



## Mapping Integration: UNHCR's Age, Gender and Diversity Mainstreaming Project on Refugee Integration in Ireland - 2008/2009

*Targeted or Mainstream Support to Refugee Integration? Legislation, Policy  
and Support in Ireland and selected European Countries.*

April 2009



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*This report is the outcome of UNHCR Ireland's Age, Gender and Diversity Mainstreaming Project. The research for the report has been carried out by Emilie Wiinblad Mathez Protection Officer with UNHCR Ireland.*

*The opinions expressed do not necessarily reflect those of UNHCR.*

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*Front page photo: In the Red Crescent-run nursery in the Douma registration center in Damascus, children can draw, play and talk to volunteers while parents talk with UNHCR staff. / UNHCR / M. Bernard / August 2007*

*UNHCR, April 2009*

## ***Acknowledgements***

A wide range of individuals, both in Ireland and in the twelve countries, which we have reviewed, has contributed information, knowledge and expertise for this report. The research could not have been completed without their help.

In Ireland, UNHCR extends its gratitude to the numerous refugee support groups who assisted us getting in contact with refugees who were willing to participate in the opinion survey part of this report. We would like to thank staff with the Afghan Community of Ireland, AkiDwa, Blanchardstown Area Partnership, Cairde for Ireland, Clare Immigrant Support Centre, Cois Tine, Doras Luimni, Integrating Ireland, Irish Refugee Council, Longford Community Resources Ltd., NASC, NCCRI, Refugee Information Service, SPIRASI, VEC staff in Clare, Sligo and Galway, and the Vincentian Refugee Centre. But in particular we would like to thank the refugees who took time to give us answers to our questionnaire and engaged in a discussion around integration issues for the purpose of this research.

Within UNHCR, staff in all the 12 countries covered provided us with valuable input and contact points for experts in the governments or NGOs for updated information about the integration policies in those countries. In addition a number of protection interns with UNHCR assisted making this report a reality during the course of 2008 and 2009 Niall Matthews, Kevin Murphy and, in particular, John Madden all made contributions in the initial or final stages of the project. However, special recognition goes to our intern Anne Neylon. Apart from contributing significantly to the country research and drafting of the report it was her meticulous efforts which ensured a high quality outcome as well as representative participation of a large number of refugees in the survey part of this research.

Finally, UNHCR would like to extend a special thanks to staff in the Office of the Minister for Integration who contributed valuable input to the chapter on Integration in Ireland.

UNHCR Ireland is grateful for the information and feedback given by all those mentioned here, however the responsibility for any errors are fully the responsibility of the author Protection Officer Emilie Wiinblad Mathez.

UNHCR Ireland, April 2009

## **Abbreviations**

AkiDWa - Akina Dada wa Africa  
ANAEM - Agence National d'Accueil des Etrangers et des Migrations  
AGDM - Age, Gender and Diversity Mainstreaming  
BMI - Bundes Ministerium des Innern (German Ministry of the Interior etc.)  
CEAR - Comisión Española de Ayuda al Refugiado  
CEAS - Common European Asylum System  
CEFR - Common European Framework of Reference for Languages  
CIRE - Coordination et Initiatives pour et avec les Réfugiés et les Étrangers  
CIS - Citizens Information Service  
EC - European Community  
EIF - European Fund for the Integration of Third Country Nationals  
ERF - European Refugee Fund  
ESF - European Social Fund  
ESOL - English for Speakers of Other Languages  
ESRI - Economic and Social Research Institute  
EU - European Union  
EUSA - European Union Studies Association  
Excom - Executive Committee of the High Commissioner's Programme  
FÁS - Foras Áiseanna Saothair  
FÉCRI - Fédération des Centre Régionaux pour l'Intégration des personnes étrangères ou d'origine étrangère  
FETAC - Further Education and Training Awards Council  
FGM - Female genital mutilation  
GP - General Practitioner  
HSE - Health Service Executive  
IILT - Integrate Ireland Language and Training  
JHA - Justice and Home Affairs  
NAPR - National Action Plan Against Racism  
NASC - Irish Immigrant Support Centre  
NCCRI - National Consultative Committee on Racism and Interculturalism  
NDP - National Development Plan  
NGO - Non-Governmental Organisation  
OASA - Order on Admission, Residence and Gainful Employment  
OECD - Organisation for Economic Co-operation and Development  
OIE - L'ordonnance sur l'intégration des étrangers (Swiss Foreigners Act)  
ÖIF - Österreichischer Integrationsfonds  
RIES - Refugee Integration and Employment Service  
RIS - Refugee Information Service  
TD - Teachta Dála (Member of Parliament)  
UN - United Nations  
UNHCR - Office of the United Nations High Commissioner for Refugees  
VEC - Vocational Education Committee  
WI - Wet Inburgering (Dutch Integration Act)

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## Executive Summary

This report is the outcome of UNHCR Ireland's Age, Gender and Diversity Mainstreaming project 2008/2009. It provides a tool for those involved in refugee integration, by mapping the prevailing integration definitions of UNHCR, the European Union (EU), 12 European countries and Ireland. The countries reviewed, in addition to Ireland, are Austria, Denmark, Belgium, Finland, France, Germany, the Netherlands, Norway, Slovenia, Spain, Switzerland, and the UK (England).

