A TYPOLOGY OF DIFFERENT INTEGRATION PROGRAMMES IN THE EU

Abstract:

This Briefing Paper presents a typology of integration programmes for immigrants in selected Member States of the European Union. It first looks at the concept of ‘integration of immigrants’ and its inherent vulnerabilities. It then provides a typology of integration strategies and policies in Austria, Belgium, Denmark, France, Germany and the Netherlands. The cases of Spain, Poland and the UK are also taken into consideration. The main tendencies and common elements are assessed and broadly compared. As the paper shows, there appears to be a move towards a restrictive integration policy for immigrants in the EU. Mandatory participation in integration programmes has become a constituent element of immigration and national citizenship legislation, as well as precondition to having access to a secure status. A nexus between immigration, integration and citizenship is also becoming the norm in a majority of the national legal systems assessed in this paper. The link between the social inclusion of immigrants and the juridical framework on immigration, integration and citizenship may raise human rights considerations, and endanger the inter-culturalism and diversity that are inherent to the character of the EU.
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Brussels, European Parliament, January 2006

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A TYPOLOGY OF DIFFERENT INTEGRATION PROGRAMMES IN THE EU
Sergio Carrera

INTRODUCTION

This briefing paper presents a typology of integration programmes for immigrants in selected Member States of the European Union. It first looks at the concept of ‘integration of immigrants’ and its inherent vulnerabilities. It then provides a typology of integration strategies in Austria, Belgium, Denmark, France, Germany and the Netherlands. The cases of Spain, Poland and the UK are also taken into consideration. The main tendencies and common elements are assessed and broadly compared. As we will show, there appears to be a distinct trend towards a restrictive integration policy for immigrants in the EU. Mandatory participation in integration programmes is now a regular part of immigration and national citizenship legislation, and a precondition to having access to a secure status. A nexus between immigration, integration and citizenship is also becoming the norm in a majority of the national legal systems assessed in this paper. The nexus between the social inclusion of immigrants and the juridical framework on immigration, integration and citizenship may raise human rights considerations, and endanger the inter-culturalism and diversity that are inherent to the character of the EU.

THE CONCEPT OF INTEGRATION OF IMMIGRANTS

A critical vision of the ‘integration’ of immigrants is necessary in order to understand the evolution this word is undergoing in the EU. As Joppke and Morawska argue, the category of ‘integrating migrants’ rests on the subjective idea of an already integrated receiving society that is composed by citizens who are also integrated, and which form a whole. In their view, any vision of unity or any discourse advocating integrated societies is inherently subjective. In fact, our societies are witnessing a wide variety of life styles that diversify the very concept of community and call into question claims of an homogeneous society of shared cultural values that need to be defended and made secure against those labelled as ‘immigrants’.

Into what exactly are immigrants supposed to ‘integrate’? Conceptualisation of national identity today is open to subjective interpretations of ‘us’ and our perceived identity and social values. Traditional stereotypes of how to be ‘national’ are however taken as the model test to evaluate if the immigrant is well-integrated. Integration becomes the tool in the hands of the State to force a process of nationalisation by which any individual aiming to be included in its society will have to mutate into the traditional concept of ‘us’ in order to have fair and equal treatment. Integration is by nature antithetical to diversity and inter-culturalism, which are constitutive elements of the EU.

As Guild points out, the hallmark of the categorisation of immigrants and national culture is the integration discourse. There appears to be a duty on the part of those falling within the juridical category of immigrant to abandon some of their cultural expression and identity to become more like the receiving community sees itself. Guild continues by arguing that the linkage between integration and poverty is apparent. If immigrants do not claim State benefits in certain forms, such as income or family support,
then they are not affected by the consequences of failure to comply. Indeed, economic status is a key factor determining who is subject to mandatory integration programmes.

A TYPOLOGY OF INTEGRATION PROGRAMMES

This section presents a number of common tendencies and vulnerabilities found in a majority of the countries under study, *i.e.* Austria, Belgium, Denmark, France, Germany and the Netherlands. As we will see below, most of these countries have traditionally used terms such as ‘integration’, ‘assimilation’, and ‘multiculturalism’ in order to frame their respective national philosophies and approaches on ‘the inclusion of immigrants’.

