destination of students, scholars and researchers from other world regions.

The strategy for implementing the Lisbon objectives in the field of education is known as Education & Training 2010 (originally referred to as the Detailed Programme on the follow-up of the objectives of education and training systems). The strategy, adopted at European Council in Barcelona in 2002 included **13 objectives**, an agreed rationale and timetable for action, the identification of 42 key issues, themes for exchange of good practice and peer review and suggestions for indicators to measure progress([109]).

Education & Training 2010's 3 strategic goals and 13 objectives

Strategic objective 1: Improving the quality and effectiveness of education and training systems in the EU, in the light of new requirements of the knowledge society and the changing patterns of teaching and learning.

- Objective 1.1: Improving the quality of teachers and trainers.
- Objective 1.2: Developing skills for the knowledge society
- Objective 1.3: Ensuring access to ICT for everyone
- Objective 1.4: Increasing recruitment to scientific and technical studies.
- Objective 1.5: Making best use of resources

Strategic Objective 2: Facilitating the access of all to education and training systems, in the light of the guiding principle of lifelong learning, fostering employability and career development as well as active citizenship, equal opportunities and social cohesion.

- Objective 2.1: Creating an open learning environment
- Objective 2.2: Making learning more attractive
- Objective 2.3: Supporting active citizenship, equal opportunities and social cohesion.

Strategic objective 3: Opening up education and training systems to the wider world, in the light of the fundamental need to foster relevance to work and society and to meet the challenges resulting from globalisation.

- Objective 3.1: Strengthening the links with working life and research and society at large.
- Objective 3.2: Developing the spirit of enterprise
- Objective 3.3: Improving Foreign Language Learning,
- Objective 3.4: Increasing mobility and exchange
- Objective 3.5: Strengthening European Cooperation

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[109] "Detailed work programme on the follow-up of the objectives of Education and training systems in Europe," OJ C 142 01, 2002, 1-22.

The scope of the reform **encapsulates the whole spectrum of formal and informal learning** from pre-school to post-retirement and includes all learning activity with the aim of improving knowledge, skills and competences within a personal, civic, social and/or employment-related perspective. Education & Training 2010 incorporates the work streams of lifelong learning; the "Copenhagen process" which aims to improve the quality and attractiveness of vocational education and training by focussing on transparency and recognition of qualifications and competences; the "Bologna process" which outlines an agenda for structural reform in higher education; and the 2001 recommendation of the European Parliament and of the Council on mobility.

10.2.1.2. Mapping and Analysis

Working Groups were set up over the course of 2001/2002 to produce policy recommendations and/or concrete material to implement Education & Training 2010. Each Working Group was responsible for one or more of the 13 objectives.

The Working Groups brought together a **wide range of stakeholders**. For example, the membership of the Key Competencies Working Group extends beyond government officials to include representatives from adult education, trade unions, student unions, technical and vocational education and training, entrepreneurship research, parents associations, education associations and councils, social NGOs, private business, EUROSTAT, Eurydice and the OECD.

Members of the Working Groups facilitated the implementation of the 13 objectives at the national level by mapping and assessing issues outlined as themes of exchange in the Detailed Work Programme and emerging issues identified by the Working Groups. Each Working Group engaged in **exchanges of good practice, study visits and peer learning activities** as they deem necessary to define the target groups / key beneficiaries, map the policy situation and identify areas for improvement for each of the objectives.

Working Groups considered the indicative **list of indicators** presented in the Detailed Work Programme and suggested modifications to the Standing Group on Indicators and Benchmarks on the basis of the suitability and availability of the indicators.

10.2.1.3. Implementation

The Standing Group on Indicators and Benchmarks, which was set up to assess progress towards the 13 objectives and to identify models of successful policy practice, produced a list of **29 indicators** to monitor the implementation of Education & Training 2010.

Not all of the 13 concrete objectives had corresponding indicators. The Joint Interim Report from the Council and the Commission of February 2004 highlighted the need to **improve the quality and comparability of existing indicators**, particularly in the field of lifelong learning.

In early 2005, the Standing Group proposed to the Council a limited list of new indicators for development in the fields of key competencies, investment efficiency, ICT, mobility, adult education, vocational education and training, languages, professional development of teachers and trainers, social inclusion and active citizenship.

The Council did not adopt the proposal, stressing to the Standing Group the benefits of using indicators that already exist or are in the process of development. It also asked the Standing Group to assess progress made towards the establishment of a coherent framework of

indicators including reconsidering the suitability of existing indicators. A revised list of indicators has not yet been agreed.

In May 2003, **Education & Training 2010 officially became a benchmarking exercise** when Education Ministers agreed to the implementation of the following five common education and training benchmarks:

- **Benchmark 1** - an EU average rate of no more than 10% early school leavers should be achieved by 2010.
- **Benchmark 2** – the percentage of low-achieving 15-year-olds in reading literacy should have decreased by at least 20% compared to the year 2000.
- **Benchmark 3** - the average proportion of 22-year-olds in the EU with at least upper secondary education is 85% or more by 2010.
- **Benchmark 4** - the total number of graduates in mathematics, science and technology should increase by at least 15% while at the same time the level of gender imbalance should decrease by the year 2010.
- **Benchmark 5** - the EU average level of participation in lifelong learning should be at least 12.5% of the adult working age population (25-64 age group).

The Council only agreed to **establish reference levels of European average performance**. In recognition of the different starting points of individual Member States, it did not define national targets nor prescribe decisions to be taken by national governments.   However, the objective is also to identify countries, which perform well, so that expertise and good practice can be shared with others. The model for monitoring progress is presented below.

Model to be used for Monitoring Progress regarding Education and Training within the Open Method of Coordination

	Present Levels			Progress		Benchmarks	
Indicator	Average (EU)	Average of 3 best performing (EU)	USA and Japan	Up till 2004	Up till 2010	for 2004	for 2010

The benchmarking process does not portray Member States as rivals. **Instead it benchmarks the performance of the EU against itself, over time, as well as against Europe's main 'competitors,'** the US and Japan, in achieving its goal of being the world's greatest knowledge-based economy by 2010. India and China are considered by many to be Europe's real competition, but are not included as in the exercise. Unfortunately, data is neither available for the US nor Japan's performance against two out of the five benchmarks.

This benchmarking exercise is carefully presented as being collaborative rather than competitive. However, the performance of all Member States is published in the progress reports so Member States are also, in effect, being benchmarked against one another.

The choice of the benchmarks is revealing in understanding how the Lisbon objectives are measured and the assumptions made about best practice in meeting these objectives.   Two examples below illustrate that, like many benchmarking exercises, this too may suffer from 'measuring the measurable' and relying on 'best practice' that may be open to debate.

Firstly, Benchmark 2 aims to increase the number of maths, science and technology graduates, however, the area that needed improvement was not the number of graduates per-se, but the low number of graduates pursuing research careers. The crude numbers of graduates in research careers may well increase as a result of this benchmark, but this is not an efficient strategy for achieving the desired goal. The 'best performing country' is actually the one that is most effective in making research careers more desirable to graduates, rather

than the country that has achieved the greatest increase in graduates in order to yield a greater number of researchers.

Secondly, Benchmarks 1 and 3 relating to early school leaving and completing upper secondary education are based on the premise that the completion of compulsory schooling is the most desirable route to obtain the skills necessary for Lisbon's knowledge society. This indicator does not consider the merit of entry into vocational education and training, leading to employment, as a secondary option for young people who do not do well in the school system and are at risk of social exclusion.

Arguably, **best practice is about ensuring appropriate education and training opportunities for young people that best prepare them for the knowledge society, regardless of the educational setting**. Therefore, progress in meeting Benchmarks 1 and 3 should be considered in the context of the proportion of out-of-school inactive youth, to ascertain the effectiveness of retention policies in securing the stated objectives of employment and social cohesion.

Education & Training 2010's indicators and benchmarks are either structural, or concerned with participation and performance. **No softer indicators to measure the effectiveness of educational institutions or the potential of their students exist**, such as those collected by PISA relating to a student's sense of belonging at school and their motivation as a learner.

The 2005 and 2006 Commission Working Documents *Progress towards the Lisbon Objectives in Education and Training* reveal that the **progress to date in meeting the benchmarks on early school leavers, reading literacy and upper secondary education is disappointing**. Despite this, with the exception of the Languages Expert Group, all other Working Groups were deemed to have completed their mandate and have disbanded.

In order to strengthen support for the implementation of Education & Training 2010 at national level, working methods were adjusted to enable Member States to focus on their specific policy priorities. The term 'cluster' refers to this **regrouping of interested countries around a specific theme**, corresponding to their national policy priorities.

DG Education and Culture advise that the aim of the clusters is to strengthen mutual learning and deepen the exchange of good practice between countries sharing similar concerns, in order to develop a common understanding of success factors for the improvement of policy-making and the implementation of reform.

The following clusters were established in 2005/2006:

1. Modernisation of higher education
2. More efficient use of resources
3. Teachers and trainers
4. Access and social inclusion in lifelong learning
5. Maths, science and technology
6. Key competences
7. ICT
8. Recognition of learning outcomes.

Participation in the eight clusters varies. Cluster 8 - Recognition of learning outcomes, with 23 countries, has the highest participation rate and Cluster 2 - Making best use of resources, with 10 countries, has the lowest participation rate. The discretionary nature of the participation means that best practice can be drawn from and shared with a limited number of countries. And without consensus among all Member States, clusters are unlikely to produce any strategic EU-wide policy recommendations.

The clusters are open to European social partners, but not a wider circle of stakeholders. Social partners participating include the Confederation of European Business (UNICE), European Trade Union Confederation (ETUC), European Trade Union Committee for Education (ETUCE)and UEAPME: the employers' organisation representing the interests of European crafts, trades and small to medium enterprise.

In addition to the Social Partners, Cedefop: the European Centre for the Development of Vocational Training, European Training Foundation (ETF) and Eurydice are to participate in the clusters where appropriate. Partnership working is a key element to the implementation of the Education and Training 2010 agenda. Unlike the Education and Training 2010 Working Groups, there are no social NGOs involved in the clusters. Hence there is **no organisation to represent the views of those people who are not in education or employment and** who are a key target group for meeting the Lisbon objectives.

Education & Training 2010 has brought together a benchmarking community to implement the Lisbon objectives and its processes bear the hallmarks of a benchmarking structure. Due to the task-oriented nature of this benchmarking community, it is **focussed on benchmarking outcomes rather than processes**. Although the Working Groups have been involved in sharing good practice, study visits and peer learning activities, these **do not appear to be supported by a strong evidence-base.** Hence, it is not always clear what best practice actually is, or the reasons that some countries perform better than others against the specified objectives. Furthermore, problems relating to the existence, comparability and reliability of indicators make it difficult to make informed assessments about outcomes.

10.2.2. Benchmarking Immigrant Integration in Education & Training 2010

10.2.2.1. Planning

Immigrant integration is not a specific subject area of Education & Training 2010. The original Detailed Work Programme on the follow-up of the objectives of education and training systems makes no specific reference to immigrants. Immigrants are, however, mentioned in numerous other policy documents and reports relating to Education & Training 2010, although this is only in the context of them forming part of a group of beneficiaries who are 'disadvantaged' and/or 'at risk of social exclusion'.

There is no explicit link made between Education & Training 2010 and the Commission's 2005 communication *A Common Agenda for Integration,* in which the EU outlined its commitment to improving the participation of immigrants in education. Its fifth Common Basic Principle states "efforts in education are critical to preparing immigrants and particularly their descendents, to be more successful and more active participants in society".

Immigrant organisations were neither represented on any of the Working Groups, nor in the new clusters.

The membership of the Working Group G (Open learning environment, active citizenship and social inclusion) did, however, have significant representation from members with a focus on human rights, Education for Democratic Citizenship and intercultural education. This is likely to be a contributing factor to this Group's focus on issues of pertinence to immigrants.

In the new clusters, Membership is restricted to government officials and European Social Partners. As there is neither a direct channel for voicing the needs of immigrants, nor an indirect channel through social NGOs, the opportunity to make some real inroads into immigrant integration in education may be lost. Therefore, it is of **vital importance that avenues for structured dialogue with immigrant organisations are created**.

The cluster on access and social inclusion is the only cluster, which is currently planning to organise **peer-learning activities on issues specifically relating to immigrants**. The following countries are participating in this cluster: Austria, Belgium (French), Cyprus, Czech Republic, Denmark, Greece, Estonia, France, Hungary, Ireland, Italy, Lithuania, Luxembourg, Latvia, Netherlands, Romania, Sweden and Turkey. The relatively high participation rate in this cluster presents an opportunity to engage in wide-ranging peer learning activities in the areas for improvement for immigrant integration in education.

10.2.2.2. Assessment: Mapping and analysis

This section will identify mapping and analysis conducted by the Education & Training 2010 Working Groups (it is too early to report on the work of the clusters).

Figure 10(b) uses the areas for improvement identified in the section on integration impediments in Chapter V as a basis from which to examine whether these areas for improvement have been incorporated into Education & Training 2010.

Figure 10(b) Integration impediments as areas of improvement (AoI) contained in Education & Training 2010			
	AoI identified	Responsible Working Group	How progressed
Equity / non-discrimination			
* improve access to education	✓	G B&G subgroup	Policy recommendations
* improve assessments of prior learning	✓	H	Peer learning
* address early-leaver/dropout rates	✓	B	-
* improve acquisition of key competencies	✓	B	-
Dignity / recognition			
* accommodate cultural and religious needs in school life	✘		
* improve access to training in and of the mother-tongue	✓	Languages Expert Group	Peer learning
* prepare teachers for educating people from culturally and linguistically diverse backgrounds	✓	A	Policy recommendation
Autonomy / development			
* extend support measures beyond the initial settlement phase	✓	B&G subgroup	Peer learning
* provide additional academic tuition	✘		
* provide courses in the host-country's language to students and their parents	✓	Languages Expert Group	Peer learning
Participation / commitment			
* introduce a greater focus on intercultural education	✓	B	Peer learning
* evaluate immigrant support measures	✘		

Most of the areas for improvement have been identified. Figure 10(b) shows that many of the areas of improvement have been progressed. **This does not indicate, however, that each area for improvement was highlighted for individual attention or addressed in a comprehensive or systematic manner.**

The following section provides information on each of the areas for improvement that has been identified in Education and Training 2010.

- *Improve access to education*

The Progress towards the Lisbon Objectives in Education and Training - 2006 Report highlights the importance of participation in **pre-primary education** for immigrant children in reducing inequalities resulting from the difference between the language spoken at home and language of instruction in school.

Working Group G's **mapping of the areas for improvement** in relation to accessing and participating in education identified the following issues that impact specifically on immigrants.

- The need to **remove multicultural and linguistic barriers** in the provision of information, advice and guidance on the full range of learning opportunities available.

- Whether **paid educational leave** is available to enable adults from vulnerable groups, including immigrants, to access learning opportunities while combining these with other responsibilities and activities.

- The **lack of multicultural curricula** is identified as an impediment to participation in learning opportunities.

Working Group G's 2003 progress report details **strategies for improving access and participation** in education. These include strategies that have particular relevance for immigrants, including:

- the effective implementation of EU anti-discrimination law in education and training settings. Although not encouraging positive discrimination practices, it suggests that staff from discriminated groups can build trust and act as career models.

- **removing linguistic barriers,** although there are no details provided on how this is to be achieved.

- ensuring that **teaching and learning materials** are checked together with relevant 'minority or disadvantaged' groups (immigrants are not mentioned specifically) for their own history, art and religion and disadvantaged groups are involved in any new planning projects.

- **analysing the reasons for under-representation** of disadvantaged ethnic groups and conducting campaigns to recruit people from these groups.

Working Group B and G's joint subgroup analysed **national strategies for addressing learning needs of less advantaged adults** to ascertain the factors that led to success. They concluded that national strategies are successful when:

- the target group is clearly defined;
- quantitative targets are set;
- strategies are linked to social and employment policies;
- the needs of the learner are viewed holistically;
- there is a solid infrastructure for support services, including guidance and personal counselling;

- responsibilities of all actors are clearly defined;
- NGOs are involved in the design of policies;
- families play a central role in the strategy;
- funding mechanisms are responsive to learners with a disadvantage; and
- systems recognise prior learning.

These finding are particularly useful and could be constructively applied to reviewing policy initiatives to better address the learning needs of immigrant students.

- ***Improve assessments of prior learning***

In 2003, Working Group H - Open Learning environment, making learning more attractive, strengthening links with working life and society - expressed the opinion that the assessment and validation of competences and qualifications to facilitate the integration and educational progression of those from third countries, including refugees and migrant workers, should imminently become an important element of European guidelines. However, this has not occurred.

The European Qualification Framework (see box below) does not extend to immigrants who obtained qualifications outside the EU.

European Qualifications Framework

In 2006 the European Commission put forward a proposal for the establishment of the European Qualifications Framework for lifelong learning that would provide a benchmarking system that describes 'learning outcomes' regardless of the system where a particular qualification was acquired, although it does not apply to learning outcomes acquired in compulsory schooling.

The proposal builds upon Directive 2005/36/EC, which grants rights to EU citizens for recognition of their qualifications acquired in one Member State with a view to exercising a regulated profession in another Member State. The provision for immigrants in the European Qualifications Framework is limited to its extension of Council Directive 2003/109/EC, which provides long term residents equal treatment with nationals in regards to recognition of professional qualifications (in accordance with the relevant national procedures) including the right to exercise mobility within the EU.

The European Qualifications Framework only allows long term residents to have their 'learning outcomes' recognised if they were acquired in the EU. This appears to be contrary to the expectation arising from *A Common Agenda for Integration: Framework for the Integration of Third-Country Nationals in the European Union* in which the Commission undertakes to facilitate transparent recognition of qualifications through the European Qualifications Framework.

The European Qualifications Framework fails to address one of the key impediments to immigrant integration. This is disappointing as the European Qualifications Framework could have been used as a structure for facilitating the recognition of prior learning for immigrants in order to ensure that their skills and knowledge are used to their full potential.

Working Group H's 2004 progress report highlights the importance of validating non-formal and informal learning in promoting social integration, employability and lifelong learning of the least-qualified individuals, including immigrants. Its peer learning activities included a valuable project on recognition of prior learning for immigrants - Norway's Realkompetanse project.

The Realkompetanse project (1999-2002) enabled people to have their non-formal learning documented and validated. It covered validation of non-formal and informal learning in the workplace and the voluntary sector, upper secondary education, as basis of admissions and shortening of courses in higher education. Adult immigrants were part of the target group.

It was a tripartite collaboration and enjoyed strong commitment from social partners and the authorities. 24,000 people took part in the project. One of the outcomes of the project was the introduction in 2003 of a legal right for immigrants (and job seekers) to have their employability tested and documented compared to the curricula for upper secondary education to enhance their chances in the labour market.

- *Address early-leaver/dropout rates*

Working Group B on Key Competencies has not addressed the low attainment levels of immigrant students specifically. However, in *Progress towards the Lisbon Objectives in Education and Training - 2006 Report*, one of the main messages on upper secondary attainment is for Member States to address the issue of the low attainment levels of migrants in upper secondary education.

Concerted efforts should be made to make secondary education accessible and desirable to immigrant students. However, the strong focus on meeting benchmarks 1 and 3 relating to early school leaving and completing upper secondary education may have some negative repercussions for a large number of immigrant students and others, who simply do not do well in the school system. For these students, participation in vocational training that leads to employment and social inclusion is a better option than failing upper secondary education and leaving school with very limited prospects.

- *Improve acquisition of key competencies*

As with attainment levels, Working Group B (Key competencies) does not appear to have focussed specifically on immigrants. Although the need to improve immigrants' acquisition of key competencies has been identified, this is in the broader context of them as a 'vulnerable' group or as 'less advantaged learners'. Exchanges of good practice have been focussed on minority ethnic communities, such as the Roma, rather than immigrants.

Progress towards the Lisbon Objectives in Education and Training - 2006 Report highlights immigrants' acquisition of key competencies as a pressing issue and notes that the strong differences between countries in the relative performance of immigrants implies that there is room for improvement in countries were immigrants perform strongly below average.

- *Improve access to training in and of the mother-tongue*

The Languages Expert Group's 2004 progress report indicates that migrant languages were only given marginal attention in Member States' implementation of the recommendation that "the competent authorities should ensure that mainstream education and training policies

include provision for teaching regional, minority, migrant and neighbouring languages". A number of countries acknowledged that their education and training systems had difficulty in responding to the rapid demographic changes linked to migration.