The report also gives an overview of UNHCR's recommendations in relation to integration, as well as an overview of how integration is understood and supported both in law and policy in the selected countries. But most importantly it explores how refugees themselves experience integration in Ireland.

### Main Findings

#### **Use of the term "integration"**

Integration can be understood both as the end result of a process and as the process itself. We have found that most countries have the definition of integration in their policies or in strategies rather than in law and that the definition is often formulated in broad terms describing the aim of integration, the indicators of integration and the means by which the government sets out to achieve integration. These integration aims mainly concern persons of foreign origin who have long-term legal stay, including refugees, and are often formulated using terms such as "having equal opportunities", "reaching full potential", "having full participation" or "are statistically equal to host population".

**UNHCR Executive Committee conclusion No. 104:** *"local integration in the refugee context is a dynamic and multifaceted two-way process, which requires efforts by all parties concerned, including a preparedness on the part of refugees to adapt to the host society without having to forego their own cultural identity, and a corresponding readiness on the part of host communities and public institutions to welcome refugees and to meet the needs of a diverse population"*

**European Union Basic Common Basic Principles:** *"Integration is a two-way process of mutual accommodation by all immigrants and residents of Member States".*

Some of the typical indicators that a foreigner has integrated and that integration in society has been achieved are:

- the newcomer speaks one or more of the country's official languages;
- the newcomer has found employment;
- the newcomer has adapted to the culture of the host country;
- the newcomer is participating in civic life;
- there is no ghettoisation of foreigners or persons of foreign origin.

#### **Two integration trends**

There are two prevailing trends in the countries reviewed. In both trends the overarching principle is that integration is reached through a two-way process, within a framework of

equality legislation and policy. How this is understood and the concrete contents of the process vary. In the trend followed by the majority of countries examined, there is targeted support for the persons who are required to integrate and there are often clearly identified obligations or expectations for them.

In the other trend, the focus is on ensuring integration through mainstream services from the beginning and there is therefore little or no initial direct support to integrate. Integration expectations are not clearly formulated, although they may be implicit. The integration aims are mainly formulated through equality legislation.

### *Trends in countries with targeted support*

Typical characteristics of the approach of targeted support are the individualised assessment of integration needs and the agreement between the authorities and the individual on what steps are needed on both sides to reach the integration goals.

These individualised needs assessments form the basis of an integration contract or plan, in which the government makes a number of support services available, matched by an obligation for the individual to participate in the agreed activities. There are typically some consequences for not complying with the plan or contract, which vary from financial consequences to residence permit related issues. The countries with this approach are: Austria, Denmark, parts of Belgium, Finland, France, Germany, the Netherlands, Norway, Slovenia, Switzerland and the UK (England).

In all the countries with targeted integration support, such support is time-limited. After the completion of the integration programme, integration aims are pursued through mainstream services as well as through targeted integration projects.

### *Trends in countries with mainstreamed support*

Typical characteristics of the mainstreamed approach are that integration aims are pursued mainly through broad anti-discrimination legislation, support to the existing mainstream services and funding to projects. Such projects may target the integration needs of a particular group or a social inclusion issue. An example of the former would be a project in which an organisation is funded to provide accompanying services to refugees when they contact health services. An example of the latter could be a project to improve integration of foreigners through sports and culture. In these countries there is however no individual and targeted integration support. Countries found to follow this integration model are Spain, Ireland and the Wallonia part of Belgium.

### ***Persons included in integration programmes***

In some countries, such as Austria, Denmark, Norway and Slovenia, integration programmes have been designed mainly with refugees in mind, while in other countries, such as France and Germany, integration programmes have mainly focused on integration of immigrants in general. In all countries however, the integration programmes in place are available for refugees and others with protection status irrespective of whether the programmes were designed with this group in mind. While integration programmes are available for refugees and beneficiaries of subsidiary protection other rights and entitlements may vary depending on whether the person is a refugee, a beneficiary of subsidiary protection or an immigrant. In some countries the

consequences of non-compliance with integration expectations also have different consequences for different groups of foreigners.