An Evolving Legislative and Policy Framework

The dynamic nature of national legislation and programmes on the integration of immigrants makes any comprehensive comparative analysis in this field difficult. Over the last years, new immigration and integration juridical frameworks have been put in place, or are being debated, in most of the EU Member States. In Germany, for instance, a new Immigration Act (*Zuwanderungsgesetz*) regulating the entry and stay of immigrants entered into force on 1 January 2005. In the Netherlands, the Newcomers Integration Act (*Wet Inburgering Nieuwkomers*, WIN, 1997) is undergoing revision in the Parliament. Austria has also adopted a new Settlement and Residence Act, which entered into force on 1 January 2006 and regulates long-term residence and labour migration in conjunction with the Alien’s Employment Act (*Ausländerbeschäftigungsgesetz*, 1975). Similar situations can be found in other Member States, where legislative proposals providing a brand new juridical framework on integration of immigrants are under consideration (for more details on national integration programmes, see Annexes 1 to 6).

National Models on Integration of Immigrants

The academic literature on integration distinguishes among three main national models. The first is the multicultural model, which is based on respect and protection of cultural diversity and aims at explicitly guaranteeing the identity of the immigrant community. Countries that have traditionally followed this model are the Netherlands and Sweden. The second model, assimilationism (also called the republican or universalistic model), has ‘equality’ at its root, but only for those individuals who fall within the category of ‘citizens’. It is based on the complete assimilation of the foreigner into the dominant traditional national values and perceived common identity. France is the classic example of this approach. Finally, there is the separation or exclusionist model, which is characterised by restrictive and rigid immigration legislation and policies. In this context, ‘rigid’ refers mainly to the legal conditions that must be satisfied in order to have access to and reside in the territory. It consists of policies aimed at maintaining the temporary character of an immigrant’s settlement. Immigrant workers are often denied ‘political citizenship’. Germany, Switzerland and Belgium fall within this model.

In our view, these traditional national models of integration no longer exist. Societies and their attitudes towards immigrants and their integration are continuously changing. National models and integration programmes have often been rendered moot by evolving contemporary realities, political and economic priorities and dramatic events. Also, the content and structure of these programmes vary widely in terms of their scope and content, target groups and institutional actors. Member States differ considerably in their approaches and political priorities vis-à-vis the integration of migrants. This diversity mainly derives from the different historical backgrounds, societal models and patterns and traditions of migration flows.

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5 H. Entzinger and R. Biezeveld (2003), *Benchmarking in Immigration Integration*, European Research Centre on Migration and Ethnic Relations, Erasmus University of Rotterdam, August.

Nevertheless, integration programmes tend to share some general elements, such as language classes, civic courses familiarising migrants with the receiving country’s norms, history, values and cultural traditions, and labour market orientation/vocational training. For instance, in Austria, the new Law on Residence and Settlement divides the so-called ‘integration agreement’ (integrationsvereinbarung) into two modules, the first dealing with literacy and the second focusing on language training and social, economic and cultural aspects. Further, two other countries under analysis apply the so-called ‘integration contract’ to formalise the obligation between the immigrant and the State as regards integration, namely Denmark and France (contract d’accueil et d’intégration) (see Annexes 3 and 4). In Germany, the new Immigration Act provides a compulsory integration course consisting of a language course aimed at giving participants a good command of German together with an orientation course in which immigrants learn about the German legal system, history and culture (see Annex 5).

It is important to acknowledge that a number of EU Member States do not yet have in place a nationwide integration policy for immigrants. For example, Spain has been elaborating a framework for integrating immigrants since the election of the new Spanish Government in March 2004, and a new strategy on integration will be officially presented early in 2006. At the present time, the Autonomous Communities hold the main competences on the integration of immigrants. A series of ‘integration plans’ are being implemented by Cataluña, Madrid and Andalucía, which have large foreign populations. Since 2001, they have applied ‘integration plans’ aimed at promoting the principle of equal treatment, respect for inter-culturalism and non-discrimination and the protection of cultural plurality. These plans provide orientation and juridical guidance, education, language courses, as well as support by the social services.

Poland is equally lacking a national legal framework on the integration of immigrants. Only a few categories of immigrants have access to integration programmes, e.g. recognised refugees and immigrants of Polish ethnicity. Refugees are entitled to receive Polish language instruction, vocational training and subsistence support. Ethnic Polish immigrants have similar entitlements in addition to community support, but their repatriation and subsequent integration are subject to the availability of funds.