The Languages Expert Group has created a database of examples of good practice, which does include examples of mother-tongue tuition to immigrants. The Languages Expert Group has recognised the need to ensure that the analysis and evaluation of the examples of good practice contained on the database is more rigorous and that the database should be opened to a wider range of users.

To date, the Languages Expert Group has only considered migrant languages in the wider frameworks of language teaching and learning and of promoting a language-friendly environment. Mother-tongue tuition, however, may well receive more attention as DG Education and Culture progress the following three areas of work.

- *Promoting Language Learning and Linguistic Diversity: An Action Plan 2004 – 2006.* This strategic document highlights the need for mainstream European education and training to be accessible to speakers of all languages, including migrant languages, as well as the benefits of a holistic approach to the teaching of language, including appropriate connections between the teaching of the language of instruction and languages of migrants.

- Furthermore, the 2005 Communication *A new framework for multilingualism.* This identifies key areas for action, including ensuring national strategies give coherence and direction to actions to promote multilingualism, including the teaching of migrant languages.

- In *Key Competencies for Lifelong Learning – A European Reference Framework*, which was adopted by the Council in November 2006, communication in the mother-tongue is one of the eight key competences needed for personal fulfilment, social inclusion and employment in a knowledge society. However, it is not clear whether the scope of this competency includes migrant languages.

- ***Prepare teachers for educating people from culturally and linguistically diverse backgrounds***

Working Group A's 2003 report highlights the need to reorganise learning processes in response to increasing numbers of immigrants. To deal with this diversification, it suggests teachers and trainers are to adapt their teaching strategies, for example, organising classes in groups or providing individual tuition. It also highlights the need for teachers and trainers to be competent in teaching the language of instruction to immigrants.

- ***Extend support measures beyond the initial settlement phase***

Best practice examples from the Working Group B and G joint sub-group included **Belgium's Flemish** Community and Community Schools in the **Netherlands** where additional resources were provided to immigrants on the basis of their educational disadvantage, rather than their length of residence, to ensure ongoing needs-based support.

- ***Provide courses in the host-country's language to students and their parents***

Teaching the language of instruction to immigrants has been included in the wider discourse on learning foreign languages, but it has received very little individual attention.

There have been exchanges of best practice on the issue. The Language Expert Group's database of examples of good practice (although their designation as good practice is not said to be rigorous) does include examples of teaching the language of the country to migrant children. Working Group G also investigated good practice from Slovakia in the provision of language courses for refugees and others with international protection.

As with mother-tongue tuition, it could be expected that *Promoting Language Learning and Linguistic Diversity: An Action Plan 2004 – 2006* and the 2005 Communication *A new framework for multilingualism* and the inclusion of communication in a foreign language, which includes the Member State's official language, as one of the 8 domains of key competences, direct efforts into ensuring immigrants have the opportunity to gain proficiency in the language of the host country.

- ***A greater emphasis on intercultural education is required***

One of the 8 domains of key competences includes Civic Competences and Cultural Awareness. The need to value and understand people from (non-European) culturally and linguistically diverse backgrounds does not form part of the definition of either civic competence or cultural awareness. However, the essential knowledge, skills and attitudes on these two competencies includes an 'appreciation and understanding of differences between value systems of different religious or ethnic groups' and the need 'to understand the cultural and linguistic diversity in Europe and other regions of the world, the need to preserve it'.

In 2003 the Working Group G's exchange and analysis of **good practice** included an analysis of European Association for the Education of Adults NILE (Network-Intercultural Learning in Europe) project, which promotes intercultural education for adults.

10.2.2.3. Implementation

Areas for improvement in immigrant integration do not feature in the implementation stage. The two policy recommendations relating to improving access to education and preparing teachers for educating people from culturally and linguistically diverse backgrounds do not have a standard setting component and are not accompanied by indicators, targets or benchmarks.

The EU encourages Member States to give particular attention to equity to ensure that all citizens, whatever their socio-economic background, can enjoy the benefits of high-quality education and training and contribute actively to society and the economy. Immigrants are, however, less likely to acquire key competencies in education and more likely to leave school early and/or fail to complete upper secondary education.

Hence, it is quite possible that the poor performance of immigrants in education and training is a contributing factor to the limited progress in meeting these three 2010 benchmarks. This is recognised by the Commission and the 2006 Progress report highlights the need to address the relatively low performance and attainment of immigrant students.

Despite the fact that immigrants are under-represented and are under-performing in Europe's education and training systems, **there are no indicators as yet that disaggregate by immigrant status**.

In November 2003, the Working Group on open learning environment, active citizenship and social inclusion (Group G) proposed a new indicator that would disaggregate investment by a number of categories, including immigrants. This has not yet come to fruition.

In early 2005, the Standing Group proposed to the Council a limited list of new indicators for development. **One of the proposed social inclusion and active citizenship indicators was educational attainment by nationals / non-nationals**. Should it come to pass, this would represent a major development in getting immigrants on to the agenda of Education & Training 2010.

While such indicators can provide an important role in exposing the plight of immigrants in education, they do need to be used with care. As highlighted previously in this report, the composition and characteristics of immigrant populations vary widely across Europe, which makes it **difficult to make meaningful comparisons**.

If such indicators are included, it is important that immigrants are not blamed for their poor performance in education, but that Member States take responsibility for removing the institutional and societal barriers that prevent immigrants from participating and excelling in their educational systems.

10.3. Alternative benchmarking communities

This section presents two international benchmarking communities, the Programme for International Student Assessment (PISA) and International Association for the Evaluation of Educational Achievement (IEA). As well as being effective benchmarking communities for measuring immigrant integration in their own right, **PISA and IEA provide valuable indicators to measure the outcomes of immigrant integration policies and practices in education**, such as those examined in Eurydice's study *Integrating Immigrant Children in Schools in Europe* and others identified through Education and Training 2010's peer learning activities.

10.3.1. PISA

PISA is an internationally standardised assessment, which assesses the extent to which 15-year-old students have acquired **skills in mathematics, reading and science** deemed to be essential for full participation in society. Its finding have been used widely by Eurydice reporting and in Education & Training 2010.

In 2006 PISA produced the groundbreaking report *Where immigrant students succeed – A comparative review of performance and engagement in PISA 2003*, which **examines how well immigrant students performed in the PISA assessment and explores their attitudes to learning and to school more generally**. It also provides a qualitative comparative analysis of policies and programmes designed to assist immigrant students in attaining proficiency in the language of instruction.

The PISA report provides a stronger conceptual framework than Eurydice's *Integrating Immigrant Children in Schools in Europe* with which to understand the integration of immigrant students. It acknowledges that the broad category 'immigrant' may hide more than it may reveal. In the PISA study, **first-generation and second-generation immigrants are**

considered separately (unlike the Eurydice study where these categories are combined). The study explains that this is significant as, unlike second-generation migrants, first-generation migrants directly experience the challenges of migration, such as learning a new language, understanding a new culture and adapting to a different schooling environment. The age at which the first-generation student migrated is also analysed as those who have spent longer in the host country should have made progress in meeting the challenges of migration.

The study not only looks at the **performance of immigrant students in key subject areas** as compared to their native peers, which is an objective measure of the student's integration into the school system and the likelihood of the student's future participation in society, but it also looks at immigrant students' attitudes to school as compared to their native peers, including their sense of belonging at school and motivation as learners. This is a useful self-report measure of integration from a student's perspective as well as an indicator of the likelihood of future social exclusion.

10.3.2. IEA

IEA is an independent, international cooperative of national research institutions and governmental research agencies. It conducts research studies of cross-national achievement, including the International Association for the Progress in International Reading Literacy Study (PIRLS) and Trends in International Mathematics and Science Study (TIMSS).

PIRLS assesses the reading achievements of fourth grade students. The study was first conducted in 2001 and is to be conducted every five years. TIMSS measures the educational achievement of students in the fourth and eighth grades. It is conducted every four years.

PIRLS and TIMSS also collect data relating to immigrant integration, specifically whether the student was born in the host country and if so, the age at which they emigrated, whether their mother or father was born outside the host country and the frequency with which language of instruction was spoken at home.

As TIMSS and PIRLS also elicit the length of students' residence in the host country, it may even be possible to follow cohorts' performance over time from fourth to eighth grade, then to continue monitoring in conjunction with PISA at age fifteen.

Despite collecting data on immigrant background, the 2003 TIMSS report only tested the relationship between performance and the frequency with which the student spoke the language of the test at home. However, the American Institutes for Research (AIR) at Boston College offers a user-friendly online facility to analyse PIRLS and TIMSS data through custom-run tables, graphs and other statistics[110], which provides the opportunity to analyse data relating to the students' immigrant background that was not included in the TIMSS report, as well as comparing progress between the tests.

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[110] Available at American Institutes for Research, "Online data analysis facility," (2006) http://lighthouse.air.org/.

Conclusions

- Neither the Eurydice network nor Education & Training 2010 engage, or are likely to engage, in a full immigrant integration benchmarking process in the field of education
- In the implementation stage, Eurydice's scope excludes standard- or benchmark-setting and Education & Training 2010's overarching structure lacks reference to immigrants and therefore addresses their needs in a piecemeal manner in the broader context of 'disadvantaged' learners
- Eurydice and Education and Training 2010 do, however, consider immigrant integration in other stages of the benchmarking process
- Eurydice's one-off study *Integrating Immigrant Children in Schools in Europe* reveals the valuable role Eurydice can play in the mapping and analysis stage of benchmarking immigrant integration in education
- Eurydice's role in mapping could be further enhanced if its collection of information on immigrant integration in compulsory schooling was performed more routinely, as well as broadening coverage to include non-compulsory education
- Eurydice does not assess the effectiveness or desirability of national practices as this is beyond its mandate. It could enable its members and/or partners to engage in their own benchmarking exercises. This could be achieved by examining correlations between Eurydice's process indicators and PISA and IEA's outcome indicators
- Education and Training 2010 does not appear to be a suitable benchmarking community for progressing immigrant integration. To date, it has not adequately addressed the barriers immigrants face in accessing and participating in education
- Few national initiatives on integration of immigrants have been identified through the exchange of good practice, study visits and peer learning activities on broader topics. The sharing of best practice could be enhanced if the examples were selected on the basis of impact assessments that examine the link between processes and outcomes
- The evidence-base for identifying effective policy and practice could be bolstered through the use of carefully selected indicators measuring the education dimensions of immigrant integration. With the 2010 deadline drawing closer and the Council's reluctance to introduce too many new indicators, this outcome appears unlikely
- A targeted and concerted approach to immigrants is required as they have specific needs that are not shared by other disadvantaged groups. The peer learning activities on immigrant issues planned by the cluster on access and social inclusion should provide a renewed focus. However, without EU-wide participation, it is unlikely to produce any strategic EU-wide policy recommendations in the areas for improvement
- In light of the time-limited nature of Education & Training 2010, significant inroads required to ensure immigrants are effectively integrated into education are improbable

Recommendations

The Eurydice network gives consideration to:

- standardising reporting in their database Eurybase on immigrant children by:
    - routinely collecting information about special measures for the benefit of immigrant students (not just children) under 'Special Education Support'
    - including a dimension on the immigrant population in the section on demographic characteristics
- conducting a follow up of *Integrating Immigrant Children in Schools in Europe* to monitor progress. This could also include a wider range of indicators to measure outcomes

- examining the correlations between process and outcome through the use of the following indicators:
- immigrant student's academic performance, motivation and sense of belonging at school (TIMSS, PIRLS and PISA)
- immigrant student's acquisition of the host-country's language using the Council of Europe's Common European Framework of Reference for Languages
- IEA's Immigration Attitude Scale, which captures student attitudes towards immigrants, could be used to measure of the effectiveness of intercultural education

In relation to **Education & Training 2010**:

- Where relevant, incorporate structured dialogue with immigrant organisations

- the cluster on access and social inclusion share evidence-based good practice on the areas for improvement

- Further consideration be given to the introduction of European guidelines on the recognition of prior learning / skills for third country nationals, whether is part of the European Qualifications Framework, or as a standalone initiative

PART THREE: CONCLUSIONS

CHAPTER XI. PROPOSALS FOR A EUROPEAN BENCHMARKING SYSTEM

This report has considered how policymakers and stakeholders can benchmark integration policies in theory and within existing EU mechanisms. It offered an account of the stages and steps that comprise a benchmarking exercise and the potential benchmarking mechanisms within the European integration governance landscape.

Public policies have employed benchmarking as a tool for the exchange of best practice and policy improvement. Benchmarking can and should be applied step-by-step to integration policies in planning, mapping, analysis and implementation stages. Part I of this report demonstrated how to execute the steps concerning beneficiaries, definitions and concepts, policy partners and infrastructures, public debates, impediments and areas of improvement and their translation into indicators and benchmarks.

After designing this theoretical benchmarking structure, the report turned to the European level to assess the potential benchmarking roles of the European institutions as enactors of EU legislation, such as on civic citizenship, and as initiators in Open Methods of Coordination on employment, social inclusion and education.

Benchmarking EU legislation has met with mixed benchmarking success within DG JLS' expanding role. Likewise, the Open Methods of Coordination contain many benchmarking stages and sustain some micro-benchmarking exercises, only to often stop short for reasons of data gaps, weak analytical tools or modest Member State implementation. Compared to Part I's theoretical structure for benchmarking integration policy, few mechanisms address integration policies in an intense or comprehensive manner. The report qualifies current attempts at the EU level as partial, light or potential benchmarking.

11.1. What makes a benchmarking system 'European'?

With this appreciation of benchmarking exercises and the European integration governance landscape, the report considers what would make a benchmarking system 'European?'

11.1.1. Community benchmarking

In the current geopolitical architecture, the word is nearly synonymous with 'the European Community'. This sense of the word implies that a European system for benchmarking integration policies should encompass all EU Member States and activate all national policymakers. Such an ambitious interpretation requires robust cooperation mechanisms that can only found with the European Union or alternatively the Council of Europe.

The integration governance landscape is transforming at both the national and European level, as relevant cooperation mechanisms acknowledge the role they could play on particular aspects of the multifaceted process of integration. The European institutions should seize this window of opportunity for mainstreaming immigrant integration at the European level.

A European benchmarking system consists of at least two instruments: EU legislation on civic citizenship and other dimensions of integration and mainstreaming immigrant integration into current and future Open Methods of Coordination.

EU legislation on civic citizenship (see Chapter VII) and other dimensions of integration can serve as benchmarking mechanisms. Mandatory prospective impact assessments that precede the initiation of EU legislation share many similarities with benchmarking exercises (see Chapter I) and could be used to activate the process. The European Commission plays the initiator role and the European Parliament an increasingly significant decision-making role.

Success in benchmarking EU legislation is largely determined by the legislative infrastructure and mandate of the given Directorate General, the political climate and stakeholder alliances in the negotiation stage and the robustness of implementation mechanisms.

Open Methods of Coordination can serve as the second instrument of a European benchmarking system, so long as immigrant integration is mainstreamed into the relevant mechanisms. Here the European Commission plays more of a coordinator role and the European Parliament an advisor role. Each chapter in Part II set out concrete and attainable recommendations for strengthening benchmarking and mainstreaming integration policies in these mechanisms. A proposed OMC on migration or integration or bundles of commonly defined indicators could further the European institutions' core mainstreaming efforts[111].

Success in OMC mainstreaming and benchmarking integration is largely determined by the goals contained in its guidelines, the thoroughness of Member State data reporting, the use of common indicators, targets and benchmarks and Member States' commitment to engage in implementation, mutual learning and ultimately policy improvement.

Nevertheless, a Community benchmarking will not suffice alone to achieve a European benchmarking system on integration policies.

A purely Community focus overemphasizes the Member State policymakers and subordinates the roles played by European social partners and local, national and European stakeholders.

Mainstreaming and the structural reinforcement of OMCs cannot overcome the endemic problems linked to Member State participation in OMCs and EU legislation. On migration and integration policies, some Member States do not appreciate the value of cooperation within EU mechanisms. They choose to be benchwarmers in current benchmarking exercises and opponents to further mainstreaming, legislation, Open Methods of Coordination and common standard- and target-setting. Since they do not wish the European institutions to take on any active, let alone proactive role, as initiators of legislation or coordinators of cooperation mechanisms, they question their institutional competencies. Moreover, Member States will thwart any 'model-setting' approach to benchmarking as setting standards for an 'ideal' integration model or an 'ideal role' for state policy in the integration process[112].

The research presented in Part II seems to indicate that many Member States are willing to learn, yet are reticent to learn all together, in public, or under obligation. This narrow view on the value of mutual learning and improvement on integration policies would hinder an effective European benchmarking system.

Mainstreaming and reinforced cooperation mechanisms will result in either partial or light benchmarking encompassing all Member States, or full benchmarking encompassing only willing and active Member States.

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[111] For the proposal, see European Commission, <u>Communication on an open method of coordination for the community immigration policy</u>, (Brussels, 2001) COM/2001/0387. For more, see Bernd Schulte, "The Open Method of Coordination as a political strategy in the field of immigrant integration policy," in Rita Süssmuth and Werner Weidenfeld, <u>Managing Integration: The European Union's responsibilities towards immigrants</u>. (Bertelsmann Stiftung and the Migration Policy Institute; Washington, D.C., 2005).
[112] See Han Entzinger and Renske Biezeveld, <u>Benchmarking in Immigrant Integration</u>, (European Research Centre on Migration and Ethnic Relations; Rotterdam, NL, 2003).

11.1.2. Benchmarking communities

Designers of a European system must bear in mind that national governments are not the only European benchmarkers. Member States, even with a whole-of-government approach, cannot decipher on their own how integration impediments are lived. Some practices and external factors may exert a more determining role than others, depending on the local, regional and national context. The importance of context requires other levels of governance, the private sector, NGO stakeholders and immigrants themselves to benchmark.

This recognition suggests a second, complementary understanding of 'European'. As well as **'across all EU Member States,'** a European benchmarking system must connect learning and policy improvement '**across borders'.** This trans-European definition implies that actors could choose to link with neighbouring actors across Europe.

This assembly of active citizens and learning organisations constitute a benchmarking community. Benchmarking communities are organisations that have found each other through a shared mandate, expertise and/or interest on one aspect of integration. They have linked together to form a collaborative network across borders and sectors. Each community possesses the driving interest to learn from one another, improve their organisations' efforts and make a contribution to the overall goals of integration policy. Those who benchmark are not just policymakers, but in fact mostly benchmarking communities.

Because integration is a multifaceted, non-linear and multigenerational process, all aspects and steps of integration policy can be isolated, analysed and eventually benchmarked.

European benchmarking communities can undertake any of four forms of benchmarking outlined in Chapter I (internal, competitive, functional and generic). If the subject area concerned second-generation immigrant youth for example, an internal benchmarking exercise could be a governmental employment agency's service unit adopting the tailor-made immigrant youth procedures of its human resources department. Alternatively competitive benchmarking allows the government service unit to adopt these procedures from the customer service unit of a similar agency in another country or region or of a competitor in the private sector. Both exercises would improve the provision of service to unemployed immigrant youth. Functional benchmarking could allow vocational training programmes in 4 countries across Europe to search for best practice on youth labour-market integration programmes, while generic benchmarking could involve employment agencies in 5 sitting down with culture organisations in 12 to compare outreach programmes for immigrant youth.

All of these forms of benchmarking lead to policies, projects or services that aim for an equality on inputs within one aspect of integration policy. Different benchmarking communities can interlink (say employment and education NGOs on vocational training), exchange methods and share indicators. The question of who benchmarks on what aspects depends on where these organisations sit in the integration process, with whom they decide to sit down and benchmark and where they choose to contribute to integration policy.

The third instrument for a European benchmarking system is the mobilisation of a greater number of stakeholders in EU legislation and OMC benchmarking.

Many stakeholders have developed an appreciation of the value of EU cooperation on integration policies. They are willing to learn together and realise how setting standards and common implementation strategies can stimulate local, regional and national policies that set the conditions for successful integration. Their active mobilisation would enhance the relevance, effectiveness, impact intensity, sustainability, transparency of European benchmarking, particularly in the analysis and implementation stages. Above all, they would demonstrate the added value of benchmarking at the European level.

11.1.3. Empowering benchmarking communities in a Community benchmarking system

The core of benchmarking is choosing partnership. The partners share both the responsibility for successful benchmarking on integration policies and the benefits of successful policies.

Policymakers must implant themselves in corresponding benchmarking communities and facilitate their benchmarking actions. Different groups of policymakers in search of indicators and successful integration policies should partner with particular benchmarking communities on their particular aspect of integration.