Although countries following both trends may recognise that reception conditions and the asylum procedures could impact refugees' integration prospects, the general trend is not to include asylum seekers in integration efforts. In some countries however, some of the support given to asylum seekers may positively impact integration, and in those countries where the Reception Directive is in place asylum seekers are allowed to work after a specified period and under certain conditions. UNHCR has recommended that national asylum procedures are implemented with integration in mind.

### ***Integration and the EU***

National integration strategies in EU Member States are supported and encouraged by policy, coordination and funding from the EU. A number of policy decisions and initiatives have been taken to support Member States in their integration efforts, but also to ensure some consistency among countries. It is however still left mainly to countries themselves to decide on and adopt the necessary national strategies. The *EU Common Basic Principles on Integration* adopted November 2004 have played a significant role and are often referenced or reflected in national integration policies.

### ***UNHCR***

UNHCR's definition of integration flows from the *1951 Refugee Convention* and a number of ExCom conclusions on durable solutions and local integration.

There are common features in the integration approach between UNHCR, the EU and the Member States considered. UNHCR has made clear that it views integration as a two-way process, but stresses that it is the host State that must take the lead role and that communication of the integration expectations is an important factor. UNHCR defines integration as having three key elements:

- a legal aspect;
- an economic or self-reliance aspect;
- a social and cultural aspect.

For successful integration, all three aspects must be supported by the host State.

The recommendations made by UNHCR in relation to integration in the European context are mainly in relation to ensuring that refugees and beneficiaries of subsidiary protection are included in integration programmes; that the special needs of refugees and beneficiaries of subsidiary protection are recognised in the integration support; that issues such as lack of documentation, potential trauma and the impact of the asylum process are addressed; that family reunification is facilitated in a timely manner and that there is access to a secure legal status as early as possible, with the potential for obtaining facilitated naturalisation.

We have found that there is clearly less emphasis on ensuring the legal aspects of integration in the current EU and national trends and that no country researched emphasized facilitation of family reunification as part of their integration efforts.

## ***Ireland***

Ireland is found to be at an integration crossroad. In the past there was a clear emphasis in Irish integration policy on the government's role to ensure equal opportunities and take adequate anti-discrimination measures. There was no emphasis on, or targeted support for, the individual's role in the process and little on society's role as a whole outside the anti-discrimination dimension. Support for integration has thus so far been pursued through boosting mainstream services to tackle a more diverse society, as well as making funds available for projects with an integration aim.

The new policy document *Migration Nation* and the proposed *Immigration, Residence and Protection Bill 2008* are including more focus on placing expectations on the individual to integrate. In the Bill it is foreseen that to get long-term residence, a person must show that s/he has integrated, can speak the language and is economically independent. This focus is in line with the main trend of countries in Europe, who pursue a more targeted approach.

The means to support this new focus are not spelled out in *Migration Nation*, nor is it clear from the proposed Bill how the expectations will be supported. From looking at other countries' practices, it would seem that countries with this approach have included a "layer" of targeted integration support before relying on mainstreamed services to tackle the challenge. This is often in the form of an individualised integration plan for each newcomer.

### ***Outcome of the refugee survey***

Through the questionnaire, it was found that refugees participating in the survey generally agreed with the integration points outlined in the *EU Common Basic Principles*. Most participants felt that they were responsible for their own integration, but that the government was also responsible and that the host society had to be welcoming and supportive. Nearly all participants agreed that speaking the language, having employment and knowing the values of society were important for their integration.

A significant number of participants felt that they had not been sufficiently supported in their efforts to integrate. In relation to language, many felt that the available language courses were not well enough adapted to meet the different levels of English that refugees have. Many had stopped attending classes because the English level provided was below their personal ability.

In relation to work, all participants felt that this was important, but many said that they felt disadvantaged in the Irish job market because of lack of Irish work experience and general discrimination. Some felt they had been clearly discriminated against because of their colour, but many indicated that they felt that employers preferred immigrants from within EU or simply did not understand what it meant to be a refugee and were therefore reluctant to give employment or only willing to give low paid temporary work.

In relation to understanding and respecting Irish and EU values, most felt this was important. Despite feeling they should respect the values of Irish society, most of the refugees interviewed were not easily able to explain what exactly these values are. The interviewees also felt there was little or no support or information about such values. Many indicators of integration such as links to support groups, access to the labour market and perceptions of Irish values were varied and often depended on the refugees' own initiative.

Some of the main recommendations from refugee men and women on how integration could be better supported were in relation to:

- improving access to education and employment;
- improving public knowledge about refugees;
- better English classes;
- clearer information about government policy;
- family reunification.