The Mandatory Nature of Integration Courses and Their Enforcement

In those Member States where a nation-wide juridical framework on integration does exist, there is a trend towards conceiving integration as an obligation by the immigrant in order to be included and to have access to the different societal dimensions of the receiving State. The mandatory character of integration programmes has progressively become the rule in a majority of EU-15 states. Integration is becoming a one-way process by which the responsibilities are placed exclusively on the immigrant. The non-nationals are forced to integrate in order to have access to a ‘secure status’. In most Member States, the concept of integration as incorporated in their national laws is restrictive in nature, mostly related to

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7 The similarities in the ‘integration philosophy’ advocated by Belgium (Flanders) and the Netherlands are very interesting, especially regarding the nature, objectives and targeted/exempted groups in the integration programmes.


9 For a comparative and comprehensive study of the different integration strategies advocated by these three Spanish Autonomous Communities see M. Pajares (2005), La Integración Ciudadana: Una Perspectiva para la Inmigración, Icaria, Antrazyt no. 216.

10 The Catalan Government has adopted the new ‘Citizenship and Immigration Programme’ (Pla de Ciutadania i Inmigració), 2005-2008, Generalitat de Catalunya, Departament de Benestar i Família, Secretaria per a la Inmigració.


12 See ICMPD (2005), Integration Measures and Voluntary Measures: Compulsory or Voluntary Nature – Comparison of compulsory integration courses, programmes and agreements and voluntary integration programmes and measures in Austria, France, Germany, the Netherlands and Switzerland, International Centre for Migration Policy Development, Vienna, May. This report provides a comparison of compulsory integration courses, programmes and agreements and voluntary integration measures.
cultural aspects (courses on the acquisition of the language, history, culture and civic and social aspects of the receiving country). It bears little resemblance to the fair and equal treatment paradigm emphasised at the Tampere European Council of 1999, which favoured social inclusion of immigrants and equality, non-discrimination and respect for diversity.

The majority of Member States under study have introduced mandatory integration programmes. In particular, Germany, the Netherlands, Austria, Belgium (Flanders) and Denmark apply obligatory integration courses, which must be successfully completed before the immigrant has the right to residency and has access to social and welfare benefits (see Annexes 1, 2, 3, 5 and 6). Only France and Belgium (Wallonia) apply ‘voluntary’ integration programmes. Yet, in the case of France once the ‘integration contract’ is signed by the newcomer, the non-attendance of civic and language courses will have negative consequences for the official decision on whether to grant long-term residence status. Also, a new project de loi de programmation pour la cohesion sociale, has been proposed by the Ministère d l’emploi, du travail et de la cohesion sociale, on 15 September 2004 which would make mandatory the integration contract (see Annexes 2 and 4).

‘Integration’ hides the actual conventional models of assimilation, incorporation or acculturation. As Brubaker argues, we are witnessing a ‘return to assimilation’, as exemplified by the experience of the Netherlands. The traditionally multicultural position on integration that characterised that country has been substituted by an assimilationist doctrine – i.e. a policy of obligatory integration. Another case might be the new Settlement and Residence Act in Austria, which appears to present a more restrictive framework on the integration of immigrants (for more details, see Annex 1).

As regards the personal scope, the target group of the integration programmes are mainly those qualified as ‘newcomers’ of adult age, immigrants with an insufficient knowledge of the language and immigrants interested in acquiring permanent residence. In some cases settled immigrants who may still have integration needs are also subject to integration programmes. The exempted groups are usually, among others, EU and EEA citizens, immigrants in possession of a short-term work permit, highly skilled workers, scientists and professors, students, researchers and asylum seekers. It is striking to see which individuals are excluded in the new Bill revising the WIN in the Netherlands from the obligation to integrate: nationals from the US, Canada, New Zealand, Australia, Japan, etc. In fact, poor immigrant without financial resources and in search of economic improvement seems to be the one mainly targeted by the rigid obligation to integrate (see Annex 6). The compatibility of these measures with Protocol No. 12 of the European Convention of Human Rights remains open (see Annexes 1 to 6).