This partnership would represent a win-win situation for both. European benchmarking communities would be empowered to benchmark successfully. In turn, successful benchmarking communities would empower European and national policymakers to use the European legislative and OMC instruments.

To accomplish this goal, the European Union must empower current and future benchmarking communities within a Community benchmarking system.

Benchmarking EU legislation and OMC mainstreaming of immigrant integration should mobilise actors and resources around benchmarking communities on particular integration aspects. EU and Member State policymakers take the lead in the planning stage to establish common subject areas, broad integration policy goals and methods of coordination. Benchmarking communities enhance policymaker benchmarking particularly in the other stages. Community support measures, for instance, are not simply implementing Member State priorities in the OMCs, but also empowering benchmarking communities.

This two-pronged approach proposes a new arrangement for active benchmarking, where all relevant actors, benchmarking communities and all levels of governance, actively participate in mutual learning and the improvement of integration policies.

11.2. A European benchmarking integration infrastructure

How can the European Union enable successful European benchmarking?

For benchmarking communities, the actual execution of a benchmarking exercise is daunting. Successful benchmarking requires high start-up, management and implementation costs. This constitutes a significant commitment of intellectual, human and financial resources on the part of loose networks of often small-scale partners. Benchmarking communities find these as high-risk investments in an untested process of multiple partners, steps and assessments ,without an assured pay-off. These challenges can overwhelm partner resources and test their commitments. They may dissuade potential benchmarking communities from executing all the necessary benchmarking stages, undertaking the process or even forming.

Benchmarking, as normative exercise, is all about choice. Organisations with the will to learn and to improve must choose partners, beneficiaries, and standards; above all, they choose whether or not to engage in benchmarking. **Successful benchmarking requires a European infrastructure to empower benchmarking communities to make these choices.**

The European institutions should:

- **promote a European culture of benchmarking on immigrant integration policy;**
- **establish a European infrastructure to facilitate Community benchmarking mechanisms and the mobilisation of benchmarking communities.**

Similar to benchwarmer Member States, some local and regional policymakers and non-governmental stakeholders do not always perceive what Brussels has to offer for the improvement of local, regional or national integration policies. If these actors do not recognise the connections between the local, regional, national and the European, then benchmarking communities will not think in European terms and take advantage of a European infrastructure.

The European institutions must proactively promote a European culture of benchmarking on the relevant dimensions of integration policy. The target group consists of current benchmarking communities and local, national and regional stakeholders, who have the potential to form benchmarking communities. Outreach to these groups will link governance levels and demonstrate the benefits of learning from others across borders, sectors and contexts.

Building a European infrastructure requires significant efforts on the part of the European institutions to invest in building awareness and coalitions among stakeholders and policymakers at all levels of governance. To do so, the European institutions should give a platform to the best Member State practitioners and social partners on benchmarking integration policies, who were identified in Part II.

Within the envisioned European infrastructure, the principal benchmarkers in this system are benchmarking communities, of which organisations and policymakers of relevant levels of governance are a part. The European institutions would be best suited to assist these benchmarking processes on particular aspects of integration. They may also participate in circumstances, where their mandate or expertise makes them a one natural partner out of many within a benchmarking community.

A European benchmarking infrastructure should be designed to provide the basic analytical tools, facilities, services and resources needed for the functioning of a benchmarking community. **The ultimate aim of this system should be to empower these communities and facilitate their benchmarking at the European level.**

A **facilitator role** allows the European institutions to contribute to the successful operation of benchmarking in all its four stages: planning, mapping, analysis and implementation.

A European infrastructure has a robust role to play in the planning stage by **encouraging the formation of EU-wide benchmarking communities**. Individual networks or groups of stakeholders in particular aspects of integration may face difficulties identifying potential partners or developing a cooperation structure. Likewise, many national benchmarking communities may wish to become EU-wide by searching for likeminded partners in different Member States.

The European institutions can help potential benchmarking communities take shape and existing ones expand to a European scale. They can point potential interested parties towards methodologies, cooperation programmes and other key partners. Existing programmes (i.e. EU-wide networks and transnational exchanges) and venues (i.e. EU conferences, presidency events and roundtables) could be mobilised around this goal. In particular, European Years offer an excellent platform for the planning stage. The upcoming 2007 Year of Equal Opportunities for All and the 2008 Year of Intercultural Dialogue could for instance bring this networking of potential benchmarking partners to the foreground.

The EU should continue its work to elaborate on and **promote common framework definitions of integration**. Benchmarking communities should be provided with an expansive European vocabulary on integration concerning beneficiaries, integration definitions, civic citizenship and the well-being of all members of integrated societies. A

general framework permits benchmarking communities to establish their own precise definitions, with reference to these framework definitions. The EU can codify this lexicon in the generally-formulated goals of its integration framework, as already found in the Common Basic Principles (CBPs) and Presidency Conclusions.

Although partners within each community must speak the same language, this infrastructure must not impose a constricted vocabulary upon all benchmarking communities. Different languages are vital across communities that engage in the diverse aspects of integration.

Further EU cooperation and legislation **sets international norms and standards**, around which **benchmarking communities may set their targets, indicators and benchmarks**. EU legislation on civic citizenship and other aspects of immigrant integration fulfils this function, which permit the European institutions to promote active European planning for benchmarking communities.

The mapping stages conducted by benchmarking communities could be greatly enhanced by **supplementary Community data sources**. The European institutions should fully incorporate the variables of nationality, years of residence, country of birth and parents' country of origin into Community information sources. These sources could include the EU Labour Force Survey, EU Statistics on Income and Living Conditions, the regular work of EU observatories and other Eurostat surveys. A possible Migration Observatory could also serve benchmarking communities by coordinating EU-wide datasets, targets and analysis. The Fundamental Rights Agency should also possess a strong role in mapping the policy situation on civic citizenship across the entire EU and in EU Member States.

The fuller incorporation of immigrant integration into Commission and Member State reports on current EU mechanisms, such as the Open Methods of Coordination, would also supply greater statistics on the integration policy situation across the European Union. Efforts on the full inclusion and robust collection of data through national and Community sources will enhance the availability, comparability and accessibility of data for mapping.

The European Union should facilitate the analysis and implementation stages by **embedding benchmarking communities** within the framework of current Community cooperation mechanisms, programmes and networks. Benchmarking communities could use Community support to better navigate through current cooperation structures in order to find their place at the European level. The EU should offer significant support to their analysis, implementation and action projects by encouraging benchmarking communities to take up available resources.

A European infrastructure can become **instrumental in the final implementation steps: reporting, reviewing and re-calibrating the benchmarking process**. Chapter I's overview affirmed that every benchmarking process should learn and improve its own process. Conducting a critical review, refining the process and reporting the results promotes learning within and among benchmarking communities. New benchmarkers can learn from good practice and recycle a model that matches their benchmarking interests.

However, many benchmarking communities operate as one-off pilot project within one budget or programmatic cycle and without secure prospects for long-term funding. Benchmarkers often omit this final step and conclude by presenting their outcomes rather than re-calibrating their process.

The European infrastructure should thus facilitate mutual learning and peer review among benchmarking communities through **a forum for the exchange of good benchmarking practice**. In this way, the European Union can provide an 'institutional memory' for benchmarkers over time and across subject areas. The future European Commission Website on Integration should provide such a platform for the collection and exchange of information.

This Portal will highlight the work of benchmarking communities and facilitate the formation of key stakeholder and policymaker networks into benchmarking communities.

The envisioned Integration Forum should empower benchmarking communities to advocate for greater mainstreaming of immigrant integration in Community structures. Benchmarkers could put forward proposals for mainstreaming in new or future OMCs. Community implementation budgets and programmes at their disposal could also be activated and expanded for benchmarking communities through a greater emphasis on benchmarking could be placed in selection criteria. Benchmarking partners could also share methodologies, acquire skills and tools, evaluate processes and promote results.

The Integration Forum could contribute to the linking of benchmarking communities to the European institutions and Member State policymakers. This linking could be accomplished through a consultation mechanism, whereby benchmarker policy proposals are submitted to the competent European, local and national authorities for consideration. Benchmarking communities could therefore advocate for new legislative proposals, the launch or improvement of OMCs and the implementation of new programmes and projects.

A coherent and user-oriented European benchmarking infrastructure would gear the EU's current machinery towards benchmarking communities and enhance their capacities to learn and to improve together.

11.3. Three benchmarks of benchmarking communities

This section examines how the different mandates, capacities, activities and objectives of three model benchmarking communities have yielded various forms of benchmarking and manners of success.

Benchmarkers and the European institutions in their facilitator role could investigate these good practice examples to identify how future benchmarking communities could form, empower themselves and undertake full and successful benchmarking within the proposed European system.

The report first considers two examples of benchmarking communities in service provision. The first concerns a trans-European benchmarking community on the provision of health services that could be used in other areas and embedded in an OMC. The second (Australian) example expands a reflection on service provision to consider the whole body of public services. The principles of this Australian benchmarking process are universal and directly transferable to the European context. A trans-European benchmarking community of 'public service provision in a diverse society' could be formed and embedded in an OMC. Alternatively, a benchmarking process could be launched through a Community-wide soft Code of Conduct or hard Community legislative proposal.

The section concludes with a European project to benchmark civic citizenship legislation across the Member States and create platforms for the identification of good practice, mutual learning and policy advocacy.

11.3.1. Migrant friendly hospitals

The Migrant Friendly Hospital project (MFH) is a European benchmarking community of horizontally-linked health care providers who are benchmarking their organisation's service provision in a diverse society([113]).

MFH consists of 12 hospitals from 12 EU Member States (Austria, Denmark, Finland, France, Germany, Greece, Ireland, Italy, The Netherlands, Spain, Sweden and the UK). The participating hospitals represent a wide range of types, from large metropolitan university teaching hospitals to small-town community hospitals, with public and with private, non-profit ownership. Some of the partners already established a long-standing record of serving ethno-culturally diverse communities before they participated in the project. Some had experience with specific, homogenous and well-established immigrant communities, while others served diverse communities that often comprised a significant number of undocumented migrants.

The national and regional networks of the WHO Network of Heath Promoting Hospitals (HPH) were instrumental in organically and horizontally linking the partner hospitals. The project receives significant banking from the European Commission, DG Health and Consumer Protection (Sanco), Public Health Program.

The partner hospitals formed a benchmarking community around their mutual objective to improve access to health care services for immigrants and place it higher on the European agenda. The MFH drew on one major aspect of the integration definition: the opening up mainstream institutions through the promotion intercultural competencies. To promote successful integration in this subject area, **hospitals must design new arrangements of providing health care services. These arrangements aim to serve the health well-being of an increasingly diverse clientele and to enable the active participation of immigrant in decisions about their own health care.**

The **mapping stage** was conducted by MFH's initiator, the Health Authority of Reggio Emilia in the North of Italy. The health authority had observed a steady increase in the number of non-national residents in the region that reached up to 14.7% in certain areas. These immigrants also came from an increasingly diverse set of 120 countries. The health services needed new tools to accommodate this increasing diversity and the new needs of this segment of the population. The Health Authority of Reggio Emilia then invited the Ludwig Boltzmann Institute for the Sociology of Health and Medicine (LBISHM) at the University of Vienna, an experienced scientific co-ordinator for European projects. LBISHM developed the project proposal that was accepted by DG Sanco's Public Health Program.

These partners agreed to put migrant-friendly, culturally competent health care and health promotion higher on the European health policy agenda and at the same time to support other hospitals by compiling practical knowledge and instruments. The core of a migrant friendly hospital mission statement as defined in the project includes:

- valuing diversity by accepting people with diverse backgrounds as principally equal members of society;
- identifying the needs of people with diverse backgrounds, as well as monitoring and developing services with regard to these needs;
- and finally, compensating for disadvantages arising from diverse backgrounds.

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[113] For more information, see Annex 1.

The main strategies used in the project were to establish a network of European pilot hospitals, to initiate an overall organisational development process in these hospitals and to implement (and evaluate) effective models addressing specific aspects of migrants' health care needs. The first step in the project was the identification of key areas of improvement and the setting of standards, which was done through two separate strategies: **a literature review and a needs assessment**.

The Swiss Foundation for Migration from the University of Neufchâtel was asked to make a literature review on available knowledge concerning health and health care problems and possible solutions related to migrant status. Based on the experience of the hospital staff involved in the project, four main goals were identified during the first partner meeting as being crucial for improving the quality of care for immigrants: communication, responsiveness, empowerment, and monitoring. These four concepts were taken as a starting point for the review. Intervention models in these fields were identified, evaluated and rated. The evaluation criteria included adequacy of the theoretical framework, acceptability, feasibility, quality of implementation, effectiveness, efficiency and sustainability.

At the same time, a needs assessment was conducted within the partner hospitals, which integrated perspectives of clients, staff and hospital management. Data was collected through focus groups, in-depth interviews, short discharge interviews, expert interviews, group interviews etcetera. These needs assessments resulted in 'problem lists' summarising the most important areas of concern with regard to developing migrant-friendly services from the perspectives of migrant patients and staff.

These problem lists were analysed and used for the development of the **Migrant-Friendliness Quality Questionnaire (MFQQ)**(See Annex 1). The MFQQ provides a comprehensive list of indicators for migrant-friendly hospital services. Indicators were validated in consultation with experts within the MFH project and beyond, as well as by investigating the relevant literature on quality development for diverse populations, on the WHO project "Health Promoting Hospitals", and on established quality systems such as the European Foundation for Quality Management (EFQM).

Through both the literature review and the needs assessments, areas for improvement and standards have been set. The next step in a benchmarking process is to define what an organisation needs to change to meet these standards. To define where the participating hospitals stand in relation to the standards, they were assessed on the basis of the MFQQ. At the end of the project, a similar assessment was done to register possible improvement.

The MFQQ proved useful in systematically assessing migrant-friendly structures, such as interpreting services, information material for migrant patients, culturally sensitive services (religion, food), as well as components of a (quality) management system to enable and assure the migrant-friendliness of services, e.g. the integration of migrant-friendliness into mission statements, budgeting, and staff development programmes.

On the basis of the results of the initial needs assessment, the first MFQQ assessment of structures and quality systems, and the review's identification of the most common problems and solutions, a decision was made concerning the implementation of three subprojects. These subprojects were guided towards areas in which the most serious MFH related problems occur, namely interpreting services, information and training for mother and child care and staff training towards cultural competence. In order to enhance the migrant-friendliness of the pilot hospitals, the project decided to concentrate on these three areas of improvement.

From the outset of the project, the aim was not merely to define areas for improvement, but to **actually implement measures to improve the migrant friendliness of the hospitals**.

Sustainable improvements of complex organisations, like hospitals, can however only be achieved within the framework of an overall organisational development process. To allow such a process to take place and hence ensure effective implementation of the project results, an "overall project" was developed: project teams were established in all partner hospitals, taking the lead in marketing the idea and serving as focal points for the European project coordination. The local implementation of the project was financed out of the hospitals' own funds.

Nine hospitals participated in the 'Interpretation' subgroup. The participating hospitals set various measures to develop or improve interpretive services within their selected departments, the implementation of which was dependent on the individual situation of the hospitals. Six hospitals joined subproject B, aimed at empowering women and families in parental care by providing culturally adequate information and training programs. They developed information materials such as brochures and videos, as well as training courses that were tailored on the basis of a needs assessment among migrant women about what kind of information they felt they needed concerning pregnancy and early motherhood. Nine pilot hospitals participated in the staff training project. Several tools – a fact sheet, a pathway and modules for implementation and instruments for evaluation – were developed.

In addition to their activities within the three thematically focused subprojects, some hospitals engaged in further action within the overall project, e.g. by integrating migrant-friendliness criteria into their strategy development (regulation of basic values, EFQM self-assessment, strategic aims and Balanced Scorecard), by improving hotel and religious services for a migrant clientele, and by implementing migrant-friendly information material (translation of relevant information about the department, discharge and follow-up procedures, improving signposts using pictograms).

The first assessment in 2003 showed a heterogeneous European hospital group, with some hospitals listing many existing migrant-friendly services and having a well-established management structure in place, but with other hospitals showing considerable areas for further development. After one year of work within the European project, the results demonstrated that most hospitals used the project for considerable improvements both on the level of services as well as for developing their quality management systems.

At the end of the project after two and a half years, the **'Amsterdam Declaration towards Migrant Friendly Hospitals in an ethno-culturally diverse Europe'** was adopted with guidelines for a number of different stakeholders: hospital owners and management, staff, users (actual and potential patients, relatives), representatives of community groups, health policymakers and administration, and health science disciplines. The Amsterdam declaration encouraged these stakeholders to undertake action in their specific area of competence and activities in order to increase the general migrant-friendliness of hospitals. To assure sustainability of the MFH movement, a Task Force on Migrant Friendly Hospitals has been established in the framework of the WHO Network on Health Promoting Hospitals.

11.2.2. The Australian Charter of Public Service in a Culturally Diverse Society

The Australian Charter of Public Service in a Culturally Diverse Society showcases a third-country benchmarking community of central government, departments and government-funded organisations who are benchmarking their service provision to a culturally and linguistically diverse population.

The Australian Central Government acted as lead partner on the Charter and adopted **a whole-of-government approach**. Government reached out to all providers of government services, irrespective of whether these services are provided by government agencies, community organisations or the private sector.

All partners were obligated to incorporate Australia's Access and Equity Strategy. Its central objective was to **ensure that government services had adapted new arrangements to met the needs of people from diverse linguistic and cultural backgrounds and to enable them to participate fully in economic, social and cultural life.**

The scope of the Charter went beyond existing access and equity policies by placing the emphasis on incorporating cultural diversity considerations into strategic planning, policy development, budgeting and reporting.

The Charter outlines a set of 7 service principles concerning cultural diversity into mainstream service planning, delivery, evaluation and outcomes reporting:

> **1. Access** - Government services should be available to everyone who is entitled to them and should be free from any form of discrimination irrespective of a person's country of birth, language, culture, race or religion.
>
> **2. Equity** - Government services should be developed and delivered on the basis of fair treatment of clients who are eligible to receive them.
>
> **3. Communication -** Government service providers should use strategies to inform eligible clients of services and their entitlements and how they can obtain them. Providers should also consult with their clients regularly about the adequacy, design and standard of government services.
>
> **4. Responsiveness -** Government services should be sensitive to the needs and requirements of clients from diverse linguistic and cultural backgrounds, and responsive as far as practicable to the particular circumstances of individuals.
>
> **5. Effectiveness** - Government service providers should be results oriented, focussed on meeting the needs of clients from all backgrounds.
>
> **6. Efficiency** - Government service providers should optimise the use of available public resources through a user-responsive approach to service delivery, which meets the needs of clients.
>
> **7. Accountability** - Providers should have a reporting mechanism, which ensures accountability for implementing Charter objectives for clients.

In addition to the principles above, the Charter outlines best practice strategies for achieving and reporting on government services in a culturally diverse society. The Charter is accompanied by the **1998 Good Practice Guide for Culturally Responsive Government**

Services, which relates the charter principles to good practice strategies and examples, and provides a practical checklist for government departments and agencies([114]).

Annex 2 and 3 provide two benchmarking tools: the Charter and the Access and Equity Strategy.

Has the Access and Equity Strategy made a difference?

The 2005 review identified the achievements of the Access and Equity Strategy as:

- the increasing number of agencies that are contributing to the report, particularly from State, Territory and local government.
- the development of an Access and Equity network
- a Performance Management Framework that:
  - has improved the quality of reporting as it makes it possible to assess and rank agency performance and make comparisons over time;
  - identifies whole of government performance trends;
  - provides an incentive, and good practice examples, for all agencies to improve their performance; and
  - raises awareness annually and focuses attention on the importance of Access and Equity

The success of the Charter can be gleaned from the 2005 Access and Equity Report, which reveals a high level of compliance with access and equity principles, and improved performance. For example, in 2003, 91.4% of agencies met all relevant indicators and 48.9% had met these standards well. In 2005 98.9% of agencies met all relevant indicators, and 61.9% had met these standards well.

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[114] Good Practice Guide for Culturally Responsive Government Services (Canberra, 1998), http://www.immigration.gov.au/about/charters/_pdf/culturally-diverse/practice.pdf.

Improving Public Service Delivery: A European example

A European benchmarking community initiated a benchmarking project towards this similar goal. Public authorities in Northern Ireland, the Republic of Ireland and Scotland commissioned research as to how the three jurisdictions could learn from the experiences of their neighbours about government service provision to minority ethnic groups.