The recommendations from the group of young people participating in the survey included encouraging foreigners to integrate by showing them the advantages, having a legal process, which is not long and stressful, as well as having the same access to third level education as Irish citizens.

## Chapter 1 – Introduction & Overview

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An estimated 103,500 people are seeking asylum in the Europe Union each year and an estimated 1.6 million persons have refugee or another protection status in one of the Member States<sup>1</sup>. Even so, refugees constitute a diminishing percentage of the total number of persons with a foreign background in each of the Member States. The enlargement of the European Union, freedom of movement of persons, as well as increased immigration from outside the Union has meant that the number of persons with a foreign origin has increased significantly over the last 10 years<sup>2</sup>. The issues of immigration, asylum and integration have therefore also gained in importance for the Member States and within the European Union.

Though immigration and asylum are a more recent phenomenon in Ireland, it follows the trend seen in most other countries and has increased significantly over the last 10 years. Ireland, together with Spain, has had the biggest rise in immigration during the last decade. Official statistics for Ireland show that in 2006, out of a population of some 4.2 million just over 400,000, or close to 10%, were non-Irish nationals. The majority of these, 66%, were from other EU Member States<sup>3</sup>. In comparison, it is estimated that 9,333 persons are refugees in Ireland at the end of 2007<sup>4</sup>. This situation is one that the country and local communities have had to adapt to over a short period of time.

UNHCR is mandated to protect refugees and find solutions for those who are in need of international protection<sup>5</sup>. In the context of the European Union, one challenge is to ensure that the integration needs of refugees are fully considered and included in Member States' integration strategies.

Although opinions and definitions on integration are plentiful there is no clear common understanding as to what integration is. Many of the countries looked at in this research have included some definition of integration or indicators of integration in their policies or legislation. At the European level both the Council of Europe and the European Union have formulated principles, strategies and policies for integration. UNHCR has a policy on local integration and made recommendations on integration of refugees in

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<sup>1</sup> UN High Commissioner for Refugees, *Asylum Level and Trends in industrialised countries first half of 2008 Statistical Overview of Asylum Applications Lodged in 38 European Countries and 6 non-European Countries* (2008). Available online at <http://www.unhcr.org/statistics/STATISTICS/48f742792.pdf> [accessed 19 March 2009]

<sup>2</sup> For useful information on immigration in the European Union see for instance: Herm, A., *Recent migration trends: citizens of EU-27 Member States become ever more mobile while EU remains attractive to non-EU citizens*, *Eurostat*, 98/2008. Available online at [http://epp.eurostat.ec.europa.eu/cache/ITY\\_OFFPUB/KS-SF-08-098/EN/KS-SF-08-098-EN.PDF](http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-SF-08-098/EN/KS-SF-08-098-EN.PDF) [accessed 19 March 2009]

<sup>3</sup> Central Statistics Office – *Statistics: Persons usually resident and present in the State on Census Night, classified by nationality and age group*. Available online at <http://www.cso.ie/statistics/nationalityagegroup.htm> [accessed 19 March 2009]

<sup>4</sup> UN High Commissioner for Refugees' *Statistics*. Available online at <http://www.unhcr.org/statistics.html> [accessed 19 March 2009]

<sup>5</sup> The functions of the High Commissioner are defined in the Statute and in various Resolutions subsequently adopted by the General Assembly. See also UN High Commissioner for Refugees, *Statute of the Office of the High Commissioner for Refugees*, General Assembly Resolution 428 (V) of 14 December 1950. Available online at <http://www.unhcr.org/protect/PROTECTION/3b66c39e1.pdf> [accessed 19 March 2009]

industrialized countries. Although these do not constitute a unified definition of integration they have some common characteristics.

## Key Aims

Through our initial review of integration support for refugees, we found that the emerging language around integration in many European countries can best be described as a set of integration principles, such as the *EU Common Basic Principles on Integration*<sup>6</sup>, which reflect a set of expectations for persons of foreign origin, as well as a framework of equality legislation and anti-discrimination measures.

Based on this, what this report aims to do is five fold;

1. To create some clarity in relation to the language and thinking concerning integration within the European Union and in a number of selected European countries, in particular in relation to refugees. The countries looked at are: Austria, Belgium, Denmark, Finland, France, Germany, the Netherlands, Norway, Slovenia, Spain, Switzerland, UK (England) and Ireland.
2. To look at UNHCR's interpretation of the *1951 Refugee Convention*<sup>7</sup> and at recommendations in relation to integration of refugees in Europe.
3. To relate the Irish situation in relation to the overall trends within Europe and the recommendations made by UNHCR.
4. To look at the views and experiences among refugees in Ireland in relation to integration.
5. To highlight integration measures which take into consideration age, gender or other diversifying factors within a refugee population.