The enforcement of integration programmes involves a series of sanctions if they are not successfully completed. Penalties range from those of financial character to the loss of the right of residency and expulsion from the country. Austria represents a typical case concerning the enforcement attached to a failure to integrate. Under Austrian law, when the integration programme is not completed within: the first year, the residence permit can only be renewed for another year; the first 18 months, State financing is reduced to 25% of costs; and the first 2 years, State financing is withdrawn and a fine of €100-200 is charged. Finally, after 3 years without having begun, or after 4 years without having completed the programme, the immigrant can be expelled from Austria after the State has produced proof of his or her

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14 See Pajares, op. cit.
16 See the text book used to prepare the ‘integration exam’ in the Netherlands, I. Van Baalen and W. Coumou (2004), Denkend aan Holland: Een programma Maatschappij-oriëntatie voor nieuwkomers, NCB.
18 Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedom, E.T.S. 177, opened for signature on 11 April 2000, Art. 1.1 stipulates that ‘The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status’. See also Arts. 2 and 26 of the International Covenant on Civil and Political Rights.
unwillingness to integrate. Other countries, such as the Netherlands and Belgium (Flanders), also apply fines to newcomers who have failed to those successfully integrate (see Annexes 2 and 6).

The Nexus between Immigration, Integration and Citizenship

There is an increasing tendency to link integration programmes with immigration policy and law, in terms of admission, residence and length of stay. Policies on admission are therefore paradoxically converging with those of integration. The nexus between integration and immigration might be seen if we look at the Netherlands, where a new legislative proposal on the integration of migrants has been presented by the Justice Minister Rita Verdonk. The draft law was approved by the Dutch Parliament on 22 March 2005 and is now in hands of the Council of State. Integration is no longer seen as a process taking place inside the receiving State, but rather as commencing even before an individual emigrates from his/her country of origin. The Bill will provide for a ‘pre-arrival integration’ or ‘integration of immigrants abroad’ (Wet Inburgering in het buitenland). The lack of progress in becoming integrated will be grounds for refusal of admission (see Annex 6).

Concerning, the nexus between integration and citizenship, the UK gives us a good example of the new legislation being passed linking integration and citizenship. The Nationality, Immigration and Asylum Act of 2002, which entered into force on 1 November 2005, has added to the previous British Nationality Act of 1981 a requirement for naturalisation that the person ‘has sufficient knowledge about life in the United Kingdom’. In addition to the English language requirement (knowledge of English, Welsh or Scottish Gaelic), applicants for naturalisation need to pass the ‘Life in the UK’ test.19 The link between integration and citizenship does not apply however to Belgium, where the last amendment to the Belgian citizenship law in March 2000 removed the condition imposed on the immigrant to express the willingness to integrate from the naturalisation process.20

THE EU FRAMEWORK ON INTEGRATION OF IMMIGRANTS

While the Common Basic Principles adopted by the Council on November 2004 provide a good start in the progressive establishment of an EU framework on integration,21 it seems that most of them are purely symbolic. An openness regarding the inclusiveness of immigrants has not formed the foundation of the Directives on the status of long-term residents (2003/109) and on the right to family reunification (2003/86).22 The philosophy underlying these Directives seems to strengthen the trend evident in a majority of Member States towards a restrictive integration policy for immigrants. Member States are given wide discretion to compel migrants to comply with mandatory integration conditions stipulated by national law in order to have access to the rights that they provide.23

The European Parliament needs to voice concerns about the developments at national level and their precise implications in the common EU framework on integration of immigrants. No EU framework should provide the means to strengthen particular national immigration and integration philosophies that might make the already-vulnerable position of the immigrant more vulnerable. This needs to be prevented for the sake of social cohesion, human rights and freedom. Instead, the EU should advocate a policy based on the equal and fair treatment paradigm emphasised at the Tampere European Council.24

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24 See S. Carrera and T. Balzacq (2005), Migration, Borders and Asylum: Trends and Vulnerabilities in EU Policy, CEPS, Brussels.
This common policy needs to facilitate the global social inclusion of immigrants in the receiving societies and fight against discrimination and xenophobia.
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### ANNEX 1. PROFILE OF NATIONAL INTEGRATION PROGRAMME IN AUSTRIA