Public authorities took the lead on the project, with research support in the mapping stage from other service providers and NGOs. The partners concentrated on specific 'barometer' areas: health, education, policing and employment (as well as housing in Northern Ireland).

Within each area in each country, the mapping stage identified how service providers used many of the key elements of benchmarking to address the specific needs of minority ethnic groups. The research template termed these elements:

- **Mainstreaming:** inclusion of the needs of minority ethnic groups in planning, implementation and review through tailored mainstreaming models
- **Targeting:** initiatives to overcome the inequalities experienced by specific groups
- **Benchmarking:** the use of indicators and disaggregated data to facilitate target-setting and to evaluate and track implementation of targets
- **Engagement:** Flexible outreach and consultation strategies for a wide range of minority ethnic groups in planning, delivery, monitoring and evaluation

A literature and policy review initiated the **mapping stage**. The bulk of data collection came from service providers (including customer-facing personnel and management/policymakers), service users (focus groups of ethnic minorities) and key NGOs. The project acknowledged the rather cursory level of their research, the limited use of interviews and an aggregated methodology that did not take account of different cultural and linguistic factors.

The mapping stage identified particular impediments and translated them into areas of improvement for service provision on the special needs of ethnic minority groups:

- **Mainstreaming:**
    - Joined-up Government
    - Exchange of cross-border experiences
    - Understanding and tackling racism
    - Positive Duties
    - Improve training
- **Targeting:**
    - Two-pronged approach of Mainstreaming AND targeting
    - Value diversity in government recruitment and employment policies
- **Benchmarking:**
    - Prioritisation of data collection
    - Proactive planning and migration strategies
- **Engagement:**
    - Use of specialized and expert bodies and NGOs
    - Dedicated engagement strategies
    - Effective communication strategies

These conclusions were investigated during the **analysis stage**, which consisted of a discussion paper, a March 2006 Belfast conference and a final publication ([115]).

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[115] Philip Watt and Fiona McGaughey, ed. Improving Government Service Delivery to Minority Ethnic Groups, (Dublin, 2006).

11.2.3. Establishing the strengths and weaknesses of civic citizenship policies and law

The **European Civic Citizenship and Inclusion Index** (henceforth, the Index), is an INTI-funded European benchmarking community of stakeholders who are engaged in benchmarking integration laws and legislation in the EU Member States.

The Index measures national governments' investment in their legislative infrastructure on immigrant integration. It determines to what extent they have committed themselves through their laws and policies to the high and internationally-recognised standards that set the conditions for successful integration.

Its 2004 pilot project edition examined the **civic citizenship** policy situations in the EU-15. Subsequent editions will expand to investigate **active citizenship** across all EU Member States and beyond. The upcoming 2007 edition move towards active citizenship with new strands on the **formal political participation** of immigrants, contextual information on **public perceptions** and coverage of 25 EU Member States plus 3 third countries. The Index aims to promote a **European-level platform** for focussed, fact-based dialogue on a **citizens-centred approach** to immigrant integration law and policy.

The Index benchmarking structure consists of a **diverse and expanding team of European stakeholders**. The managing partners, the British Council and the Migration Policy Group, assembled a diverse network of partners, including research partners (University of Sheffield and the Group for the Study of Ethnicity, Racism, Migrations and Exclusion at the Université Libre de Bruxelles), national correspondent experts, and nationally-based partners, which range from governmental bodies to equality agencies, foundations and thinktanks.

The partners' desire to join the Index arises from their mandates, core values, proven track record of effective work, considerable expertise and extensive networks on integration policy issues. The combination of these capacities produces a multiplier effect for the Index team: a benchmarking community based on transnational cooperation at various governance levels.

In the planning stage, the Index was focussed on the legal and policy framework favouring immigrant integration in EU Member States. The planning stage identified three major gaps within this subject area:

- lack of clear, concise and comparable information on integration policies in EU countries
- lack of a focussed and comprehensive platform for the exchange of good practice on integration policies
- lack of dialogue on civic citizenship and immigrant inclusion at a European level

The Index's **mapping stage** examines the legal and policy measures on the crucial areas for immigrant integration: long-term residence, family reunion, naturalisation, political participation, labour market inclusion and anti-discrimination. To overcome immense data gaps, the mapping stage develops more than one hundred input indicators, when most policy evaluations focus narrowly on outcome indicators. Indeed, the Index introduces indicators and benchmarking methods in the area of justice and home affairs at the European level for the very first time. These input indicators are reviewed through a series of consultations with stakeholders and experts. They are then assembled in a questionnaire, completed by national correspondents in each country and peer reviewed.

The design of a **normative framework** precedes the analysis (see Annex 4). The framework and the accompanying indicators are derived from EU legislation, international conventions,

NGO proposals and policy recommendations from expert scholars. **The normative framework permits the design and implementation of integration policies to remain focused on standards, particularly high and internationally-recognised standards.**

The **analysis stage** allows the Index partners to measure and compare EU Member States' policies in three respects. The comparable data generated from the indicators invites comparisons **against other Member States' policies** for the search for 'good' practice. National policies can also be measured and compared **against the normative framework**, which enables the search for 'best' practice, according to standards largely inspired by the European Union and the Council of Europe. Both approaches allow Index benchmarkers to identify and map areas of improvement, strengths and weaknesses in the current civic citizenship policies and laws of the 25 Member States. Lastly, the 2004 pilot version and the 2006 first edition will provoke comparisons **over time** to trace changes (either strengthening or weakening) in each Member States' laws and policies.

Publication of the Index represents the first step in the **implementation stage**. The comparisons against other Member States' policies, against best practice and over time are assembled into country profiles with accompanying national contextual information. The final Index contains the normative framework, rankings, country profiles and general mapping conclusions and recommendations for policy change. The Index fills the gap, where concise and comparable information regarding the policy framework and national context, in which immigrant integration takes place, is wanting.

The next step addresses the second and identified gaps on a **focussed and comprehensive platform for the exchange of good practice**. **The EU-wide Index identifies policy strengths where policymakers and stakeholders will discover examples of best practice.** The Index team designs the publication and its substantial website to be clear, accessible and user-oriented. The 2006 publication will be translated in 5 languages and disseminated by a wide network of partner organisations, who organise national launch conferences and press campaigns in 15 countries. These National Partner actions create 'European' platforms through **horizontal dialogue** with high-level policymakers and stakeholders.

The implementation stage also addresses these gaps through **vertical dialogue** at the EU level. The Index puts forward European policy recommendations, which are refined in the horizontal national debates. These proposals for change can be translated upwards to EU lawmaking. Stakeholders can ally with European institutions and advocate for greater competence or resources for enhanced cooperation on integration policy and civic citizenship.

The Index is a **transferable tool** to be used horizontally in every Member State and vertically at the European Union level. As a **quick reference guide**, it enlarges a European awareness of integration policies across borders and encourages users to search for and exchange best practice. As a **policy advocacy tool**, it stimulates learning and policy improvement and encourages stakeholders and policymakers across the EU to do so together. These combined efforts allow actors to build their own quantitative and qualitative integration targets and benchmarks from the Index's foundation.

What does it require to develop and use an instrument like the Index?

- first-hand information on the situation of immigrants and the impediments for their integration
- expertise on policies and law in terms of its personnel and material scope, how they work out in practice and how national and international policies and laws intersect
- a network of experts of persons and organisations (from community workers to lawyers, academics and policymakers) who work with immigrants, want to contribute to the design of a normative framework and can test its relevancy
- a network of independent experts across the European Union to complete a questionnaire, analyse the results and present them succinctly
- interested parties to work with the results. Benchmarkers can select certain areas they want to work on and develop performance indicators. Stakeholders may want to mobilise their contacts with policy-makers and those persons who have the ear of policy-makers with a view to bring the results under their attention. Activists may use the result to plea for changes in policies and law

11(a) A benchmarker excursion into the European system

Consider your mandate, objectives, capacities and activities as an integration actor.

How would you benchmark immigrant integration policies?

Beneficiaries:
- What subject area within the multifaceted process of integration would you address?
- Who would you select as your beneficiaries?
- What data is relevant and what sources are readily available?

Definitions:
- How does your policy or practice relate to your definition of integration (i.e. whom are you integrating into what?)
- How does your policy or practice promote active citizenship and the long-term well-being of all its members?
- Will it address the skills and competences of individuals? Comparable rights and responsibilities? The opening up or mainstream institutions? Service delivery?

Partners:
- With whom would you partner to form a benchmarking community?
- At what level(s) of governance and with which stakeholders and experts?
- With whom would you partner across sectors, across countries?

Areas of Improvement:
- How does your proposed benchmarking exercise relate to trends in local, national and/or European integration debates?
- What area of life impacts most on your subject area?
- What sources are relevant for your identification of impediments?
- What policy interventions could be designed to address your areas of improvement?

Indicators:
- What could you consult for standards and good practice
- What would be your normative framework?
- What do you need to measure to assess the policy situation? implementation?
- How could your identified areas of improvement be converted into various forms of indicators, targets and benchmarks?

A European system:
- Under what Directorate General does your subject area fall?
- How do EU cooperation mechanisms address your general area of improvement?
- How is integration mainstreamed into those general areas of improvement?
- How could they and why do they not incorporate your areas of improvement?
- What resources are dedicated to your areas of improvement at the European level? (Benchmarks, budgets, data sources, facilities, networks, programmes, projects, reports, services, standards, targets, tools, and so on)

11.4. Empowering the European system through DG Justice, Freedom and Security

The excursion above outlines how potential benchmarkers, be they policymakers at diverse levels of governance and/or non-governmental stakeholders in diverse contexts and sectors, can assume the responsibility of devising a benchmarking exercise together on a European scale.

Who must then take responsibility for building and supporting this European system?

In the national integration governance landscapes, the Ministries in charge of immigrant integration policies are often Justice and Home Affairs, sometimes in close cooperation with Social Affairs and Employment and an Inter-ministerial Committee. A parallel trend has surfaced at the European level, where the European Commission has conferred **DG Justice, Freedom and Security the overall responsibility for migration and integration.**

In this way, migration and integration are incorporated under the remit of DG Justice Freedom and Security and into its core business: securing fundamental rights and responsibilities for all residents.

Some stakeholders may construe DG JLS' mandate as building a migration-control area on the two pillars of security and justice. Such an interpretation, which often surfaces from a restrictionist climate, would nevertheless misread DG JLS' stated mission: to root Europe in the common values of access and equality and to secure freedoms of movement and residence for all residents. A European benchmarking infrastructure and culture could underpin DG JLS' projected common area of freedom, security and justice for all residents, including EU citizens and third-country nationals. The inclusion of immigrant integration into DG JLS' core business makes fundamental rights and citizenship the core of integration: **a 'citizens-centred' approach to integration.**

DG JLS' co-ordinating position manifests itself through two key roles.

As **lawmaker**, DG JLS could enhance and monitor implementation of Community civic citizenship law. Where community competence is lacking, it could initiate other forms of co-operation and consultation, for example in the field of naturalisation.

DG JLS could as 'guardian' of the fundamental rights of all citizens, oversee general EU lawmaking and ensure that the personal scope of existing and future Community law applies equally to EU nationals and third-country nationals. 'Inclusive' EU lawmaking guarantees that legislation within the multiple areas of life where integration takes place upholds the fundamental principles of access and equality.

As **coordinator**, it could manage an integration governance infrastructure. Just as one department often coordinates and leads on integration policies at the national level, possibly reinforced by Inter-ministerial Committees, so too could DG JLS assume such a role. This role would entail becoming the 'head mainstreamer.' Mainstreaming enhances policy cooperation on the long-term well-being of immigrants as citizens in culture, education, employment, enterprise, health, housing, social affairs, etc.

This coordinator role would support OMCs in their construction of appropriate benchmarking infrastructures and empower and embed benchmarking communities. A coherent internal strategy should allow DG JLS to collaborate with other DGs to present evaluations, proposals and best practice manuals on successful mainstreaming at the EU level.

The report has demonstrated benchmarking's potential to improve integration policies and practices. At the lead of a European benchmarking system, DG Justice, Freedom and Security could extend its citizens-centred approach to the empowerment of benchmarking communities and to the assembly of a benchmarking legislative and OMC infrastructure. Such a system would guarantee that policymakers and stakeholders learn together, with the overarching objective to activate all citizens in Europe's diverse societies.

List of Abbreviations

ABNI	Independent Advisory Board on Naturalisation and Integration (UK)
APR	Annual Progress Report (EES)
CBPs	Common Basic Principles for Immigrant Integration Policy
CEEDR	Centre for Enterprise and Economic Development Research, Middlesex University
CNDS	National Commission on Security Deontology (FR)
COCAI	Advisory Board for Immigrant Affairs (PT)
COMPSTAT	Comparing National Data Sources in the Field of Migration and Integration
EAPN	European Anti-Poverty Network
EEO	European Employment Observatory
EES	European Employment Strategy
EFQM	European Foundation for Quality Management
EMN	European Migration Network
EQUAL	European Social Fund programme on anti-discrimination
ESF	European Social Fund
ETF	European Training Foundation
ETUC	European Trade Union Confederation
ETUCE	European Trade Union Committee for Education
EU-LFS	European Union Labour Force Survey
EU-SILC	European Union Statistics on Income and Living Conditions
Facet	Financial Assistance, Consultancy, Entrepreneurship and Training (NL)
HPH	World Health Organisation's Network of Health Promoting Hospitals
ICMH	International Centre for Migration and Health
IEA	International Association for the Evaluation of Educational Achievement
IGAS	General Inspection of Social Affairs (FR)
IMES	Institute of Migration and Ethnic Studies, University of Amsterdam (NL)
INEK	Institute of Labour (CY)
INTI	Integration Fund Preparatory Actions
IOM	International Organisation on Migration
IRA	Reception and Integration Agency (IE)
JLS	Directorate General Justice, Liberty and Security
KISA	Action for Equality, Support, Antiracism (CY)
KPMG	Klynveld Peat Marwick Goerdeler Professional Services Firm
LBISHM	Ludwig Boltzmann Institute for the Sociology of Health and Medicine
MFH	Migrant-Friendly Hospitals
MFQQ	Migrant-Friendiness Quality Questionnaire
NAP	National Action Plan (EES) and (SPSI)
NCCRI	National Consultative Committee on Racism and Interculturalism (IE)
NRP	National Reform Programme (EES)
OECD	Organisation for Economic Cooperation and Development
OFSTED	Chief Inspector of Schools (UK)
OMC	Open Method of Coordination
PISA	OECD Programme for International Student Assessment
PPSN	Personal Public Service Number (IE)
QED	Quest for Economic Development NGO (UK)
SOPEMI	OECD reports on Migration, Immigrants and Policy for the Continuous Reporting System
SPC	Social Protection Committee
SPSI	Social Protection and Social Inclusion
TCN	Third-Country National

THESIM	Towards Harmonised European Statistics on International Migration project
UEAPME	European Crafts and Small and Medium-sized Enterprises Employers Association
UNDP	UN Development Programme
UNESCO	The United Nations Educational, Scientific and Cultural Organization
UNHCR	UN High Commissionner on Refugees
UNICE	European Industry and Employers Federation
WHO	World Health Organisation

Annex 1 : Migrant-Friendliness Quality Questionnaire

Migrant-Friendliness Quality Questionnaire (MFQQ)

Developed by:

Kaiser Franz Josef-Spital, Vienna, AT
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Kolding Hospital, Kolding, DK
Hospital "Spiliopoulio Agia Eleni", Athens, EL
Hospital Punta de Europa, Algeciras Cádiz, ES
Turku University Hospital, Turku, FI
Hôpital Avicenne, Paris, France, FR
James Connolly Memorial Hospital, Dublin, IR
Presidio Ospedaliero della Provincia di Reggio Emilia, Reggio Emilia, IT
Academic Medical Center, Amsterdam, NL
Uppsala University Hospital, Psychiatric Centre, Uppsala, SV
Bradford Hospitals NHS Trust , Bradford, UK
Ludwig Boltzmann Institute for the Sociology of Health and Medicine (LBISHM)

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Migrant-Friendliness Quality Questionnaire (MFQQ)

Introduction

This questionnaire serves as an instrument to monitor and assess migrant-friendly quality development of hospital services, enquiring

- the availability of migrant-friendly services responsive to the needs of patients with different ethnic and cultural backgrounds and
- the presence of a support system for realising migrant-friendliness as a specific dimension of service quality at the hospital

In this questionnaire, „MF" (migrant-friendly/migrant-friendliness) is used as a general label for cultural diversity and/or culturally adequate services, or however you term this approach in your local context (e.g. cultural competence, equality and diversity, working group „euro-migrants", etc.). "MF" refers to patient orientation and quality development of the hospital organisation, especially focussed on users who have a different ethic or cultural background from the majority culture of the country in question.

Background

The MFQQ is a further development of the MF Checklist which was improved using two strategies:
1. Consulting experts within the MFH project and beyond
2. Investigating the relevant literature on quality development for diverse populations, the WHO project "Health Promoting Hospitals", and on established quality systems such as the EFQM, with the aim to validate the MF indicators used (see attached reference list).

Criteria for MF reflect the current state of the debate on improving the quality of healthcare for diverse populations, i.e. face validity is ensured.

Use

It is recommended that the local focal person takes charge of completing the questionnaire – involving the project steering group and the top hospital management in the assessment process. The MFQQ will be used at two points in time: for a baseline assessment early in the mfh project (May 2003) and a final assessment at the end of the project period (June 2004). We would encourage you to give a realistic assessment of the status quo – especially if you are at the beginning of developing migrant-friendliness at your hospital. In this way, improvements through the mfh project will become more clearly perceivable and thus enhance the visible success of your project.

Hospital: ....

Questionnaire filled in consultation with

Project Steering Group	☐
Top Hospital Management	☐
Other (Please specify:)	☐

Contact for questions

If you have difficulties in understanding or answering specific questions, please contact Uschi Trummer (uschi.trummer@univie.ac.at, phone: ++43-1-4277 48296)

Part A: MF Characteristics of Services

Please give estimated degree of implementation of the named MF quality assurance/ improvement measures in the relevant units of hospital, using a scale from 0% to 100% with the following response options:

- **0%** - (not at all)
- **up to 25%** - (e.g. in some units, erratically)
- **up to 50%** - (in several units)
- **up to 75%** - (widespread, rather reliable)
- **up to 100%** - (full coverage, good quality, reliable, fast..)

Please give your estimate by checking the relevant box.