The views of refugees in Ireland are sought through the use of a questionnaire looking at the integration experience and opinions on the integration expectations. It has been completed with 66 refugees from different backgrounds, of different ages and both women, men, boys and girls. The answers have as far as possible been analyzed in an age and gender sensitive manner. Where specific views of a particular group were identified it has been highlighted. Out of the 66 questionnaires, 7 were completed with young people who had come to Ireland as separated children.

## Background

The background to this research is a pilot project undertaken in 2006 under UNHCR's Age, Gender and Diversity Mainstreaming commitment (AGDM). The AGDM strategy was introduced by UNHCR in 2004 following a number of evaluations showing among other things a need for improved participation by refugees and displaced persons in needs assessments and the formulation of solutions. This was particularly relevant for women and children, who were often not included in the planning. The key objective of UNHCR's AGDM strategy is to have meaningful participation of women, girls, boys and men of all ages and backgrounds, using a rights and community-based approach, in the design, implementation, monitoring and evaluation of UNHCR policies, programmes, operations and activities on their behalf. The programme has been rolled out in all UNHCR's operations and has been adapted in different forms to UNHCR's work in

<sup>6</sup> See Annex 1

<sup>7</sup> UN General Assembly, *Convention Relating to the Status of Refugees*, Treaty Series, vol. 189, pg.137 – Article 34, 28 July 1951. Available online at <http://www.unhcr.org/refworld/docid/3be01b964.html> [accessed 19 March 2009]. Hereinafter the *1951 Refugee Convention*.

countries where the organisation mainly plays an advocacy, monitoring and capacity building role such as in Ireland<sup>8</sup>.

The 2006 AGDM roll out in Ireland included consultations with focus groups comprised of refugee women, men and children from different regions of the world to identify issues of particular concern in relation to integration. This research builds on one of the outcomes of this exercise, which was the shared experience by many that once they attained refugee status there were a number of obstacles to their integration and little targeted support. The obstacles included: considerable delay in family reunification decisions, lack of support to understand the culture, society and services, lack of recognition of qualifications, lack of official identification documents, difficulty in accessing further education, insufficient and varied quality of language training and uneven provision of services around the country.

This report will give some insight into how refugees understand their own integration needs, the obstacles to successful integration and the support they receive in Ireland. In order to develop a context for the dialogue on integration with refugees it was found necessary to map not only UNHCR's integration definition and policy, but that of the EU and trends in a number of European countries as well as in Ireland.

### **Target Population**

The research looks at integration in relation to refugees or persons with another protection status granted through a national in-country protection status determination procedure and family members of such persons.

It does not look at integration for refugees who have been accepted to the country under resettlement quotas agreed with UNHCR. It also does not look at immigrants in general or foreigners with other tolerated stay or leave to remain. Refugees accepted under such resettlement quotas may have been entitled to specialized integration programmes that have not been reviewed in this research.

It should however be noted that a number of legislation provisions and policies do not distinguish between different types of immigrants or foreigners. Where refugees are included in general integration policies for immigrants these policies are mentioned.

### **Scope**

This research has a narrow scope. Chapter 2 outlines UNHCR's interpretation of the *1951 Refugee Convention's* article 34 and the specific recommendations made by UNHCR in relation to integration of refugees in the European context.

Chapter 3 gives an overview of the issues in relation to integration efforts and debate within the European Union framework. This includes an outline of main developments, policy documents, and practical tools for coordination of Member State activities as well as specific provisions in EU legislative instruments that may have reference to integration or an impact on integration. The second part of Chapter 3 has a discussion of

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<sup>8</sup> See ExCom endorsement of the AGDM strategy in; UN High Commissioner for Refugees, Executive Committee of the High Commissioner's Programme (Excom), *ExCom General Conclusion on International Protection* (No. 108 (LIX) - 2008) 10 October 2008. Available online at <http://www.unhcr.org/excom/EXCOM/49086bfd2.html> [accessed 19 March 2009]



the integration principles formulated in EU documents relating to UNHCR's recommendation on integration. Initiatives taken by the Council of Europe and the OECD are not included in this research.

Chapter 4 looks at how integration is defined in 12 selected European countries by analysing the legal framework, policy documents and stated definitions. In doing so the aim is to provide the reader with an understanding of how integration is understood and what the important components of the current integration language and definition are. It also aims at giving an insight into how the integration aims are supported in the selected countries. Not all countries in the EU are included.