<table>
<thead>
<tr>
<th>Main Legal Framework</th>
<th>Integration Programme</th>
<th>Personal Scope</th>
<th>Voluntary or Mandatory</th>
<th>Sanctions</th>
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</thead>
<tbody>
<tr>
<td>Integration Agreement Regulation (126, Bundesgesetz: Änderung des Fremdengesetzes 1997 (FrG-Novelle 2002) und des Ausländerbeschäftigungsgesetzes)</td>
<td>Integration Agreement (Integrationssvereinbarung), Acquisition of basic knowledge of the German language (European level A1), and the ability to participate in the social, economic and cultural life (civic education course). The signature by the immigrant of the integration agreements involves his/her need to achieve a level of knowledge of the German language within four years in order to receive or extend the settlement permit. The language course of 100 hours is intended to achieve an A1 (basic) knowledge in order to remain in the country and have access to the long-term residence.</td>
<td>Third country nationals settled in Austrian territory holding a residence permit issued after 1 January 1998. <strong>Exempted:</strong> EU citizens; EEA citizens; Swiss nationals; spouses of Austrian or Swiss nationals; highly skilled workers and their dependents; scientists or professors; ill and elderly people; those living in Austria for purposes of education or scientific programmes falling under the framework of the EU funding programme.</td>
<td>MANDATORY for those third country nationals who wish to obtain a residence permit and are included in the scope of the programme. The immigrant has more independence as to the way to achieve the level of language required to be integrated.</td>
<td>Large set of sanctions. Unsubstantiated absences result in unemployment benefits being withdrawn for 6-8 weeks at a time. If the immigrant passes the course before the end of the first 18 months, the Government will refund 50% of the costs incurred. When the programme is not completed within: first year, the residence permit can only be renewed for another year; first 18 months, the State financing is reduced to 25% of costs; first 2 years, the State financing is withdrawn; and a fine of €100-200 is charged. After 3 years without having begun the course, or after 4 years without having completed the programme, the immigrant can be expelled. A deportation order will be issued after proving the unwillingness of the immigrant to integrate.</td>
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</table>

**New Settlement and Residence Act entering into force on 1 January 2006, which regulates long-term residence and labour migration in conjunction with the Alien’s Employment Act (Ausländerbeschäftigungsgesetz) of 1975**

The so-called 'Integration Agreement' has been widened. (See para. 14-16 of the Settlement and Residence Act). A2 level of German language will be now required. The Integration Agreement has been organised in two different modules: a first one consisting of literacy and the second of a language course. For the latter, the immigrant is now asked to attend a number of 300 hours. In addition, the list of categories of immigrants exempted from the Integration Agreement has been reduced. The new act extends the list of persons subject to the integration course. For example, family members of Austrian nationals not enjoying free movement rights. **Exempted:** In addition to the ones stated above, minors under 9 years of age are exempted. **MANDATORY** The legal sanctions mentioned above are maintained.

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<table>
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<tr>
<th>Region</th>
<th>Main Legal Framework</th>
<th>Integration Programme</th>
<th>Personal Scope</th>
<th>Voluntary or Mandatory</th>
<th>Sanctions</th>
</tr>
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<tbody>
<tr>
<td><strong>Wallonia</strong></td>
<td>Decision of the Walloon government of 6 March 1997 concerning the integration of aliens and people of foreign origin: Arrête du Gouvernement wallon portant execution du décret, relatif à l’intégration des personnes étrangères ou d’origine étrangère, 4 July 1996, M.B. 10/04/1997, p. 8452.</td>
<td>The immigrant is solely responsible for his integration. The reception programmes consist of improving French language as well as literacy courses. Immigrants also receive social, cultural and civic information. The Arrête and the Décret foster a major and stronger cooperation between authorities and regional centres. These two laws establish six regional centres for the integration of immigrants in the French-speaking area: Charleroi, La Louvière, Liege, Mons, Namur and Verviers. These centres aim “to provide for the development of integration activities on the social, socio-economic, cultural and educational levels, in the area of accommodation and health, preferably in the framework of agreements concluded with the local authorities and associations”. The Décret created the Walloon Consultative Council for the Integration of Foreigners and of Persons of Foreign Origin, which gives advice to immigrants about the access possibilities to social, cultural, economic, legal and political rights.</td>
<td>Non-Belgium nationals</td>
<td>VOLUNTARY</td>
<td>None</td>
</tr>
<tr>
<td><strong>Flanders</strong></td>
<td>The Civic Integration Decree of the Flemish Government of 28 February 2003 came into force on 1 April 2004, (Decreet betreffende het Vlaamse inburgeringsbeleid)</td>
<td>Inburgeringsbeleid - The first step is an audit of the third country national at the reception office (onthaalbureau), which determines eligibility to participate in the integration programme. The Decree presents two different routes for the integration of newcomers to take place: The first one is a ‘training/educational programme’ composed of a Dutch language course, social orientation and career guidance which should facilitate the way towards the educational system and employment. The second route consists of linking the immigrant with the different institutions and actors of common law (or one-on-one study path guidance).</td>
<td>Immigrants registered in one municipality of the Flemish part of Belgium or Brussels who are over 18 years old. Refugees, travelling population groups, newcomers speaking other languages and undocumented immigrants. Further, to participate, a foreigner must be at least 18 years old and must have recently - within a year - and for the first time registered at the local Flemish municipality or in Brussels. Exempted: See Art. 3 of Voorontwerp van besluit van de Vlaamse regering betreffende het Vlaamse inburgeringsbeleid of 18 July 2003). Among others, EU/EEA citizens, Asylum seekers and foreigners who have a temporally-limited residence permit (three months or less), students, interns, researchers, academics, highly skilled</td>
<td>MANDATORY for all newcomers being registered in a Flemish municipality. Participation is mandatory if third country nationals are to have access to social and welfare services.</td>
<td>See Art. 25 of the Decreet. A specific list of reasons permitted for failing to attend the programme is provided. Failing this the reception offices can and are encouraged to enforce sanctions. These may take the form of restrictions on access to common law services, e.g. social and welfare benefits. The reception offices, which facilitate such access for immigrants, are directly responsible for ensuring the overall success of integration programmes. It is therefore reasonable to expect that access to social or welfare benefits would be used as a conditionality to ensure</td>
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</table>
workers who intend to stay for no more than four years, persons who work under international contracts, foreigners who have finished a PhD, people who have a position of responsibility in the tourist service of their country, au pairs, employees with a foreign country employer.