	General resources to facilitate communication and information	0%	up to 25%	up to 50%	up to 75%	up to 100%
	Communication - Interpreting services available at the hospital					
	Kind of professional interpreting service					
1.	Interpreting service implemented at hospital	☐	☐	☐	☐	☐
2.	Telephone interpreting service	☐	☐	☐	☐	☐
3.	Co-operation with external interpreting service	☐	☐	☐	☐	☐
	Who can request an interpreter?					
4.	Interpreting service available on request of staff	☐	☐	☐	☐	☐
5.	Interpreting service available on request of patients and/or relatives	☐	☐	☐	☐	☐
6.	Utilisation of language and cultural competencies of staff members with migrant and/or diverse backgrounds	☐	☐	☐	☐	☐
7.	Cultural mediation services	☐	☐	☐	☐	☐
8.	Other (please specify, e.g. informal or proxy interpreters):	☐	☐	☐	☐	☐
	Information					
9.	Patient information translated in the local community languages	☐	☐	☐	☐	☐
10.	Patient information prepared in the appropriate form (culturally specific, pictographs, audiotapes) -(Please specify:)	☐	☐	☐	☐	☐
11.	Visual orientation systems at the hospital (signposts, pictographs, etc.)	☐	☐	☐	☐	☐
12.	Other (please specify):	☐	☐	☐	☐	☐

	Accessibility, pre-entry and entry into hospital	0%	up to 25%	up to 50%	up to 75%	up to 100%
13.	Action programmes to improve access and ensure adequate service utilisation by migrants/all service users (please specify):	☐	☐	☐	☐	☐
14.	Hospital information for prospective patients available in places in the community easily accessible for people with a migrant/ethnic minority background (e.g. community centres, pharmacies, mosques, etc.)	☐	☐	☐	☐	☐
15.	Hospital information for prospective patients translated into the local community languages /	☐	☐	☐	☐	☐
16.	Hospital information for prospective patients prepared in the appropriate form (culturally specific, pictographs) (Please specify)	☐	☐	☐	☐	☐
17.	Written process regulations for reception of migrant patients	☐	☐	☐	☐	☐
18.	Written process regulations for admission of migrant patients	☐	☐	☐	☐	☐
19.	Written process regulations for anamnesis of migrant patients	☐	☐	☐	☐	☐
20.	Bilingual questionnaires on medical history in the most important migrant languages as part of (medical + nursing) anamnesis	☐	☐	☐	☐	☐

	Whilst in hospital	0%	up to 25%	up to 50%	up to 75%	up to 100%
	Hotel services					
22.	Written process regulations for hotel services for migrant patients	☐	☐	☐	☐	☐
23.	Provision of adequate food (culture, religion)	☐	☐	☐	☐	☐
24.	Provision for patients to practice their religion within the hospital	☐	☐	☐	☐	☐
25.	Provisions for spiritual carers from diverse religious groups	☐	☐	☐	☐	☐
26.	Arrangements/facilities for family visits (more than 2 visitors per patient) Please specify:	☐	☐	☐	☐	☐
27.	Written process regulations for caring for deceased patients and their relatives according to their different cultural and religious backgrounds	☐	☐	☐	☐	☐
28.	Other (please specify):	☐	☐	☐	☐	☐
	Medical / nursing treatment					
29.	Provisions for patients to be treated by a doctor and nurse of same gender (if they choose)	☐	☐	☐	☐	☐
30.	Culturally competent nursing service	☐	☐	☐	☐	☐
31.	Transcultural mental health service	☐	☐	☐	☐	☐
32.	Written process regulations for diagnosis of migrant patients	☐	☐	☐	☐	☐
33.	Written process regulations for therapy of migrant patients	☐	☐	☐	☐	☐
34.	Services for migrant-specific health problems (e.g. sickle cell disease, thalassemia), (Please specify:)	☐	☐	☐	☐	☐
35.	Services accessible for irregular and/or undocumented ("illegal") migrants (please specify):	☐	☐	☐	☐	☐
36.	Service to care for traumatised refugees (refugee trauma, war experiences, torture, etc.)	☐	☐	☐	☐	☐
37.	Culturally specific travel clinic for migrants returning to their country of origin	☐	☐	☐	☐	☐
38.	Provision for ensuring that patients are able to consent to treatment in a language they understand	☐	☐	☐	☐	☐
39.	Provision for ensuring that patients are able to read/ understand their medical and nursing record to be oriented about their progress	☐	☐	☐	☐	☐
40.	Other (please specify):	☐	☐	☐	☐	☐

	Discharge	0%	up to 25%	up to 50%	up to 75%	up to 100%
41.	Provision of information regarding treatment and post discharge care in appropriate language and format	☐	☐	☐	☐	☐
42.	Provision of culturally adequate recommendations and health information at discharge	☐	☐	☐	☐	☐
43.	Other (please specify):	☐	☐	☐	☐	☐
44.	Written process regulations in place for discharge of migrant	☐	☐	☐	☐	☐

	Discharge (ct.)	0%	up to 25%	up to 50%	up to 75%	up to 100%
45.	Written process regulations in place for transfer of migrant patients to other health care and/or social service institutions	☐	☐	☐	☐	☐
46.	Written process regulations in place for follow-up care for migrant patients (integrated system with primary care services)	☐	☐	☐	☐	☐
47.	Other (please specify):	☐	☐	☐	☐	☐

	MF patient education / health promotion / empowerment	0%	up to 25%	up to 50%	up to 75%	up to 100%
48.	Written process regulations to check general literacy of migrant patients	☐	☐	☐	☐	☐
49.	Provision of adequate info material for illiterate migrants (please specify):	☐	☐	☐	☐	☐
50.	Provision of culturally sensitive patient education programmes (please specify:)	☐	☐	☐	☐	☐
51.	Provision of culturally sensitive education programmes for families and carers (please specify:)	☐	☐	☐	☐	☐
52.	Provision of culturally sensitive health promotion services (please specify:)	☐	☐	☐	☐	☐
53.	Availability of a culturally and linguistically sensitive complaints system, e.g. ombuds-people, complaint forms, complaints box, etc. (please specify:)	☐	☐	☐	☐	☐

Part B: MF Support System

	General quality system in hospital	yes	no
54.	Does your hospital use a comprehensive quality system?	☐	☐
	If yes, please specify model, e.g. EFQM, ISO, TQM...		
55.	Are MF criteria integrated in this quality system?	☐	☐
	If yes, in which way? Please specify:		

	Does your hospital have a written MF policy ?	yes	no
56.	Migrant-friendliness as an explicit aim + value in the mission statement	☐	☐
	If yes, please quote the relevant passage in your mission statement (English translation):		
		yes	no
57.	Formulated MF strategic policy document, specifying MF core strategies and policies to reach them	☐	☐
58.	(Annual) MF action plan	☐	☐
59.	MF written process regulations (organisation manuals, guidelines, standards, pathways...)	☐	☐
60.	Reference to migrant-friendliness in general process regulations If yes, please specify:	☐	☐
61.	Hiring policies aimed at actively recruiting staff with a migrant background	☐	☐
62.	Policies for the training and development of staff with a migrant background	☐	☐
63.	Policies how to handle discrimination	☐	☐
64.	White book on health assistance for migrants in the region or country	☐	☐
65.	Other (please specify):	☐	☐

	MF budget	yes	no
66.	Does your hospital have an explicit MF budget? If possible, please specify the amount: Euro _____ per year	☐	☐
	Source of funds	yes	no
67.	regular hospital budget	☐	☐
68.	external public funds	☐	☐
69.	private sponsoring	☐	☐
70.	Other (Please specify):	☐	☐

	Is a specific MF management structure in place?	yes	no
71.	Multiprofessional MF steering committee	☐	☐
72.	Including migrant representatives	☐	☐
73.	Including representative(s) of top hospital management	☐	☐
74.	Including representative(s) of primary care	☐	☐
75.	Including representative(s) of local politics	☐	☐
76.	Including representative(s) of hospital staff	☐	☐
77.	Including representatives of other relevant groups: (Please specify)	☐	☐

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	Is a specific MF management structure in place? (ct.)	yes	no
78.	Multiprofessional committee on access restrictions and health problems of migrants and ethnic minorities	☐	☐
79.	MF project officer or manager	☐	☐
80.	Network of MF contact persons on sub-unit level	☐	☐
81.	Type or size of network **(please give number of contact persons)** — Please specify:		

	Involvement of migrant representatives in organisational change	yes	no
82.	Members of top hospital management	☐	☐
83.	Members in health circles, project groups, etc.	☐	☐
84.	Members of staff	☐	☐
85.	Other (please specify):	☐	☐

	Marketing of MF		
	internal marketing of MF (at the hospital)	yes	no
86.	MFH communication policy and/or plan	☐	☐
87.	MFH logo	☐	☐
88.	MFH internal newsletter	☐	☐
89.	MFH annual presentations	☐	☐
90.	MFH intranet	☐	☐
91.	List of MFH contact persons at the hospital available to all staff members	☐	☐
92.	MFH office	☐	☐
93.	Others (Please specify):	☐	☐
	External marketing of MF (to the public)	yes	no
94.	MFH communication policy and/or plan	☐	☐
95.	Public relations manager with MFH responsibilities	☐	☐
96.	MFH logo	☐	☐
97.	MFH external newsletters	☐	☐
98.	MFH press releases	☐	☐
99.	MFH open house	☐	☐
100.	MFH flyers or brochures available at doctors' offices or migrant community centres	☐	☐

	MF training and education for staff	
104.	Staff training for MF	
	Focus of staff training	
105.	Communication (language + interaction skills)	
106.	Cultural competence	
107.	Specific health problems prevalent among migrants and ethnic minorities	
108.	"Migration medicine"	
109.	Refugee trauma	
110.	Transcultural psychiatry	
111.	Managing diversity	
112.	Working with interpreters	
113.	Other (please specify:)	
114.	Staff exchange programmes with other countries (please specify:)	
115.	Inclusion of MF in curricula for education (medical students, nursing students, etc.)	

	Monitoring of migrant clientele	
116.	Patient profiling data analysed and used for service planning	
117.	Patient profiling (ethnic monitoring) takes place within the hospital for all patients	
118.	systems have been developed for collecting patient data	
119.	staff has been trained in collecting ethnic data in a way sensitive to the patients' emotions and interests	
120.	strategies have been developed for raising public awareness regarding data collection, both internal and external	
	Characteristics monitored:	
121.	Country of origin	
122.	Ethnic background	
123.	Legal status	
124.	Language skills	
125.	Social networks at host country	
126.	(Former) occupation	
127.	Educational level	
128.	Other data (please specify):	

	Monitoring of migrant-specific service outcomes	
	Which service outcomes are regularly monitored for migrant patients at your hospital?	
129.	Clinical outcomes (Please specify outcomes and indicators:)	
130.	Health literacy	
131.	If yes: please specify type of monitoring (e.g. questionnaire [name if possible], in	

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Monitoring of migrant-specific service outcomes (ct.)		yes	no
	Health behaviour		
133.	Compliance	□	□
134.	Compliance with medication	□	□
135.	Compliance with a treatment plan	□	□
136.	Compliance with an appointment schedule	□	□
137.	Other indicators of health behaviour : (please specify)	□	□

138.	Quality of life of migrants
	(Please specify: if questionnaires like the SF 36 are used, please name)
	  □ Self-reported
	  □ By proxies (= as seen by others)
		□	□

139.	Service satisfaction	□	□
140.	of migrant patients	□	□
141.	of migrant carers (families, friends, etc.)	□	□
142.	Job satisfaction	□	□
143.	of staff with a migrant background	□	□
144.	of staff interacting with migrant patients	□	□
145.	Other service outcomes (please specify):	□	□

146.	Are outcome data for migrants compared with outcome data of other patient groups?
	(If yes, please specify:)
	  □ For all assessed outcomes
	  □ For selected assessed outcomes, namely:
		□	□

Method/approach used for monitoring migrant data		yes	no
147.	Admission monitoring service	□	□
148.	Electronic patient records	□	□
149.	Common health documents or data management system for migrants at hospital and primary care services	□	□
150.	Other approaches (please specify):	□	□

Monitoring of MF impact on organisational quality		yes	no
151.	Surveys (e.g. inclusion of MF indicators in regular patient satisfaction surveys)	□	□
152.	Balanced Score Card	□	□
153.	Electronic patient records	□	□
154.	Other (please specify):	□	□

Partnerships and partner alliances		yes	no
158.	MFH partnership strategy and protocols for co-operation with partners	□	□
159.	Co-operation with migrant-specific extramural services (please specify:)	□	□
160.	Co-operation with health professionals at primary care level (e.g. in assessing migrant-specific outcomes or degree of MF in hospital treatment)	□	□
161.	Co-operation with social workers in the community (e.g. in assessing migrant-specific outcomes or degree of MF in hospital treatment)	□	□
162.	Co-operation with migrant associations or migrant representatives in the community	□	□
163.	Co-operation with local politicians (esp. health and social policy)	□	□
164.	Co-operation with education and training institutions (e.g. nursing/medical schools)	□	□
165.	International human/material resources exchange programmes	□	□
166.	MF as an explicit aim in national or regional health policy	□	□
167.	Other (please specify):	□	□

General Comments

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www.omhrc.gov/clas (CLAS - Culturally and Linguistically Appropriate Services, Recommendations for national (US) standards by the Office of Minority Health, US Department of Health and Human Services)

www.diversityrx.org/CCCONF/02/CultureandQuality (Improving Quality of Care for Diverse Populations)

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[i] „written process regulations" means concrete instructions as to how to handle a situation on the operational level.

Annex 2: Australian Charter of Public Service in a Culturally Diverse Society

This annex will showcase the **Australian Charter of Public Service in a Culturally Diverse Society**, hereafter referred to as "the Charter", and its accompanying performance management framework. These two elements form Australia's Access and Equity Strategy.

The Access and Equity Strategy has been selected as it is a simple, yet effective, example of benchmarking the responsiveness of service provision to a diverse population.

The following section will outline the Charter, its principles, and its performance management and reporting framework. It will then look at challenges and proposed revisions to the Access and Equity Strategy, and conclude with a snapshot of its achievements.

Performance Management Framework

In 1999, the professional services firm KPMG was commissioned by the Australian government to develop a performance management framework for the Access and Equity Strategy to set standards and ensure consistent and comprehensive reporting. The resulting framework consists of access and equity performance indicators across five of the core roles of government departments and agencies: policy adviser, regulator, purchaser, provider and employer. These are presented in the table below.

OVERVIEW OF THE PERFORMANCE MANAGEMENT FRAMEWORK TABLE

Policy Adviser

Role Summary	Performance Indicators
The **Policy Adviser** is responsible for initiating and developing government policy. The policy adviser considers the needs of different groups and advises on what the government should achieve for the community as a whole.	**PI 1:** New or revised policy/programs that impact in different ways on the lives of people from different cultural and linguistic backgrounds, are developed in consultation with people from those backgrounds. **PI 2:** New or revised policy/program proposals assess the direct impact on the lives of people from a range of cultural and linguistic backgrounds prior to decision. **PI 3:** New or revised policy/program initiatives have a communication strategy developed and sufficiently resourced to inform people from relevant cultural and linguistic backgrounds.

Regulator

Role	Summary Performance Indicator
The **Regulator** is responsible for enforcing legislation or other government 'rules'. The Regulator is responsible for all forms of regulations, including 'quasi regulations' such as codes of conduct and advisory instruments or notes.	• **PI 1:** Resources are provided so that publicly available and accessible information on regulations is communicated appropriately to people from a range of cultural and linguistic backgrounds, and especially to those identified as having a high level of non-compliance.

Purchaser

Role	Summary Performance Indicators
The **Purchaser** is responsible for determining what is to be purchased and from whom it is to be purchased. Relevant purchased items are primarily outsourced government services, grants and cultural items for public display.	• **PI 1:** Purchasing processes that impact in different ways on the lives of people from different cultural and linguistic backgrounds are developed in consultation with people from those backgrounds. • **PI 2:** Tendering specifications and contract requirements for the purchase of goods or services are consistent with the requirements of the Charter. • **PI 3:** Complaints mechanisms enable people (regardless of cultural and linguistic backgrounds) to address issues and raise concerns about the performance of service providers (contracted or other), and the purchasing agency.

Provider

Role	Summary Performance Indicators
The **Provider** is responsible for delivering services, often under contract by government. Providers can be government, private or not-for-profit organisations.	• **PI 1:** Providers have established mechanisms for planning for implementation, implementation, and for monitoring and review that incorporate the principles underpinning the Charter. • **PI 2:** Provider data collection systems incorporate the requirements of the Standards for Statistics on Cultural and Language Diversity (the Standards) for statistics on cultural and language diversity. • **PI 3:** Providers have established service standards that utilise the cultural and linguistic diversity of their staff, or their staff's cross-cultural awareness to facilitate and enhance service delivery. • **PI 4:** Complaints mechanisms enable people (regardless of cultural and linguistic background) to address issues

and raise concerns about the performance
of Providers.

Employer

Role	Summary	No Performance Indicators
The **Employer** is responsible for involving the provision of a range of work conditions, including wages, in exchange for the provision of labour to produce goods and services. All portfolio agencies undertake this role.		Agencies are not required to report directly on the Employer role. Information on the Employer role is extracted from the Workplace Diversity Report produced annually by the Australian Public Service Commission.

The performance of each agency is assessed against performance indicators for each of the roles of government that are relevant to that agency. There are two benchmark levels for each of the 11 performance indicators: 'met' and 'met well':

- Met: agencies are assessed as meeting a performance indicator where they provided at least one relevant example or statement to indicate that a strategy or process was in place to meet the needs of culturally and linguistically diverse clients.
- Met well: agencies are assessed as meeting an indicator well where they provided at least two strong examples relevant to the performance indicator.

Reporting

Government's progress in meeting its Charter objectives are outlined in an annual whole of government Access and Equity Report.

The process of compiling an agency's contribution to the Access and Equity annual report involves senior managers, in conjunction with staff with the greatest involvement with access and equity, completing a reporting template and submitting this to the Department of Immigration and Multicultural Affairs.

The responses are compiled by the Department of Immigration and Multicultural Affairs and tabled in Parliament.

Agencies who have no direct public interface are not required to report against the Charter's Performance Management Framework, although they must report on their role as 'Employer' to the Australian Public Service Commission.

Improving the Access and Equity Strategy

The reporting process not only raises awareness of the responsibilities government agencies have in delivering culturally responsive services and monitoring their performance, but it also provides the opportunity for conducting targeted research and sharing good practice between agencies as well as highlighting where government, as a whole, must focus its efforts to better meet the Charter principles.

For example, in 2005 departments and agencies were asked to provide information on key challenges, areas for improvement and future directions. The findings, which are reported below, indicate specific challenges for each role of government.

- Policy Adviser role – adequately identifying and involving particular culturally and linguistically diverse groups and obtaining a sound, evidence-based understanding of the impacts of some policies.

- Regulator role – adequately responding to the need for tailored information in a range of different languages and properly understanding the impacts of regulation breaches on certain communities.

- Purchaser role – ensuring compliance with the Charter in third party service delivery and obtaining a full understanding of community needs.

- Provider role – ensuring adequate communication with communities, maintaining adequate data collections and managing the implications of new technology in meeting community needs.

In 2005 the Department of Immigration and Multicultural Affairs undertook a review of the Access and Equity Strategy. The review was conducted in consultation with stakeholders, including representatives of various ethnic communities. It identified the challenges of the Access and Equity Strategy as:

- Access and Equity reporting was often subjective and inconsistent;
- the level of commitment to Access and Equity appeared to be inadequate in some areas;
- the community perception was that Access and Equity was primarily a Department of Immigration and Multicultural Affairs programme, rather than a whole of government initiative; and
- the Department of Immigration and Multicultural Affairs was too reliant on agencies to report accurately and comprehensively on their performance.

To meet these challenges, the review identified strategies for increasing agency engagement and enhancing Access and Equity reporting, including:

- a series of audits of agency responses to cultural diversity;
- improved efficiency, transparency and accountability in reporting; and
- an updated Charter and revised Performance Management Framework.

The review also suggested that a new way of working was required in which agencies would work in partnership with the community on specific needs-based issues.

These findings should be borne in mind for organisations considering adapting the existing Charter and Performance Management Framework to their service context.

Best practice strategies for achieving and reporting on government services in a culturally diverse society

The following implementation and reporting strategies are not intended to be prescriptive.

The implementation strategies identify a range of possible best practice activities which can help government service providers to incorporate and utilise cultural diversity in their policy and service delivery activities.

Similarly, the monitoring and reporting approaches identify possible means that can help providers determine whether their practical strategies are proving to be effective.

The precise nature of implementation strategies, performance indicators and reporting mechanisms will ultimately be a matter for government departments and agencies to determine.

1. Practical strategies for achieving access:

- ***Commitment to quality client services:*** Agencies recognise the special needs of clients from diverse linguistic and cultural backgrounds, for example for English or other language assistance through the use of interpreters, in order to make services accessible and appropriate. Understanding customer needs assures quality in service.
    - Agencies need to be aware of possible double disadvantage that may be faced by indigenous or ethnic women, youth, older persons and disabled people when seeking to access government services.
    - Agencies need to recognise the needs of clients in remote areas through developing outreach and community liaison arrangements. (This is also relevant to the incorporation of equity and communication considerations in service delivery arrangements.)

- ***Training:*** Public sector training programs in policy development, service delivery, and program management incorporate cultural diversity issues.
- ***Prevention of discrimination:*** Staff receive ongoing cultural diversity training so that they develop knowledge and skills to work effectively from a cultural framework.

Achievement of equal access to government services could be monitored by:

- Ensuring the regular collection, maintenance, analysis and use of data on potentially disadvantaged groups on the basis of their cultural and linguistic background, and using other data sources as appropriate.
- Where appropriate, reporting on proportional take up rates of clients categorised by their country of birth or cultural or linguistic background compared with their percentage composition of the total population in the service target group or catchment area.

While it is recognised that not everything can be quantified, some measurable indicators of access (such as proportional take up rates) can be useful in helping agencies to determine whether a strategy has succeeded or not - or to what degree it has succeeded.

2. Practical strategies for achieving equity:

- ***Recognising and valuing difference:*** Clients have different opportunities, education, skills and needs; agencies take account of these differences in the ways services are designed and delivered (for example, by either employing ethnic or indigenous staff to deal with sensitive issues that affect ethnic or indigenous clients; or by developing networks with relevant agencies which could provide support to staff members on specific ethnic issues).
- ***Removing barriers:*** Agencies help clients to overcome possible disadvantage caused by country of birth, language, culture, race and religion (for example,

by employing ethnic or Aboriginal liaison officers) so that everyone receives fair treatment from government services.