Countries were selected based on available material in the languages covered by the researchers as well as consideration for a North, South, East and West representation. Two countries in Europe, but outside the EU, Norway and Switzerland, were also selected to view if other trends emerged here. Due to resource constraints the research could not include other countries with experience in refugee integration such as Canada, Australia, New Zealand or the US.

It falls outside the scope of this research to review and evaluate the success of the integration policies and support in the 12 countries, including whether the policies and support given to integration have improved integration for the target group.

Chapter 5 focuses on the Irish situation. The key features of the Irish integration strategy are outlined, looking at government stated policy, applicable law, implementation, NGO involvement, service provision and to some extent includes references to studies and research carried out in the area.

It is outside the scope of this research to look at the actual services provided by NGOs, local municipalities and government services. Similarly the research is not aimed at evaluating the mainstream services in Ireland and their ability to support integration targets in general. The integration information and support available to refugees in Ireland is outlined in terms of the structures in place and is scoped in relation to the explicit and implicit integration expectations found in the *EU Common Basic Principles* and echoed in the proposed *Immigration, Residence and Protection Bill 2008*.

Where found relevant, the Irish integration strategy is discussed in relation to the EU policies, UNHCR's recommendations and the overall trends seen in the 12 selected European countries. It is outside the scope of this research to make recommendations in relation to Irish integration policy in general. This research outlines UNHCR's general recommendations on integration, the integration practices in other countries and the reviews of refugees participating in the survey in Ireland.

Chapter 6 contains an analysis of the outcome of the questionnaire done with persons who have experienced integration in Ireland as refugees. It looks at how the participating refugees view the main integration themes commonly found in European integration policies and in the *EU Common Basic Principles*. It sets out some of the views of the participants in relation to the integration experience in Ireland.

The questionnaire outcome is analysed in relation to the participants' age and gender. Due to the number of questionnaires, results will not only be presented in statistical terms, but also in anecdotal narratives and examples. Quotations used are not attributed to individual participants to ensure confidentiality.

The research has two annexes, which are the *EU Common Basic Principles*, and an outline of the questionnaire used.

It is outside the scope of this research to evaluate whether the *EU Common Basic Principles* set realistic targets for integration and the integration expectations of newcomers and persons of foreign origin. However, as they are the basis of much of the national integration legislation and policy and have been quoted in Irish policy, it was found appropriate to use them as the base for the questionnaire and our research.

The research does not look at integration programmes for resettled refugees. Many countries have a special introduction program for refugees received through an agreement with UNHCR. The special support can be very different from the support given to refugees who have gone through a national refugee status determination procedure and therefore these programmes have not been included.

## Methodology

One of the aims of the AGDM project is to give refugees of different age, gender and other diversity a possibility to participate in formulating the solutions to improve their situation. In the context of integration in Ireland, UNHCR found that there was a need to create some clarity about the use of the term integration in order to set the frame for the participatory survey of the report. Integration definition and policies were therefore researched and mapped for 12 European countries and Ireland.

## Terminology

The definition of integration is discussed in Chapter 2, 3 and 4 at some length. Where the definition of integration is not otherwise specified it is used broadly to describe the process and the result of the process, the results of the adaptation of persons of foreign origin into their new home society and the acceptance by that society of the foreigner.

“Refugee” means any person who has been granted refugee status in the country assessment after having spontaneously arrived. A “resettled refugee” means a refugee who has entered Ireland after an agreement with UNHCR. In Ireland this is done under the Irish “programme refugee” quota as defined in section 24 of the Irish *Refugee Act 1996* (as amended). Persons who have been given another protection status are referred to as persons with subsidiary protection status, or complementary protection status if not granted in line with the Qualification Directive<sup>9</sup>. The term “refugee” is used if there is no need to distinguish between persons with refugee status in line with the *1951 Refugee Convention* and beneficiaries of subsidiary protection.

In Chapter 2 UNHCR's position on integration is outlined. In this part “refugee” means any person with a protection status whether refugee status or subsidiary (complementary) protection. UNHCR has advocated for similar integration rights and

<sup>9</sup> The refugee definition can be found in the 1951 Refugee Convention and 1967 Protocol, *Supra* note 7. For relevant definitions and criteria for refugee status and subsidiary protection under EC law, see: UN High Commissioner for Refugees, *UNHCR Annotated Comments on the EC Council Directive 2004/83/EC of 29 April 2004 on Minimum Standards for the Qualification and Status of Third Country Nationals or Stateless Persons as Refugees or as Persons Who Otherwise Need International Protection and the Content of the Protection Granted* (OJ L 304/12 of 30.9.2004), 28 January 2005. Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/4200d8354.html> [accessed 19 March 2009]. Countries may have national law defining those granted resettlement, also referred to as programme refugees in some countries.

entitlements for both groups as their needs are similar. In Ireland both groups are given the same access to integration rights and entitlements.