Financial sanctions are also provided when the third country national has failed to report to a reception office within three months of registration with the municipality. These entail fines of between €1 and €25.

* There is no nation-wide strategy of integration in Belgium. The communities or the regions are the ones holding most of the competences dealing with this field.

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ANNEX 3. PROFILE OF NATIONAL INTEGRATION PROGRAMME IN DENMARK

<table>
<thead>
<tr>
<th>Main Legal Framework</th>
<th>Integration Programme</th>
<th>Personal Scope</th>
<th>Voluntary or Mandatory</th>
<th>Sanctions</th>
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<tr>
<td>Act on Integration of Aliens in Denmark, Act No. 643 of 28 June 2001, and Act on Danish Courses for Adult Aliens and Others. As from 1 January 2004 new versions of both laws have entered into force.</td>
<td>The content and scope of the integration programme are provided by an ‘Integration Contract’ concluded between the immigrant and the municipality where s/he resides. The contract is based on the immigrant’s background with the general goal being “the introduction into the labour market or relevant education”. In this line, the programme is composed by language courses that include a basic social and cultural orientation element and, since 1st January 2004, a series of offers of ‘active involvement’, such as vocational training and other measures labour-market oriented. This part comprises counselling and upgrading, job training with a private or public company, employment with a wage supplement (the immigrants is hired by a company receiving a supplement to do so). The total duration of the programme is of 37 hours per week during three years. Danish municipalities must conclude and integration contract with those under the scope of the law (newcomers and refugees) within a month of their registration. The municipalities fund the integration programmes throughout their duration through introduction allowances and associated benefits.</td>
<td>The integration laws target all newly-arrived immigrants who are of adult age (18 years or more). The target group of the Act on Danish Courses for Adult Aliens and Others covers all foreigners with a residence permit as well as immigrants and refugees, nationals of other Nordic countries and nationals of EU and EEA countries. <strong>Exempted</strong>: Immigrants and refugees who have become residents of Denmark before 1 January 1999. EU/EEA and nationals from other Nordic countries, nor persons who fall within the agreement of the European Community on visa exemption and on revocation of entry and residence restrictions in connection with the freedom of movement of workers, freedom of establishment and freedom to provide and receive services.</td>
<td>MANDATORY. The foreigner is obliged to participate in the “integration programme” in order to obtain a permanent residence permit and any other benefits, such as ‘the introduction allowance’, which might be offered to those immigrants not self-supporting or maintained by others.</td>
<td>The ‘introduction allowance’ might be withdrawn on non-fulfilment of the integration contract.</td>
</tr>
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Main Sources:
### ANNEX 4. PROFILE OF NATIONAL INTEGRATION PROGRAMME IN FRANCE