Achievement of equity by government services could be monitored through:

- Qualitative information obtained via consultations with client groups.
- Use of program outcomes reports and, where appropriate, evaluation case studies to illustrate relative impact on different client groups.

Notwithstanding the difficulty in quantifying certain processes and outcomes, some measurable indicators of equity (such as a reduction in the level of complaints about unfair treatment) help agencies determine the degree of success of a strategy.

3. Practical strategies for achieving communication:

- ***Informing eligible clients:*** Agencies use a range of information strategies to inform clients from different backgrounds about services. Strategies include the provision of information in languages other than English, and through both print and electronic media.
- ***Consultation:*** Agencies consult with people from diverse linguistic and cultural backgrounds at all stages in program planning, design, delivery and evaluation, and provide feedback to customers about the outcomes of these consultations. Agencies also consult with other providers and levels of government, as appropriate, to ensure co-ordination of services 'appropriate to clients' needs.
- ***Participation:*** Where appropriate, agencies include people from diverse linguistic and cultural backgrounds on decision-making and advisory bodies so that a broad range of views is brought to bear on all key decisions. In this regard, agencies make use of existing registers of people from diverse linguistic and cultural backgrounds to make appointments to these bodies.

Achievement of informative, consultative and participatory government services could be monitored through:

- Evidence of the use of information strategies, including the use of television and Aboriginal and ethnic radio and translated materials, so that all clients, whatever their background, receive appropriate information about services.
- Numbers of clients from diverse linguistic and cultural backgrounds involved in consultative arrangements.

4. Practical strategies for achieving responsiveness:

- *Flexible services:* Agencies optimise the reach and impact of mainstream government programs through adapting their service delivery to the particular needs of different clients.

Achievement of cultural sensitivity and responsiveness of government services could be monitored through:

- Evidence of client needs assessments undertaken and taken into account.
- Evidence of staff undertaking cultural diversity training.
- Measurement of the level of client satisfaction with services through structured feedback.
- Evidence of marketing of services to all sections of the community.

5. Practical strategies for achieving effectiveness:

- *Collecting data:* Agencies collect data to identify the possible causes of disadvantage associated with a client's cultural and linguistic background which could affect their accessing and benefiting from government services. Key characteristics could include: birthplace; whether a person's first language spoken was English; Aboriginal or Torres Strait Islander background; Australian South Sea Islander background; date of birth; year of arrival in Australia; birthplace of parents; sex; and religion. The collection of data will not always include all these items. The relevance of these data items will vary depending on the service delivery context.

Government service providers need to acknowledge the importance of protecting individuals' privacy when collecting data. Consideration needs to be given to:

- collecting only data essential to the particular service delivery or evaluation purpose;
- guaranteeing anonymity; and
- ensuring that all data collection proposals are non-intrusive.

- **Performance monitoring and reporting:** Agencies develop appropriate performance indicators for assessing if program outcomes have been achieved for clients, consistent with stated objectives.
- **Utilising staff skills:** Agencies recognise, utilise and remunerate the linguistic skills, cultural knowledge and community contacts of their staff.

Achievement of 'results-oriented' government services could be monitored through:

- The extent to which clients of a program achieve agreed objectives within a specified time frame.
- Percentage and number of clients satisfied with quality of service; and helpfulness of staff.

By having in place measurable indicators of effectiveness (for example, client satisfaction survey data) agencies will be better able to determine whether a strategy is successful or not.

6. Practical strategies for achieving efficiency:

- **Planning:** The needs of clients from culturally and linguistically diverse backgrounds are considered in all stages of the program cycle: strategic planning (especially inclusion in vision statements or corporate goals); policy development; program design; service delivery; and evaluation and reporting.
- **Managing resources:** Within available resources, agencies continuously improve the quality of service delivery and seek innovative ways of bringing services to clients; for example, through new technology and partnerships with other agencies. These initiatives consider the cultural and linguistic diversity of clients. Agencies also recognise the needs of clients in remote areas through developing outreach and community liaison arrangements.

Achievement of efficient government services could be monitored through evidence of government agencies allowing for costs associated with developing culturally responsive and accessible services in the course of their budget planning. Where a non-government contractor delivers a service, these considerations would need to be factored into agencies' tendering bids and contracts. Indicators of efficiency can help agencies to determine whether a strategy has succeeded and the degree to which it has succeeded.

7. Practical strategies for achieving accountability:

- **Public accountability:** Accountability is focussed on outputs and results as well as inputs and processes. Government departments and agencies also need to report on the outcomes they have achieved for clients from diverse linguistic and cultural backgrounds. This can be done through departmental/ agency annual reports.
- **Contractual obligations:** Where a program or service is delivered via an intermediary, such as another level of government or a non-government organisation, the funding conditions in contracts specify relevant access and equity accountabilities (for example, collection and reporting of information on client characteristics).

Achievement of accountable and transparent government services should be assured through the reporting mechanisms specified above.

Annex 3. Service Provision Benchmark Tool

Charter of public service in a culturally diverse society
Draft framework on performance measurement

	GENERIC LEVEL DESCRIPTION	STRATEGIC PLANNING	POLICY DEVELOPMENT	SERVICE DELIVERY/IMPLEMENTATION	MONITORING, EVALUATION AND REPORTING	OUTCOME ASSESSMENT
4 BEST	Agency performance is seen as a model of best practice.	Agency has achieved the previous levels and: • Has the *Charter* fully integrated into the corporate planning and evaluation processes. Clear program decisions to deliver *Charter* outcomes.	Agency has achieved the previous levels and: • Has a systematic process of consideration of *Charter* implementation issues in all relevant aspects of policy development.	Agency has achieved the previous levels and: • Has programs and services which meet the needs of culturally and linguistically diverse communities. • Has programs and services that are based on appropriate data analysis, research and evaluation, direct community consultation and high level participation in the boards and committees approving resources and overall direction. • All relevant services and programs are accessible to culturally and linguistically diverse communities. • Ensures that training in cross-cultural issues is delivered to agency staff at all levels, incorporated within all functional training and evaluated and revised according to a regular cycle.	Agency has achieved the previous levels and: • Systematically includes *Charter* implementation performance measures in all relevant programs for assessment on a longitudinal basis. • Annual reports and other reporting mechanisms include detailed information on program outcomes for culturally and linguistically diverse groups and on grievance mechanisms. • Uses balanced and appropriate performance information to demonstrate successful implementation of the *Charter*. • Engages in benchmarking practices with respect to *Charter* implementation. • Funding guidelines and conditions (including where programs/services have been delivered via an intermediary) include diverse cultural and linguistic accountabilities.	Agency can demonstrate consistently high levels of client satisfaction in culturally and linguistically diverse communities in relation to all program areas.

3 BETTER	Agency develops, delivers and evaluates appropriate programs in accordance with *Charter* objectives.	Agency has achieved the previous levels and:	Agency has achieved the previous levels and:	Agency has achieved the previous levels and:	Agency has achieved the previous levels and:	Agency can demonstrate systematic progress in improving outcomes for culturally and linguistically diverse clients.
		• Has a *Charter* implementation plan (access and equity plan) and reports on it in the agency's annual report. • Has aligned its *Charter* implementation planning with corporate planning processes. Individual divisional plans include *Charter* implementation planning.*Charter* outcomes.	• Has policy documents which reflect the expectation that culturally and linguistically diverse communities will contribute to the planning and evaluation processes. • Can consistently demonstrate that considerations of cultural and linguistic diversity have been taken into account in policy development (including those arising from complaint handling mechanisms). • Uses client data, research and consultation to contribute to *Charter* implementation. • Actively seeks culturally and linguistically diverse community representation on boards and committees. • Organises planned consultations with culturally and linguistically diverse communities and clients (this is done as a matter of routine).development.	• Includes cross-cultural issues in all relevant training programs. Staff in public contact, policy and management positions are required to participate in such training and consistently demonstrate cross-cultural awareness and understanding. • Consistently demonstrates the accessibility of mainstream services for clients of diverse cultural and linguistic backgrounds, including through the use of trained interpreters as appropriate. • Consistently demonstrates effective communication with clients from diverse cultural and linguistic backgrounds. • Includes clauses in contracts requiring the contractor to meet *Charter* obligations including specification of performance indicators relating to cultural diversity for reporting purposes. • Has tender selection documentation which specifies that service providers need to have demonstrated experience in working with clients from culturally and linguistically diverse backgrounds.	• Ensures that *Charter* implementation issues are a key feature of monitoring, evaluation and reporting processes, including for contractors' performances regarding implementation of the *Charter*. • Focuses performance information on outputs and results. • Uses performance information that is robust, reliable, accurate and verifiable. • Identifies and reports on both successful implementation of the *Charter* and on shortcomings. • Integrates performance information with evaluation planning as part of the agency's performance management.	

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2 GOOD	Resources are committed to the process. Managerial responsibilities are assigned. Reporting systems enable the agency to identify discrete activity areas and the resources committed to them.	Agency has achieved the previous level and: • Has some kind of *Charter* implementation plan. • Ensures that cultural diversity planning involves the collection of demographic and client data and uses it to influence resource allocation and regional priorities as appropriate. • Ensures that key managers have clear *Charter* implementation responsibilities. • Has cultural diversity responsibilities integrated into workplace agreements.corporate planning processes. Individual divisional plans include *Charter* implementation planning.*Charter* outcomes.	Agency has achieved the previous level and: • Uses profiles of existing and potential clients in formulating information strategies to ensure that all client groups are reached. • Occasionally conducts planned consultations with culturally and linguistically diverse communities. • Has some culturally and linguistically diverse community representation on boards and committees. • Cross-cultural training for managers in policy areas.	Agency has achieved the previous level and: • Communicates with clients from diverse cultural and linguistic backgrounds. • Has some measures in place to ensure staff are able to deal effectively with clients from different cultural and linguistic backgrounds. • Has mechanisms to integrate considerations of cultural and linguistic diversity in tender documentation and contract specifications.	Agency has achieved the previous level and: • Requires the specification of performance indicators relating to cultural diversity in contracts. • Has some programs with identified performance indicators for *Charter* implementation and reports against these indicators accordingly. • Evaluates programs/services on an ad hoc basis for *Charter* implementation. • Takes measures to ensure that the role of performance information is well understood at all levels in the organisation.	Agency can show improvements in service delivery in some program areas.
1 BASE	Agency can demonstrate awareness of its basic *Charter* responsibilities.	Agency: • Has a corporate plan which includes considerations of cultural and linguistic diversity. • Circulates information about the *Charter* to staff. • Has a Client Service Charter that includes considerations of cultural and linguistic diversity. • Collects some ethnicity data on clients.	Agency: • Has some individuals from culturally and linguistically diverse backgrounds on boards and committees. • Undertakes ad hoc consultations with culturally and linguistically diverse communities.	Agency: • Has services and programs which are generally accessible to diverse cultural and linguistic communities. • Includes a segment on cross-cultural issues in some training programs. • Uses the bilingual skills of staff on an informal basis.	Agency: • Reports in broad terms on *Charter* implementation in its Annual Report and in the Access and Equity Annual Report. • Where relevant maintains a register of basic client ethnicity data.	Agency meets its obligations to report on *Charter* implementation.

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Annex 4. Normative Framework of European Civic Citizenship and Inclusion Index

A normative framework

Equality and access are cornerstones of European immigrant integration policies. Equal reatment of immigrants is often a condition for their admission in terms of working and living conditions and they acquire more rights and assume more responsibilities over time in this way gradually becoming full and active citizens. Policies can set favourable integration conditions and they include securing residence, facilitating family reunion, encouraging naturalisation and combating discrimination. These areas, taken together, promote civic citizenship.

Areas

Residence can be secured by giving immigrants the status of long-term residence, which grants them treatment as equal as possible with EU citizens. The status enables them to contribute to society while maintaining links with their country of origin and to move more freely within the European Union.

Family reunion is a basic human right and is vitally important for the immigrants' life and life planning. It also contributes to family stability and thus to cohesive societies. An immigration policy that is partly based on family migration may also help to address the age imbalances in Europe's population.

Naturalisation puts immigrants on a par with EU citizens in terms of rights and obligations, allowing them to become active citizens. Immigrants are to be encouraged to naturalise and policies should provide easy access to nationality while making a distinction between first and subsequent generations of immigrants.

Anti-discrimination promotes equality, a basic human right common to all Member States. It applies to immigrants and citizens irrespective of their (immigrant) background and to relations between and within various groups in society. It helps to eliminate obstacles for active economic, social and cultural participation of all citizens in society.

Issues

Multi-faceted civic citizenship policies must address all four areas and within these areas tackle issues of eligibility for a certain status, conditions for its acquisition, the security of a status and rights associated with it. The areas and issues are equally important for sound civic citizenship policies.

Immigrants, as legally residing third-country nationals, should obtain a secure residence status as soon as possible, that is within a rather limited number of years, during which period they should be allowed to be absent for short periods of time. Immigrants should be entitled to bring in their family members as soon as possible. Family members should include spouse (and registered partner) and possibly other members in descending and ascending line. Immigrants and their family members should have access to nationality after a limited number of years and the second and third generation should acquire nationality automatically at birth. The grounds of antidiscrimination should include race and ethnicity, religion and belief, as well as national origin and nationality. It should cover at least, employment, provision of public and private services and education and training.

The conditions to acquire the status of long-terms residence, for family reunion and naturalisation should be limited in number, simple in their application, proportionate in terms of the aims to be achieved and encouraging towards immigrants. The procedures should be short and not entail more costs than is normal for the issuing of identity cards. Immigrants should just as EU citizens have access to judicial civil and administrative procedures so as to secure effective protection of their status and against discrimination. They are entitled to financial assistance to pursue complaints and sanctions for discriminatory behaviour, which should include compensation and
restitution of rights.

The status of the long-term residents, their family members and naturalised immigrants should be secured. The residence status should be valid for long periods of time, preferably automatically renewable and not be lost due to periods of absence. The number of grounds for the withdrawal of the status should be limited and clearly described in law. They could include fraud in the acquisition of the status and a sentence for serious crimes, but not the immigrants' social and economic situation. Long-term residents and family members are to be protected against expulsion. Due account should be taken of personal behaviour, age, duration of residence and links with society and country of origin. There should be legal redress. Anti-discrimination law should be enforced vigorously and equality agencies should play an important role.

Long-term residents and members of their families should gradually acquire the same rights and obligations as EU citizens. The residence status is not lost after retirement and family members should acquire an autonomous status after three years. Their professional qualifications should be recognised and their skills assessed and valued accordingly. Participation in economic life should actively be promoted and in order to become attractive as employee or business partner in a competitive environment, immigrants must have equal access to education and training. Equally, they should enjoy the benefits of welfare state arrangements, from social security to maternity leave. Positive action programmes are to promote equality further. Immigrants should be given voting rights and the right to stand for election at least at local level. Their participation in trade unions and other professional organisations should be encouraged just as these and other organisations should open up for and actively engage immigrants. Standards elaborated in concrete measures can be considered as indicators of civic citizenship, immigrant integration and ultimately openness and inclusiveness.

Options

The selected measures cover issues in areas which are highly relevant for the great majority of immigrants and are usually covered by national and European policies. They are also formulated in terms of those policies. The framework can be used to monitor policy developments, for example, as a result of the transposition of European directives and the ratification of international conventions, for pointing to the necessity to address for immigrants important issues and for bringing policies more in line with international human rights standards. The measures are categorised under the headings of the four policy areas (strands) and four policy issues (sets). In order to do justice to the complexity of the issues and to the complex realities in the Member States three options are designed for each measure. The choice and wording of the indicators and options are inspired by NGO proposals, EU legislation and international conventions.

The first option (option a) reflects favourable conditions and summarises NGO proposals and the more favourable provisions in existing international instruments, in particular in the Free Movement of EU Citizens, Long-Term Residence and Family Reunion directives and the European Convention on Nationality.

The second option (option b) reflects less favourable conditions and the third (option c) reflects unfavourable conditions. The second and third options are rephrased versions of the more restrictive provisions of the directives. Under the anti-discrimination strand there are also three options and they ascertain whether national law goes beyond the requirements of the Racial Equality and Employment Equality directives and cover also nationality as discrimination ground. In the following the policy measures and options are briefly described under the headings of strands and sets in terms of favourable, less favourable and unfavourable conditions, respectively.

(a) Long-term residence

(i) Eligibility

Employed and self-employed third-country nationals legally residing in a Member State are after a certain period of time entitled to the status of long-term resident.

Favourable
- This period is not more than three years for employed persons and five years for non economically active persons; periods that may be interrupted for more than 10 nonconsecutive months.

Less favourable
- This period is three to five years for (self-) employed persons and up to eight for non economically active persons; periods that may be interrupted for up to 10 nonconsecutive months or 6 consecutive months.

Unfavourable
- This period is more than five years for (self-) employed persons and more than eight years for non-economically active persons; periods that may be interrupted for less than 10 non-consecutive months or 6 consecutive months.

(ii) Conditions

Favourable
- The status of long-term resident is acquired by way of a simple procedure without economic, insurance or integration conditions. The length of the application procedure is not longer than six months and entails no costs.

Less favourable
- The status is acquired on the basis of employment related criteria. In addition, a simple sickness insurance is required and a language test. The length of the application procedure takes between six to ten months and the same administrative fee is charged as for an identity card.

Unfavourable
- The status is acquired after it is established that the applicant has stable and sufficient means for himself and dependents. In addition, there is a test on insurance at all risks. The integration test includes more than a language test. The length of the application procedure takes more than nine months and costs more than what is charged for an identity card.

(iii) Security of status

Favourable
- The long-term residence permit is valid for five or more years and automaticallyrenewable. It is allowed to be absent from a Member State for more than three years. Grounds for withdrawal and refusal to renew the status should be limited to proven fraud in the acquisition of the status and a sentence for a serious crime. In case of expulsion due account should be taken of personal behaviour of the person concerned, his/her age, duration of residence, consequences for both status holder and his/her family, links to theMember State and links with country of origin. Alternative measures (e.g. downgrading to a limited stay or temporary residence permit) are taken into consideration. Expulsion should be precluded after status holder has been resident for 20 years, in case of minors and when the status holder is born in the Member State or admitted as child before the age of ten. If a permit is withdrawn or an expulsion order issued, the status holder is entitled to a fair hearing, a reasoned decision, access to appeal and representation before an independent authority and/or a court.

Less favourable
- The long-term residence permit is valid for three to five years and automaticallyrenewable or upon simple application. It is allowed to be absent from a Member State for up to three years. Grounds for withdrawal and refusal to renew the status include an actual and serious threat to public policy or national security, but not unemployment. In case of expulsion due account should be taken of at least the age of the status holder and the duration of residence, consequences for both status holder and his/her family and links to the Member State. Expulsion should be precluded after status holder has been resident for 20 years and/or in case of minors. If a permit is withdrawn or an expulsion order issued, the status holder is entitled to a fair hearing, a reasoned decision and access to appeal

Unfavourable
- The long-term residence permit is valid for less than three years and only renewablewhen the original requirements are still met. It is not allowed to be absent from a Member State for more than one year. Grounds for withdrawal and refusal to renew include unemployment of status holder. In case of expulsion one or more essential factors are not taken into account: age, duration of residence, consequences for both the status holder and his/her family and/or links to the Member State. Expulsion is possible under many circumstances and legal redress is limited. One or more of basic elements of protection (fair hearing, reasoned decision and right to appeal) are not guaranteed.

(iv) Rights associated

Favourable
- Long-term residents maintain their residence status after retirement. They have equalaccess to the labour market (except for work involving the exercise of public authority) under the same working conditions as EU citizens. Other equality rights include access to social security, social assistance and healthcare, such as minimum income support, minimum housing support, assistance in case of illness, pregnancy and maternity and long-term care. They have also equal access to education and vocational training. The recognition of their academic and professional qualifications and diplomas takes place on the basis of the same procedures that are used for EEA nationals. Long-term residents can become (active) members of trade unions and professional or other associations and have the right to vote in all elections and stand for local elections.

Less favourable

- Long-term residents maintain their residence status after retirement, but with fewer entitlements. They have equal access to the labour market (except for work involving the exercise of public authority) under the same working conditions as EU citizens, but priority is given to nationals and EEA citizens. They are entitled to some core benefits, including minimum income support, assistance in case of illness, pregnancy and maternity and long-term care. They have access to education and to vocational training but language proficiency is required (for other than university level). There are different procedures for the recognition of academic and professional qualifications than those that apply to EEA citizens. Long-term residents can become (active) members of trade unions and professional or other associations, but access to certain elected positions is restricted. They have the right to vote and stand for elections, but only in local elections and with some restriction for certain posts.