Family members of refugees are considered as refugees unless otherwise specified.

Multiculturalism, assimilation and interculturalism are not used in this research unless used by others to describe a policy approach.

### ***Selection of countries included in the research***

The report looks at 12 European countries as well as Ireland. The countries were selected with consideration for EU and non-EU divergence; representation of northern as well as southern, eastern and western European countries; as well as our knowledge of the countries having made substantial recent changes to their policies, such as Denmark, the Netherlands and France.

Another consideration in selecting countries was language and the availability of information on the Internet. The language zones covered by the researchers were English, French and Danish/Scandinavian languages. Some countries had very little information available in English or French and were therefore not selected, although initially included.

### ***Mapping of refugee integration in twelve countries, UNHCR and the EU***

Chapter 4 has an overview of integration legislation, policy and practice in 12 selected countries. The overview and analysis is based on a set of country sheets prepared for each of the countries. The country sheets map a number of issues and were prepared to provide answers to some questions considered key to understanding how integration of refugees was seen and provided for in each country. The information in each sheet originates from Internet research of government and NGO websites, and consultation of primary sources, laws and policies, where available in one of the languages covered.

Each of the mapping sheets was shared with UNHCR's offices in the countries covered and the information was reviewed either by UNHCR staff or their government or NGO partners involved in integration for input. Any errors are the responsibility of the researchers and do not reflect the opinion or view of UNHCR or any of those who assisted in the mapping. While the country sheets are not included, a number of text boxes with the findings have been included.

In Chapter 2 and 3 there is an outline of the integration policies and strategies of UNHCR and the European Union. These chapters are based on a paper research of primary legislation as well as policy documents and publicly available position papers.

### ***Mapping of refugee integration in Ireland***

The method used to research integration practices in Ireland in Chapter 5 followed that used for the research of the other European countries. A similar set of questions researched for the 12 countries were researched for Ireland by consulting main policy documents and legal texts, Internet research and review of national strategies and research. During the research of the European context, a number of key areas such as health, continued to appear as being core to the integration process. The Irish policy in

relation to these areas was therefore included. Based on an initial draft, substantial information was shared by the Ministry for Integration, which allowed us to get an advanced and detailed picture of integration in Ireland.

The questionnaire that was carried out as part of the research also influenced the topics examined in the Irish context. The responses received from the questionnaire prompted a closer look at the provisions in relation to language support, accommodation, employment, information about integration expectations and family reunification.

### ***Selection of participants for the questionnaire***

A key element in this report is the survey of the views of refugees in Ireland on integration issues. The aim was to ensure that refugees were broadly represented and would include refugees of different ages, gender, places of origin, places of residence in Ireland and from diverse backgrounds. These aims have mainly been achieved.

There were no selection criteria of participating refugees other than that they had to have a protection status in Ireland or be a family member of a person with a protection status. While persons who have been granted another leave to remain status may have similar integration experiences as those with a protection status they were not included because of UNHCR's particular mandate to assist refugees<sup>10</sup>.

As UNHCR does not have access to information about who has protection status in Ireland, participation in the survey was encouraged through refugee support groups in all parts of the country. After piloting a group-based methodology, a three-prong approach was adopted. In the pilot, the researchers met with a group of refugee men to explain the purpose of the questionnaire and to guide them through filling it out. It was found that a group approach was too time consuming, as each person needed assistance and explanation of a substantial number of questions depending on their educational background and knowledge of English. It was also found that many participants lacked sufficient written English to complete the questionnaire and give full and complex answers on their own. Subsequently questionnaires were filled through one of the following three methods.

Firstly, one researcher went to drop in centres of the Refugee Information Service in Dublin and went through the questionnaire with refugees willing to participate on a one-on-one basis. This method was found to be time-consuming, with a lot of waiting for their refugee clients and many of those willing to participate did not have the necessary time during their visit to the centre.

Secondly, a system of contacting refugee support organisations and get them to give the contact details of those willing to participate was adopted. Each organisation was provided with a copy of the questionnaire and a general outline of the purpose of the research as well as a notice type information sheet. The interview was offered in French and English. Organisations were asked to share this information with persons using their services and if a person was willing to participate that person's number was forwarded to UNHCR for an interview-questionnaire session on the phone. The researcher would go through each question and note down the answers.

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<sup>10</sup> See *Statute of the United Nations High Commissioner for Refugees*, *Supra* note 5

Finally, questionnaires were sent out with return envelopes to a number of refugees known to have a good command of English. The participants filled in the questionnaire on their own before returning them.