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<thead>
<tr>
<th>Main Legal Framework</th>
<th>Integration Programme</th>
<th>Personal Scope</th>
<th>Voluntary or Mandatory</th>
<th>Sanctions</th>
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<tr>
<td>Law on the control of immigration and residence of foreigners in France, Loi relative à la maîtrise de l’immigration et au séjour des étrangers en France et à la nationalité, (MISEFEN) n° 2003-1119, 26 November 2003.</td>
<td>The integration contract (contract d’accueil et d’intégration, CAI) seeks to formalise the obligation between the immigrant and the State. The latter will undertake to provide quality newcomer support services while the former will have to complete training integration requirements consisting of: language course, vocational training course, civic and social orientation course. The integration contracts, which last for one year, will specify language courses (between 200 and 500 hours) covering one-year periods and renewable twice (a total of three years). During this time the newcomer will have to improve his/her language ability by one level at the minimum, but otherwise to the level required for naturalisation.</td>
<td>newcomers with the prospect of permanent residence comprise the target group for the reception platforms. Specifically these are: newcomers, persons admitted for the purpose of family reunification, recognised refugees and their families, Third-country national spouses and family members of French citizens, and immigrants who have been granted a 1-10 year residence permit.</td>
<td>VOLUNTARY integration programme until the integration contract is signed by the newcomer. From that moment there is a contractual obligation to attend the civic training and language courses, as well as to go to any interviews that may be set for the monitoring of the contract. The performance of the integration contract is performed by the Office of international migrations.</td>
<td>In principle no sanctions are provided. However, once the integration contract is signed, if the immigrant does not attend the course an official letter will be sent to her/him raising the need to do so. If the person continues not meeting her/his obligation to participate in the integration course this information will be sent to the Minister of Interior. The later will take into account the failing contract once the immigrant might claim a long-term / 10 year residence permit. The ultimate sanction may be therefore the refusal of the later.</td>
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</tbody>
</table>

**Main Sources:**


International Centre for Migration Policy Development (2005), *Integration Agreements and Voluntary Measures: Compulsory or Voluntary Nature – Comparison of compulsory integration courses, programmes and agreements and voluntary integration programmes and measures in Austria, France, Germany, the Netherlands and Switzerland*, Vienna: ICMPD.


### ANNEX 5. PROFILE OF NATIONAL INTEGRATION PROGRAMME IN GERMANY

<table>
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<tr>
<th>New Immigration Act (Zuwanderungsgesetz), and its Residence Act (AufenthG), which regulates the entry and stay of immigrants in Germany. It entered into force on 1 January 2005.</th>
<th>The stated aim of the integration policy is to make the newcomer autonomous in everyday life. Knowledge of the German language is seen as the key to “integration”, in order to enable migrants to participate in the social, economic and cultural life. The local foreigners-authority will evaluate the immigrant’s language competence and decide if he/she is liable to participate in the integration programme. This would consist of a language course made to fit the individual’s skills and knowledge. The language course will be divided into two periods: 300 hours for acquiring basic language abilities and another 300 hours for advanced learning. An additional 30 hours will be provided for orientation to the culture and society. The State’s integration policy is supplemented by a system of social counselling for immigrants during their first three years of residence in Germany.</th>
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<tr>
<td>Unified language policy for third country nationals (Gesamtsprachkompetenz) effective January 2003.</td>
<td>Immigrants who have insufficient knowledge of the German language and those already residing in Germany for a longer period who may still have integration needs. Newcomers and ethnic German immigrants (Aussiedler). The first group specifically comprises regular workers, independent workers, individuals admitted for family reunification, and recognized refugees. In particular circumstances, for instance when an individual receives social and welfare benefits, participation can be made mandatory for immigrants already living in Germany for a longer period of time. Exempted: EU citizens (optional if there are places left). Immigrants in possession of a short-term work permit, and immigrants settled in Germany</td>
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<tr>
<td>Federal law on residence of foreigners (Aufenthalts-gesteztes) of 30 June 2004.</td>
<td>MANDATORY immigrants have to present themselves at the local authorities for their language level to be assessed. Negative sanctions entail withholding of permanent residence status or the right of residency. Those immigrants, who were already living in Germany for a longer period of time but required to participate because their knowledge of the language is deemed insufficient, might be subject to a reduction in social benefits if they do not attend the integration courses.</td>
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<td>Federal ordinance on integration courses for foreigners and late-settlers (Integrationskurs-verordnung-IntV) of 13 December 2004.</td>
<td></td>
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</tbody>
</table>