Unfavourable

- The long-term residence status is not maintained after retirement. There are limitingconditions for accessing the labour market and equal working conditions, other than priority given to EEA citizens. Access to social security, assistance and healthcare is less than access to core benefits or there is no access at all. Access to education and vocational training is severely restricted. Academic and professional qualifications are not recognised or even downgraded. Restrictions apply for the membership of and participation in trade unions and other professional organisations. There is no right to vote and stand for local elections or severe restrictions apply

(b) Family reunion

(i) Eligibility

Favourable

- Legally residing third-country nationals –sponsors– are entitled to family reunion after an up to one year's waiting period or when holding a residence permit for up to one year. The persons entitled to reunification with the sponsor include spouse or registered partner and minor children with no limiting conditions (such as specific age limits). Dependent adult children and dependent relatives in the ascending line are also entitled.

Less favourable

- Legally residing third-country nationals – sponsors – are entitled to family reunion after a waiting period of one or more years or when holding a residence permit for one or more years. The persons entitled to reunification with the sponsor include spouse, but not the registered partner, and unmarried minor children. Dependent adult children and dependent relatives in the ascending line may under certain conditions be united with their family.

Unfavourable

- Legally residing third-country nationals –sponsors– are entitled to family reunion after a waiting period of two or more years or when holding a residence permit of two or more years. The persons entitled to reunification with the sponsor must either be of a certain age, or integration or other conditions apply. For minor children the applications must be made before the age of 15, or other conditions apply. Dependent relatives and adult children may not be united with their families.

(ii) Conditions

Favourable
- There are no accommodation, economic resources or integration requirements for family reunion. The procedures are short, not longer than six months, and do not entail costs.

Less favourable
- Accommodation requirements only relate to reasonable health and safety standards and economic or integration requirements relate only to employment or language tests respectively. The application procedure takes between six and nine months and the costs are not higher than for the issue of an identity card.

Unfavourable
- Accommodation requirements go beyond reasonable health and safety standards.Economic or integration requirements include stable and sufficient resources for all family members and integration conditions apply. The length of application procedure exceeds nine months and the costs are higher than for an identity card.

(iii) Security of status

Favourable
- The residence status of family members is the same as that of the sponsor and is renewable. Grounds for the withdrawal or refusal to renew are proven fraud in the acquisition of the status and major public policy or security threat. Before the status is withdrawn or renewal refused, due account is taken of the solidity of the sponsor's family relationship, the duration of the sponsor's residence and (non)-existing links with the Member State and/or country of origin. If a permit is finally withdrawn or refused, the status holder is entitled to a reasoned decision, access to appeal and representation before an independent authority and/or a court.

Less favourable
- The residence permit of family members is renewable and valid for one year or more but its duration is not equal to that of the sponsor's. Grounds for the withdrawal or refusal to renew are proven fraud in the acquisition of the status and major public policy or security threat, but also the break-up of family relationship (before three years). Before the status is withdrawn or renewal refused, due account may be taken of some but not all of the following factors: solidity of the sponsor's family relationship, the duration of the sponsor's residence and (non)-existing links with the Member State and/or country of origin. If a permit is finally withdrawn or refused, the status holder is entitled at least to a reasoned decision and access to appeal.

Unfavourable
- The residence permit of family members is valid for less than one year after which a newapplication may be required. Grounds for the withdrawal or refusal to renew are proven fraud in the acquisition of the status and major public policy or security threat, the breakup of family relationship, but also other grounds. If a permit is finally withdrawn or refused, the status holder is not entitled to at least one of two basic guarantees of protection of status (reasoned decision and right of appeal).

(iv) Rights associated

Favourable
• Spouse, partners, children reaching the age of majority acquire an autonomous residence. Status after less than or just after three years of residence. Other family members acquire this right after three years. Family members have access to education, training and employment, as well as access to social security and assistance, healthcare and housing in the same way as the sponsor.

Less favourable
• Spouse, partners and children reaching the age of majority acquire an autonomous residence status after three to five years of residence. Other family members acquire this right after three years or upon certain conditions only. Under certain conditions family members have access to education, training and employment, as well as access to social security and assistance, healthcare and housing.

Unfavourable
• Spouse, partners and children reaching the age of majority acquire an autonomous residence status after five years of residence or on the basis of other conditions. Other family members have no right to an autonomous residence permit. Family members have no access to education, training and employment, or to social security and assistance, healthcare and housing.

(c) Nationality

(i) Eligibility

Favourable
• First generation immigrants and spouses of EU citizens can apply for nationality after three years of legal residence and/or marriage (for spouses of nationals). Second and third generation immigrants acquire nationality automatically at birth. Periods of absence of more than nine months are allowed previous to the acquisition of nationality.

Less favourable
• First generation immigrants and spouses of EU citizens can apply for nationality after three to five years of legal residence and/or marriage (for spouses of nationals). Second and third generation immigrants acquire nationality on application at age of majority but with no additional requirements. Periods of absence of six to nine months are allowed previous to acquisition.

Unfavourable
• First generation immigrants and spouses of EU citizens can apply for nationality after more than five years of legal residence and/or marriage (for spouses of nationals). Second and third generation immigrants acquire nationality provided they meet requirements such as continuous residence since birth, for a number of years, etc. Only periods of absence shorter than six months are allowed previous to the acquisition of nationality.

(ii) Conditions

Favourable
• Conditions for the acquisition of nationality are only linked to duration of residence and family ties. No language or citizenship tests (including knowledge of history and institutions) apply. Equally, no economic resources, health insurance or oath of allegiance (in the form of a declaration or other) is required for acquisition. The application is rejected only on grounds of having committed a serious crime, which is clearly defined in the law. The application procedures must be short, not longer than six months, and entail no costs.

Less favourable
• Language and citizenship tests are conditions for the acquisition of nationality tests but they are kept at a simple level. Economic and health insurance requirements are limited to minimum income and simple health insurance respectively. Applicants need to sign a declaration of allegiance. An application may be rejected for reason of repeated offences or serious crimes. Procedures do not exceed nine months and costs do not exceed the amount due for an identity card.

Unfavourable
• Language and citizenship tests at high level are conditions for the acquisition of nationality. Economic and health insurance requirements must be met that go beyond minimum income and simple health insurance. Other conditions could include attending naturalisation ceremonies. An application can be rejected on grounds of offences other than repeated offences or serious crimes clearly specified in the law. Procedures exceed nine months and have costs higher than those charged for an identity card.

(iii) Security of status

Favourable
• There is only one ground for the withdrawal of nationality, namely when fraud in the acquisition of nationality is proven. Before withdrawal due account is taken of personal behaviour of the person concerned, his/her age, duration of residence, consequences for both status holder and his/her family, links to the Member State and links with country of origin. In addition, alternative measures (e.g. downgrading to residence permit, etc.) are considered. If nationality is withdrawn, the person concerned is entitled to legal redress and legal guarantees include: a reasoned decision, the right to appeal and representation before an independent authority and/or a court.

Less favourable
• Grounds for withdrawal of citizenship are restricted to two, namely when fraud in theacquisition of nationality has been proven and when the applicant poses an actual serious threat to public policy or national security. Before withdrawal due account is taken of a number of elements: age, duration of residence, consequences for both status holder and his/her family and links to the Member State and links with country of origin. If nationality is withdrawn, the person concerned is entitled to legal redress and legal guarantees include a reasoned decision and right to appeal.

Unfavourable
• Grounds for withdrawal of citizenship go beyond proven fraud in the acquisition of the status and actual serious threat to public policy or national security. Before

withdrawal of citizenship, one or various essential factors such as age of person concerned, duration of residence and consequences for both the status holder and his/her family, and links to the Member State and the country of origin are not considered. If nationality is withdrawn, the person concerned does not have a right to a reasoned decision or access to appeal.

(iv) Rights associated

Favourable
• When acquiring the nationality of a Member State it is not necessary to give up the original nationality of another state. Children born to parents of different nationality or nationality different from the Member State's are entitled to dual citizenship automatically at birth.

Less favourable
• When acquiring the nationality of a Member State it is necessary to give up the original nationality, but there are exceptions for certain nationalities. Children born to parents of different nationality or nationality different from the Member State's are entitled to dual citizenship on certain conditions (such as if born in wedlock).

Unfavourable
• When acquiring the nationality of a Member State it is necessary to give up the original nationality. Children born to parents of different nationality or nationality different from the Member State's are neither entitled to dual citizenship.

(d) Anti-discrimination

Whether anti-discrimination policies set favourable less favourable or unfavourable conditions for immigrant inclusion depends very much on whether a range of discrimination grounds is covered.

Favourable
• The grounds of discrimination include: race/ethnic origin, religion/belief and nationality.

Less favourable
• The grounds of discrimination include: two of those three grounds.

Unfavourable
• The grounds of discrimination include only one ground

(i) Scope

The definition of discrimination includes direct and indirect discrimination, harassment and instructions to discriminate. Anti-discrimination on all these grounds cover as many as possible fields including the labour market, education and training, social protection (including social security and healthcare), social advantages and the supply of goods and services (including housing). The law also prohibits discrimination and cover racially motivated public insults, threats or defamation, as well as instigating, aiding, abetting or attempting to commit such offences. Racist motivation in other crimes should be treated as aggravating circumstance.

(ii) Remedies

Accessible judicial civil and/or administrative procedures are in place, as well as procedures for alternative dispute resolution. The burden of proof is shared in civil procedures. Persons are protected against victimisation. Legal entities with a legitimate interest may engage in proceedings on behalf or in support of victims. Legal entities can bring cases even if no specific victim is referred to. The state provides financial support to pursue complaint where victims do not have the necessary means. Interpretation is provided free of charge. Sanctions include, financial compensation to victims for material and moral damages, the restitution of rights lost due to discrimination, and imposing positive measures on the discriminator.

(iii) Equality agencies

Equality agencies provide independent assistance to victims of discrimination. They conduct independent surveys, publish independent reports and make recommendations. They undertake awareness–raising and promote policies and good practices. They have the power to instigate proceedings in their own name. They also have investigative powers and the powers to enforce findings.

(iv) Pro-active policies

Anti-discrimination law provides for the introduction of positive action measures and public bodies are under the obligation to promote equality in carrying out their functions.

Annex 5. Research reports

This annex contains a selection of studies which the experts consulted for the answering of the questionnaire.

<u>**(a) Belgium**</u>

Recherche et politiques publiques: le cas de l'immigration en Belgique - Onderzoek en beleid: de gevalstudie van immigratie in België
Brans, M., Jacobs, D., Martiniello, M., Rea, A., Swyngedouw, M., Adam, I., Balancier, P., Florence, E. & Van Der Straeten, T. (2004), Gent: Academia Press, 376p.
An inventory of research on integration, which equally assessed the relation between research and policy on the issue of immigrant integration:
http://www.belspo.be/belspo/home/publ/pub_ostc/WM/UN1201_en.pdf

'De impact van het ILO-onderzoek naar discriminatie bij aanwerving op het Vlaams beleid m.b.t. tewerkstelling van allochtonen. Een gevalstudie',
ILO-study on discrimination on labor market
(case-study has been described in: Jacobs, D., Van der Straeten, T., Brans, M. & Swyngedouw, M. (2004) pp. 286-317 in Brans, M., Jacobs, D. et alii, *Recherche et politiques publiques: le cas de l'immigration en Belgique - Onderzoek en beleid: de gevalstudie van immigratie in België,* Gent: Academia Press.)

<u>**(b) Czech republic**</u>

Analýza postavení cizinců dlouhodobě žijících v ČR a návrh optimalisačních kroků
(Defining the main problems faced by immigrants in CR and proposal for measures towards more effective immigration and integration policy, this is perhaps only primarily policy-oriented paper/study on this issue.)
By Ivan Gabal analysis & consulting; financed by the Ministry of Labour and Social Affairs.
http://www.mpsv.cz/files/clanky/511/postaveni_cizincu.pdf

Migration Trends in Selected EU Applicant Countries; Volume II – The Czech Republic; "The Times They Are A-Changin".
((Description of what is going on in the field of migration and immigrants´ integration in the Czech Republic, in framework of European Commission Project: "Sharing Experience: Migration Trends in Selected Applicant Countries and Lessons Learned from the New Countries of Immigration in the EU and Austria).
DRBOHLAV, D, published by International Organisation for Migration (IOM) 2004.

Dimensions of Integration: Migrant Youth in Central European Countries; Country Report on the Czech Republic.
(The study tackles integration issues of selected Post-Soviet and Vietnamese children and youths in a capital city of Prague).
DRBOHLAV, D. – CERNIK, J. – DZUROVA, D.: In: Dimensions of Integration: Migrant Youth in Central European Countries, Vienna, International Organisation for Migration (IOM) 2005, pp. 51-99.

Labour Migration and Democratic Institutions in the Czech Republic (on the Example of Ukrainian Workers).
(Study concentrates on Ukrainian workers, their living style and the role they play on the Czech labour market).

LUPTAK, M. - DRBOHLAV, D. (1999): Research report within Democratic Institutions/individual fellowship program 1995/1997 for NATO.

Ruska komunita v Ceske republice.
(Research tackles Russian community in Prague – various aspects of their lives in the new destination country. Similar research exists on Ukranian community)
DRBOHLAV, D. - LUPTAK, M - JANSKA, E - BOHUSLAVOVA, J. (1999): Vykumna zprava grantu MV, U-2115/99. Praha, Prirodovedecka fakulta UK 1999. 47 pp.

Migrace jako bezpecnostni faktor soucasnosti.
(Study on security aspects of international migration also dealing with theories and concepts of migration and integration).

(c) Denmark

Databases including research on immigrant integration:
- www.integrationsdatabasen.dk: **:** produced by government
- www.AMID.dk: Academy for Migration Studies in Denmark

(d) Germany

Education Forum Task Force. Promoting Equal Opportunities.
Report by the Group of Experts of the Education Forum, Bonn 2000

The Social and Political Participation of Immigrants in the Federal Republic of Germany.
Diehl, Claudia/Julia Urban. Published by the Friedrich Ebert Foundation, Bonn 1999,
Young Repatriates in Germany: Opportunities and Risks of Integration
Dietz, Barbara.. Published in: Klaus Bade and Jochen Oltmer (publishers). Repatriates: German Immigrants from Eastern Europe. Publications by the Institute for Migration Research and Intercultural Studies (IMIS) at Osnabrück University, Volume 8, Osnabrück 1999,

Explanation Patterns of Xenophobic Violence in an Empirical Test.
Eckert, Roland/Helmut Willems/Stefanie Würtz. Published in: Jürgen W. Falter/Hans-Gerd Jaschke/Jürgen R. Winkler (publishers). Right-Wing Extremism. Results and Prospects of Research. Political Quarterly Report. Special Magazine 27, Opladen 1996,

Vocational Integration of Repatriates: Programmes and Prospects.
Peter Ewert. Published in: New Ways of Integrating Repatriates. From Political Concepts to Practice. Published by the Friedrich Ebert Foundation, Bonn 2000,

Readiness for Political Participation: Orientations and Willingness of Young People and Young Adults in Germany to Act.
Martina Gille/Ulrike Heß-Meining/Winfried Krüger/Hartmut Mittag/Monika Pupeter/Alois Weidacher. Material on the Sixth Family Report. Families of Foreign Origin, Volume I, Opladen 2000,

Education and Foreign Families.
Ingrid Gogolin. Material on the Sixth Family Report. Families of Foreign Origin, Volume II, Opladen 2000,

Unemployment and Vocational Deterioration of Repatriates.
Siegfried Greif/Günter Gediga/Andreas Janokowki. Published in: Klaus Bade/Jochen Oltmer (publishers). Repatriates: German Immigrants from Eastern Europe. Publications by the Institute for Migration Research and Intercultural Studies (IMIS) at Osnabrück University, Volume 8, Osnabrück 1999,

Evaluation of the Survey on Language Development in all First Classes of Primary Schools in Wedding, a district in the centre of Berlin in the school year 2000/2001.
Senate Administration for Youth and Sports.

Independent Commission on Migration to Germany, Structuring Immigration – Fostering Integration
Berlin 4th July 2001, www.bmi.bund.de

(e) Estonia

Integration of Estonian Society: Integration Monitoring 2000, Integration Monitoring 2002, Integration Monitoring 2005 (in Estonian);
(On various integration related issues; both immigrant and historical minorities' and majority members' attitudes, economic and social situation, etc)
Commissioned by the Non-Estonians' Integration Foundation
http://www.meis.ee/est/raamatukogu/uuringud

(f) Greece

Integration of Immigrants in Athens: indicators of development and statistical methods, 2004
Author: Martin Baldwin-Edwards (on behalf of the Mediterranean Migration observatory)
Commissioned by an EQUAL project consortium (EU funding)
www.mmo.gr/pdf/publications/mmo_working_papers/Migrants_in_Greece_Report_Eng.pdf

Active Civic Participation of Immigrants in Greece, 2005
Country Report prepared for the European research project POLITIS - Building Europe with New Citizens? An Inquiry into the Civic Participation of Naturalised Citizens and Foreign Residents in 25 Countries, by Ruby Gropas, Anna Triandafyllidou
http://www.uni-oldenburg.de/politis-europe/download/Greece.pdf
Greece of Migration. Social participation, rights and citizenship (I Ellada tis Metanastefsis. Kinoniki simetohi, dikeomata ke idiotita tou politi) – collective volume - 2004
Initiative of the Centre for Minority Groups, Christopoulos D. – Pavlou M. (editors)
(www.kemo.gr)

Integration of Immigrants –**Greek-Dutch seminar, 2001**
(Papers and discussions of a Greek – Dutch seminar) Seminar co-organized by the Dutch Embassy in Greece in cooperation with the Ministry of Education - collective volume (presentations and discussions)

(g) Spain

Inmigracion y vivienda en España
(Immigration and Housing) Authors**:** Carlos Pereda, Walter Actis, Miguel Ángel de Prada, Observatorio Permanente de la Inmigración

Inmigrantes en el barrio
(Immigrants in the neighbourhood) Authors: Carmen González Enríquez, Berta Álvarez-Miranda, Observatorio Permanente de la Inmigración

Las redes sociales de los inmigrantes extranjeros en España. Un estudio sobre el terreno
(About social networks of immigrants) Authors: Rosa Aparicio, Andrés Tornos, Observatorio Permanente de la Inmigración

(h) France

Rapport de la commission STASI sur la laïcité, 2003
(Report of the commission on laicity)
Commissioned by the president of the Republic, written by a commission (president Bernard STASI, the ombudsman, after many hearings & debates)
http://www.fil-info-france.com/actualites-monde/rapport-stasi-commission-laicite.htm

(i) Italy

Attività di monitoraggio delle politiche abitative realizzate o in corso di realizzazione in favore degli immigrati nelle regioni di centro nord - Censis - Agosto 2005
(Monitoring activities on immigrant housing policies in northern and central Italian regions)
Commissioned by the Ministry of Welfare, authored by Censis (Centro studi investimenti sociali, the centre for social investments studies) - August 2005
http://www.welfare.gov.it/NR/rdonlyres/efe63mqqhcd5kr5l563ddfvwhk6hnxfsonsaqa2bzwcd
nhrvmf2woxzwjqkyfudxhgpwp7cemrb2bzo6s6hcg2qrq5b/Censissintesirapportocasainglese.p
df

Indagine sugli esiti degli Alunni con Cittadinanza non Italiana – 2005
(Research on the achievements of pupils with foreign citizenship – school year 2004/05)
By the Ministry of Education
http://www.istruzione.it/mpi/pubblicazioni/2005/esiti_stranieri.shtml

11th Annual Report on Migration,
(Social integration of immigrants in Italy (issues relating to housing, employment, school and deviance)
by Fondazione ISMU, 2005
http://www.ismu.org/index.php?page=225&sezione=193

Immigrazione Dossier Statistico 2005 – XV° rapporto Caritas Migrantes
(15th Immigration Statistical Report, by Caritas and Migrantes, 2005)
http://www.dossierimmigrazione.it/schede/pres2005--scheda.pdf

"Immigrati e partecipazione: dalle consulte e dai consiglieri aggiunti al diritto di voto"
"Immigrants and participation: from consultative forums and consiglieri aggiunti to the right to vote"
Caritas Italiana
http://www.db.caritas.glauco.it/caritastest/temi/Immigrazione/Dossier_2005/Presentazione/no
zza.pdf,