### Main Sources:

- Bundesamt für Migration und Flüchtlinge (www.bamf.de).
- Federal Office for Migration and Refugees/Bundesamt für Migration und Flüchtlinge (2005), “The Impact of Immigration on Germany’s Society”, in Berlin Institute for Comparative Social Research (eds), The Impact of Immigration on Europe’s Society: A Pilot Research Study undertaken by the European Migration Network, Berlin: BIVS.
- Federal Office for Migration and Refugees/Bundesamt für Migration und Flüchtlinge, Concept for a Nation-wide Integration Course (retrievable from www.bamf.de).
- International Centre for Migration Policy Development (2005), Integration Agreements and Voluntary Measures: Compulsory or Voluntary Nature – Comparison of compulsory integration courses, programmes and agreements and voluntary integration programmes and measures in Austria, France, Germany, the Netherlands and Switzerland, Vienna: ICMPD.
### Annex 6. Profile of National Integration Programme in the Netherlands

<table>
<thead>
<tr>
<th>Main Legal Framework</th>
<th>Integration Programme</th>
<th>Personal Scope</th>
<th>Voluntary or Mandatory</th>
<th>Sanctions</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Newcomers Integration Act (Wet Inburgering Nieuwkomers, WIN), Staatsblad 1997, 604.</td>
<td>The main goal of the WIN is to promote the self-sufficiency of newcomers. Immigrants are therefore responsible for their own incorporation. “Integration course” mainly focused on proficiency with the Dutch language and social orientation. These two are key preconditions for full social participation. The civic integration programme/course is divided in three parts: an educational part, a general programme coaching and social counselling.</td>
<td>Every non-EU immigrant Newcomers of Dutch nationality who are born outside the Netherlands (overseas) and aged between 16 and 65 years old. Immigrants who are settled in Dutch territory before the entry into force of the WIN (old comers) “who are insufficiently integrated in the labour market and whose command of Dutch language is qualified as insufficient”. Yet for this category of individuals integration is not mandatory, yet this is expected to change with the entry into force of the new law. Exempted: EU citizens, Economic immigrants (employment or self-employment) except clergy.</td>
<td>MANDATORY. The nature of the integration programmes is “mandatory”. The newcomer is first required to apply for an integration inquiry. The integration course must be successfully completed in order to obtain a right to residency.</td>
<td>The WIN provides sanctions for those newcomers who do not: apply for an integration inquiry, cooperate with the integration enquiry, register with the educational institution, attend all parts of the educational programme (including taking the evaluation test) as well as cooperate with the other parts of his/her integration programme; see for example Arts. 2, 4.4, 8 and 9.1 of the Act.</td>
</tr>
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</table>
| Revision of the WIN undergoing in the Dutch Parliament – It is foreseen that a new and separate Bill will be adopted on ‘pre-arrival integration’ or on the ‘integration of immigrants abroad’ (Wet Inburgering in het buitenland). After the approval by the Dutch Parliament on 22 March 2005, the Bill is now in hands of the Council of State, which will enact its advice in order to overcome potential ‘legal obstacles’.
Integration (knowledge of Dutch language, culture, history and institutions) will commence even before emigrating from the country of origin. Policies on admission (or exclusion) are therefore paradoxically converging with those of integration (inclusion).
The new legislation would foster that migrants have the sole responsibility for their own integration.
The level of Dutch that immigrants will need to achieve is of A2 of oral and written command. ‘Settled’ migrants will need to reach an A1. | Settled immigrants in the Netherlands who might in some cases have Dutch Nationality but who may have a low level of command of Dutch. Exempted: Nationals from USA, Canada, New Zealand, Australia, Surinam (only if the person concerned has duly finished the sixth year of elementary school), Japan as well as citizens from Iceland, Norway, Switzerland and Liechtenstein, and expatriates. Labour migrants and asylum seekers are exempted from the pre-departure integration conditions. | It strengthens the mandatory nature. | The lack of integration could be seen as a ground for refusal of admission to the country. Municipalities will impose fines to those immigrants not passing successfully the integration examination in the expected period of time: Three years and half for those who successfully completed the pre-arrival exam, and five years for all the rest of third country nationals. |
Main Sources:


International Centre for Migration Policy Development (2005), Integration Agreements and Voluntary Measures: Compulsory or Voluntary Nature – Comparison of compulsory integration courses, programmes and agreements and voluntary integration programmes and measures in Austria, France, Germany, the Netherlands and Switzerland, Vienna: ICMPD.