"Uscire dall'invisibilità - Bambini e adolescenti di origine straniera in Italia"
(Coming out of invisibility – Foreing Children and Teenagers in Italy)
Caritas italiana and UNICEF
http://www.unicef.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/1090

La partecipazione politica degli stranieri a livello locale, "Political participation of immigrants at local level in Italy"
Province of Turin commissioned it, authored by FIERI International and European Forum on Migration Research
http://www.piemonteimmigrazione.it/PDF/Rapporto_ASGI-FIERI_2005.pdf

Rapporto Annuale 2005 (pp. 681 - 741 del volume), Annual Report 2005 (pp. 681 - 741)

(Social integration of immigrants in Italy (issues relating to school, Health, problems of young immigrants , political participation , Business and Self-Employed, deviance),

by Censi*s*
http://www.censis.it/files/Rapporto_annuale/2005/Sintesi_legalit%E0.pdf,

L'imprenditorialità immigrata: caratteristiche, percorsi e rapporti con il sistema bancario
"Immigrant entrepreneurship: features, patterns and relations with the banking system."
The Ministry of Welfare
http://www.welfare.gov.it/NR/rdonlyres/ewlnj5gtml7uannmshd6tq7gzpbriapwuhdvd3q2vpxg prctpgpqbtz6ivbibldagqgi3xxrmrgbfjtimdvxhhg3pcd/inglese.pdf,

Immigrazione e collaborazione domestica: i dati del cambiamento, Immigration and domestic help: data of changing
INPS (National Institute for Social Providence) commissioned it and authored in collaboration with the Caritas' and Migrantes' team
http://www.piemonteimmigrazione.it/PDF/Ricerca_inps_domestico.pdf

(j) Cyprus

European Dilemma: Institutional Patterns and the Politics of 'Racial' Discrimination
(On Questions of immigration, racism, discrimination in education, labour market and the politics of racism)
Research Project Xenophob, EU Fifth Framework Program 2002-2005
http://www.multietn.uu.se/the_european_dilemma/

The Conditions of Employment of Migrant workers and the Role of Trade unions in enhancing their rights [not published yet]
(Research Promotion Institute funded research)
Primarily authored Trimikliniotis

(k) Hungary

'Bevándorlás és beilleszkedés' (Immigration and Integration)
(A survey on a sample of foreign citizens from the neighbouring countries with long-term residence permit in Hungary. The study explores the relationship between integration strategies and demographic characteristics of immigrants.)
By Gödri, Irén and Tóth, Pál Péter (CSO), commissioned by the National Research and Development Programme (NKFP 5/0084/2002)
http://www.ksh.hu/pls/ksh/docs/intezmenyek/nki/index.html

'Nem kívánt gyerekek? Külföldi gyerekek magyar iskolákban' (Unwanted Children? Foreign Children in Hungarian Schools)
(The research explored the situation of foreign children in the Hungarian compulsory education system.)
National Scientific Research Fund (OTKA T 037940), Feischmidt, Margit and Nyíri, Pál (CMRS)
http://www.mtaki.hu/kiadvanyok/feischmidt_nyiri_kulfoldi_gyerekek_magyar_iskolakban_main.html

'Empirikus kutatás a menekültek társadalmi integrációjáról' (Empirical research on social integration of refugees)
Office of Immigration and Nationality through the ERF National Programme, Balogi, Anna – Kováts, András – Simon, Dávid (ICCR Budapest)

Survey on the institutional capacity of the Hungarian authorities to implement a national strategy for the integration of refugees and persons authorised to stay
Transition Facility Project, a PHARE Twinning between Greece and Hungary hosted by the Office of Immigration and Nationality, Keramida, Fani – Anastasiou, Alexandros – Hansen, Kenneth Brant

Integrating Refugees in Hungary 2006 – An Overview of NGO Activities
A mapping of integration-related NGO activities in Hungary. An analysis and a detailed inventory of services available. A complementary to 13d.
UNHCR Regional Office, Budapest

(l) Malta

Invisible? The unaccompanied Asylum Seeking Child, 2004
(On the integration of the unaccompanied immigrant children.)
Thesis (University of Malta), written by Helgar Saliba

(m) Netherlands

'Fighters from our own soil: radical and democratic active Muslims in the Netherlands'
Written by Institute of Migration and Ethnic Studies, Commissioned by the Minister for Alien Affairs and Integration
http://www.aup.nl/do.php?a=show_visitor_book&isbn=9053569162
Dynamics in Islamic activism
Scientific Council for Government Policy
http://www.wrr.nl/content.jsp?objectid=3504\

(n) Austria

Databases including research on immigrant integration:
http://datenbank.ikf.ac.at/
http://www.oeaw.ac.at/kmi.

Österreichischer Migrations- und Integrationsbericht 2003
(Austrian Report on Migration and Integration).
Edited by Heinz Fassmann (University Vienna) and Irene Stacher (ICMPD), coordinated by the ICMPD. Funded by the Ministry of the Interior, the Ministry of Education and Sciences and the Ministry of Economy and Employment. A new edition is envisaged for 2007.

Der Einfluss von Immigration auf die österreichische Gesellschaft
(Overview of the impact of migration on the Austrian society.)
Written by IOM Austria (National Contact Point of the European Immigration Network) within the European Pilot Study " The Impact of Immigration to Europe´ s societies".
http://www.austria.iom.int/de/images/uploads/pilot%20study%20german_1106058848.pdf

Integrationspraktiken in Österreich
(Overview about a survey of understanding of integration and integration projects of ministries and provincial governments)
Written by IOM Austria (National Contact Point of the European Migration Network)
http://www.emn.at/modules/typetool/pnincludes/uploads/Integrationsbericht_Juni%202005_web.pdf

Illegal Migration in Austria
(Overview about studies and estimates on illegal migration in Austria)
Written by IOM Austria (National Contact Point of the European Immigration Network), within the EU- Network on Migration
http://www.emn.at/modules/typetool/pnincludes/uploads/FINAL_VERSION_ENG.pdf

Policy Report: Immigration and Integration in Austria
(Overview on immigration and integration policies 2005, 2004)
Written by IOM Austria (National Contact Point of the European Immigration Network) within the European Immigration Network, commissioned by the Ministry of the Interior
http://www.emn.at/News-article-folder-159.phtml

Gleiche Chancen im Betrieb – Diskriminierung von MigrantInnen am Wiener Arbeitsmarkt
(Study on discrimination of immigrants on the labour market in Vienna)
Written by a research team directed by Karin Sohler and Theodora Manolakos within the framework of an EQUAL-project
http://www.gleiche-chancen.at/down/M1_Endbericht_WienerAM.pdf

Die Zweite Generation – Erfolg im Bildungsweg ?
(Study on the position of the 2nd Generation in the educational system.)
Written by Hilde Weiss, Professor of Sociology at Vienna University, funded by the Funds for the Advancement of Scientific Research

Soziale Integration von MigrantInnen in einer Längsschnittperspektive.
(Study on the social integration of immigrants.)
Written by a research team of the ZSI directed by Rossalina Latcheva, funded by the Austrian Ministry of Science.
http://www.zsi.at/de/projekte/abgeschlossen/326.html

Limits: Immigrants and Ethnic Minorities in European Cities
(Study on the social integration of immigrants in Vienna and Linz)
Written by a research team of the ZSI directed by Rossalina Latcheva, funded by the Austrian Ministry of Science.
http://www.zsi.at/de/projekte/abgeschlossen/268.html

National Analytical Study on Housing – Raxen Focal Point for Austria
Written by a research team of the Ludwig Boltzmann Institute for Human Rights and the Institute of Linguistics of the University of Vienna and the Institute of Conflict Research,
http://eumc.europa.eu/eumc/material/pub/RAXEN/4/house/AT_Housing.pdf

Migrants, Minorities and Employment in Austria – Exclusion, Discrimination and Antidiscrimination – Raxen Report 3
(Study on the situation of immigrants and minorities on the Austrian labour market.)
Written by a research team of the Ludwig Boltzmann Institute for Human Rights and the Institute of Linguistics of the University of Vienna and the Institute of Conflict Research, commissioned by the EUMC
http://eumc.europa.eu/eumc/material/pub/RAXEN/3/emp/AT.pdf

Analytical Report on Education - Raxen Report 4
(Study on the situation of immigrants and minorities in the education system.)
Written by a research team of the Ludwig Boltzmann Institute for Human Rights and the Institute of Linguistics of the University of Vienna and the Institute of Conflict Research, commissioned by the EUMC
http://eumc.europa.eu/eumc/material/pub/RAXEN/4/edu/R4-EDU-AT.pdf

Migrations- und Integrationsforschung in Österreich (Migration- and Integration – Research in Austria)
(Overview on migration- and integration research in Austria)
Written by Rainer Bauböck and Bernhard Perchinig of the Austrian Academy of Sciences, based on a workshop of researchers in migration and integration in 2003. Internally funded by the Austrian Academy of Sciences.
http://www.oeaw.ac.at/kmi/Bilder/kmi_WP1.pdf

Migrantenorganisationen in der Großstadt. Entstehung, Strukturen und Aktivitäten am Beispiel Wien. Frankfurt/New York (Campus) 2004.
(In depth study about migrants´ organisations in Vienna)
Written by Harald Waldrauch/ Karin Sohler of the European Centre for Social Welfare Policy and Research; commissioned and funded by the Vienna Integration Fund, the Municipal Department 57 – women' s issues and the Chamber of Labour Vienna.

(o) Poland

Influx and Integration of Migrants in Poland in the Early XXI Century, (in English)
Institute for Social Studies, University of Warsaw, A. Grzymała-Kazłowska, M. Okólski,
http://www.migracje.uw.edu.pl/obm/pix/050.pdf

(p) Portugal

Impacto da Imigração em Portugal nas Contas do Estado
(The Impact of Immigration in Portugal on State Finances)
The study is commissioned by the Observatory on Immigration (under the High Commission for Immigration and Ethnic Minorities) and authored by André Corrêa d'Almeida
(www.oi.acime.pt)

Representações (Imagens) dos Imigrantes e das Minorias Étnicas nos Media
(Representations (Images) of Immigrants and Ethnic Minorities in the Media)
The study is commissioned by the Observatory on Immigration (under the High Commission for Immigration and Ethnic Minorities) and authored by Rui Cádima, Alexandra Figueiredo
(www.oi.acime.gov.pt),

Contributos dos "Imigrantes" na Demografia Portuguesa: O papel das populações de nacionalidade estrangeira,

(Contributions of Immigrants to Portuguese Demography, The role of populations with foreign nationality.)
The study is commissioned by the Observatory on Immigration (under the High Commission for Immigration and Ethnic Minorities) and authored by Maria João Valente Rosa, Hugo de Seabra e Tiago Santos
(www.oi.acime.pt)

Jovens, Migrantes e a Sociedade da Informação e do Conhecimento: A Escola perante a Diversidade
(Young People, Migrants and the Knowledge and Information Society**,** The School faced with diversity.)
The study is commissioned by the Observatory on Immigration (under the High Commission for Immigration and Ethnic Minorities) and authored by Maria Margarida Marques (coord.) e Joana Lopes Martins Colaboração de José Gabriel Pereira Bastos e Isabel Barreiros
(www.oi.acime.pt)
Filhos Diferentes de Deuses Diferentes**,**

(Uses of religion and processes of differentiated social integration: A Structural and Dynamic Approach.)
The study is commissioned by the Observatory on Immigration (under the High Commission for Immigration and Ethnic Minorities) and authored by **Susana Pereira Bastos (coord.) e José Gabriel Pereira Bastos.**
(www.oi.acime.gov.pt)

Estratégias empresariais de imigrantes em Portugal
(Entrepreneurs of Immigrant Origin: Economic integration strategies in Portugal).
 The study is commissioned by the Observatory on Immigration (under the High Commission for Immigration and Ethnic Minorities) and by Catarina Reis de Oliveira
(www.oi.acime.gov.pt),

Mulheres Migrantes: Percursos Laborais e Modos de Inserção Socioeconómica das Imigrantes em Portugal ”
(Immigrant Women: work skills and socio-economic integration)
The study is commissioned by the Observatory on Immigration (under the High Commission for Immigration and Ethnic Minorities) and by the Science Ministry and coordinated by João Peixoto.
(www.oi.acime.pt).

Planeamento Urbano para a Integração de Imigrantes,
(Urban Planning and Immigrant Integration.)
The study is commissioned by the Observatory on Immigration (under the High Commission for Immigration and Ethnic Minorities) and authored by Emília Maria Malcata Rebelo (coord.) e Luís Tiago Paiva

Delinquência a preto e branco
(A study of young people and their reintegration)
The study is a master thesis authored by Hugo Martinez de Seabra
www.oi.acime.pt

Integração de Imigrantes: estratégias e protagonistas
(Integration of Immigrants: strategies and actors.)
The study is authored by Maria Lucinda Fonseca.
www.ceg.ul.pt/mcm/ICongressoLF.htm

(q) Slovenia
"Kakšna naj bi bila integracijska politika Slovenije"
(The integration policy of Slovenia – the perception of the nationals and the immigrants; what should the integration policy of Slovenia be)
It was commissioned under a research project on the " Competitevness of Slovenia 2001 - 2006; the project was lead by the Institute for ethnic minorities, Erjavčeva 26, 1000 Ljubljana, Faculty of social studies, Institute for Slovene immigrants;

(r) Slovakia

Needs of Migrants in Slovakia.
(Research Focusing on the Integration of Migrants to the Labour Market and the Society) Bratislava 2006, presents the outcome of research carried out by the Department of Social and Biological Communication, Slovak Academy of Sciences (KVSBK SAV), partner of the International Organisation for Migration (IOM) in Bratislava, in the framework of the project Migration Information Centre to Assist Migrants and Trafficked Persons to the Labour Market and the Society (EQUAL nr.: 149/04-I/33-2.1)
http://www.domavsr.sk/mic/index.asp?ArticleCategoryID=33&ArticleID=246

(s) Finland

Databases including research on immigrant integration:
- http://sockom.helsinki.fi/CEREN/English/index.html
- http://www.rasmus.fi/research_index?lp=0&l=3

(t) UK

Studies by:
- **Institute for Public Policy Research** (www.ippr.org.uk)
- **The Fabian Society**
- **Commission for Racial Equality** (www.cre.org.uk)
- **Research and Development Society**

Annex 6. The European Benchmarking Code of Conduct

© EFQM The European Benchmarking Code of Conduct - 2001

Introduction

Benchmarking – the process of identifying and learning from Good Practices in other organisations – is a powerful tool in the quest for continuous improvement and performance breakthroughs. The authors and sponsors have produced this European Code of Conduct to guide Benchmarking encounters and to advance the professionalism and effectiveness of Benchmarking in Europe.

It is based upon the Code of Conduct used by APQC and the wording has been modified to take into account the rules of the European Union competition law. The layout and presentation have also been modified to provide a more positive chronological approach.

Adherence to this Code will contribute to efficient, effective and ethical benchmarking.

1. Principle of Preparation
1.1 Demonstrate commitment to the efficiency and effectiveness of Benchmarking by being prepared prior to making an initial Benchmarking contact.
1.2 Make the most of your Benchmarking partner's time by being fully prepared for each exchange.
1.3 Help your Benchmarking partners prepare by providing them with a questionnaire and agenda prior to Benchmarking visits.
1.4 Before any Benchmarking contacts, especially the sending of questionnaires, take legal advice.

2. Principle of Contact
2.1 Respect the corporate culture of partner organisations and work within mutually agreed procedures.
2.2 Use Benchmarking contacts designated by the partner organisation if that is its preferred procedure.
2.3 Agree with the designated Benchmarking contact how communication or responsibility is to be delegated in the course of the Benchmarking exercise.
Check mutual understanding.
2.4 Obtain an individual's permission before providing his/her name in response to a contact request.
2.5 Avoid communicating a contact's name in an open forum without the contact's prior permission.

3. Principle of Exchange
3.1 Be willing to provide the same type and level of information that you request from your Benchmarking partner, provided that the principle of legality is observed.
3.2 Communicate fully and early in the relationship to clarify expectations, avoid misunderstanding, and establish mutual interest in the Benchmarking exchange.
3.3 Be honest and complete.

4. Principle of Confidentiality

4.1 Treat Benchmarking **findings** as confidential to the individuals and organisations involved. Such information must not be communicated to third parties without the prior consent of the Benchmarking partner who shared the information.

When seeking prior consent, make sure that you specify clearly what information is to be shared, and with whom.

4.2 An organisation's **participation** in a study is confidential and should not be communicated externally without their prior permission.

5. Principle of Use

5.1 Use information obtained through Benchmarking only for purposes stated to and agreed with the Benchmarking partner.

5.2 The use of communication of a Benchmarking partner's name with the data obtained or the practices observed requires the prior permission of that partner.

5.3 Contact lists or other contact information provided by Benchmarking networks in any form may not be used for purposes other than Benchmarking.

6. Principle of Legality

6.1 If there is any question regarding the legality of an activity, take legal advice.

6.2 Avoid discussions or actions that could lead to or imply an interest in restraint of

trade, market and/or customer allocation schemes, price fixing, bid rigging, bribery or any other competitive practices. Do not discuss your pricing policy with competitors.

6.3 Refrain from the acquisition of information by any means that could be interpreted as improper, including the breach, or inducement of a breach, of any duty to maintain confidentiality.

6.4 Do not discuss disclose or use any confidential information that may have been obtained through improper means, or that was disclosed by another inviolation of a duty of confidentiality.

6.5 Do not, as a consultant, client or otherwise pass on Benchmarking findings to another organisation without first getting the permission of your Benchmarking

partner and without first ensuring that the data is appropriately 'blinded' and anonymous so that the participants' identity are protected.

7. Principle of Completion

7.1 Follow through each commitment made to your Benchmarking partner in a timely manner.

7.2 Endeavour to complete each Benchmarking study to the satisfaction of all Benchmarking partners as mutually agreed.

8. Principle of Understanding and Agreement

8.1 Understand how your Benchmarking partner would like to be treated, and treat him/her in that way.

8.2 Agree how your partner expects you to use the information provided, and do not use it in any way that would break that agreement.

9. Benchmarking with Competitors
The following guidelines apply to both partners in a Benchmarking encounter with competitors or potential competitors:

- In Benchmarking with competitors, ensure compliance with competition law.
- Always take legal advice before Benchmarking with competitors.

(Note: when cost is closely linked to price, sharing cost data can be considered to be the same as price sharing).

- Do not ask competitors for sensitive data or cause the Benchmarking partner to feel he/she must provide such data to keep the process going.
- Do not ask competitors for data outside the agreed scope of the study.
- Consider using an experienced and reputable third party to assemble and 'blind' competitive data.
- Any information obtained from a Benchmarking partner should be treated as you would treat any internal, confidential communication. If 'confidential' or 'proprietary' material is to be exchanged, then a specific agreement should be executed to indicate the content of the material that needs to be protected, the duration of the period of protection, the conditions for permitting access to the material, and the specifics handling requirements that are necessary for that material.

Benchmarking Protocol

Benchmarkers:
- Know and abide by the European Benchmarking Code of Conduct.
- Have basic knowledge of Benchmarking and follow a Benchmarking process.
- Should have :
    - determined what to benchmark,
    - identified key performance variables to study,
    - recognised superior performing organisations,
    - completed a rigorous internal analysis of the process to be benchmarked,
    - **before** initiating contact with potential Benchmarking partners.
- Prepare a questionnaire and interview guide, and share these in advance, if requested.
- Possess the authority to share and are willing to share information with benchmarking partners.
- Work through a specified contact and mutually agreed arrangements.

When the Benchmarking process proceeds to a face-to-face site visit, the following behaviours are encouraged:
- Provide meeting agenda in advance.
- Be professional, honest, courteous and prompt.
- Introduce all attendees and explain why they are present.
- Adhere to the agenda.
- Use language that is universal, do not use jargon.
- Be sure that neither party is sharing proprietary or confidential information unless prior approval has been obtained by both parties, from the proper authority.
- Share information about your own process, and if asked, consider sharing study
- results.
- Offer to facilitate a future reciprocal visit.
- Conclude meetings and visits on schedule.
- Thank your Benchmarking partner for sharing his/her process.

Important notice:
This Code of Conduct is not a legally binding document. Though all due care has been taken in its preparation, the authors and sponsors will not be held responsible for any legal or other action resulting directly or indirectly from adherence to this Code of Conduct. It is for guidance only and does not imply protection or immunity from the law.

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