In order to ensure participation of young people who have experience of the asylum procedures and refugee integration as separated children, the Social Work Team for Separated Children Seeking Asylum, under the HSE, was contacted. A team of two aftercare workers and a social work team leader agreed to assist in the filling of questionnaires with those among the children who were willing to participate. The researchers met with the HSE team members to explain the questionnaire. This method was adopted for this group because of the already well-established relationship of trust between aftercare workers and the children and young people. The team of HSE staff who were involved in filling the questionnaires comprised two female aftercare workers and one male social work team leader. Feedback from the team indicated that at the aftercare facility young girls were more likely than young boys to approach the two female staff. The outcome was that out of the 7 young refugees participating, 5 were young girls.

### ***Questionnaire participation constraints***

The aim of ensuring that refugees were broadly represented in the survey and included refugees of different ages, gender, places of origin, places of residence in Ireland and from diverse backgrounds has been achieved. As can be seen from the statistical breakdown of the questionnaire participants in Chapter 6, there were 59 adults participating in the survey and 7 young persons who had come to Ireland as separated children. Out of the 59, 22 or 37% were women.

The biggest challenge was to include refugees who may not have integrated well and those who do not have sufficient English or French to do the questionnaire. Using the refugee support groups as starting point for participation also had some limitations as it targets those who have contact with these groups. By contacting a range of different refugee services and support groups, we feel confident however that we have reached a fairly representative sample of refugees of different ages, places of origin, places of residence in Ireland and of different backgrounds.

### ***The questionnaire outline***

The questionnaires have eight parts and are formulated around the *EU Common Basic Principles*. Question 1 has demographic information. Question 2 aims at getting information about what knowledge refugees had about Ireland before coming to the country and what information they have received since arriving. It also enquired about what information they received about integration and any expectations that may be on them to integrate. Question 3 has questions about the refugees' length and permanence of their stay in Ireland. It explores refugees' perception of the link between integration and length of stay in the country.

Questions 4 and 5 set out to get refugees' views on the validity of the integration indicators outlined in the *EU Common Basic Principles*. The questions ask about how refugees view the identified indicators and whether there is ownership of these principles. The questions also solicit information about what makes it difficult to achieve the objectives of, for instance, learning English and getting employment, but also to learn about Irish and EU values.

Question 6 is about the refugees' own values and rights in society. The question is related to the sense of cultural and religious space in society. Question 7 is about the relevance of interaction with Irish people for integration. Question 8 looks at the responsibility for and support given to reaching the integration objectives.

### **Questionnaire constraints**

One of the key constraints to the questionnaire is the use of integration language and understanding of the different concepts used. After piloting the questionnaire some changes were made but overall the integration language, of for instance the *EU Common Basic Principles*, was kept because it was felt that part of what the questionnaire aims at finding out is whether the language used and the expectations found in policy documents to refugees are well understood by them.

The following questions were found to be particularly difficult and the researcher often had to explain these questions to the participants.

Question 2.2: "Was Ireland your first choice of destination?" The question is aimed at exploring whether refugees came specifically to Ireland as a choice and if so whether this choice was guided by knowledge of Ireland. The question was found to be relevant in relation to understanding the knowledge of Ireland as a country at the time of arrival. The researcher would often have to give an explanation or ask the same question in different ways such as "Was Ireland the country you wanted to go to when you left your home country or did you have a choice?"

Questions 3.1 and 3.2: "Do you think of yourself as a permanent or temporary resident in Ireland?" and "Do you think people in Ireland in general think of you as someone who is permanent or temporary?" A number of applicants had difficulty understanding what was meant by permanent or temporary and the researcher would reformulate this, asking "Are you planning to stay long in Ireland and hoping to be able to return soon?", or similar phrases.

Question 5.1: "Do you know what the basic values of the Irish State and the EU are?" This question posed the most difficulties as it presupposes an understanding of what "basic values" means, as well as what is meant by values in terms of Ireland and the EU in particular. To give a better understanding the researcher would use examples or ask participants whether there were things, virtues or behaviour, which were valued in the home country which are not valued in Ireland or vice versa.

Other constraints to the questionnaire result relate to the nature of a question and answer session. The participant may, despite the emphasis on the confidential nature of the answers, feel a need to please the interviewer and feel obliged to come across as responsible and pleasing. This can influence the honesty of the answers. While this is unavoidable to some extent, the researcher's impression was that this would have applied to only a small number of participants, who may have been concerned with how they were perceived. As different methods were used to gather information, including the self-fill and postal return questionnaires, the overall impact of this on the findings is considered minimal.

A similar constraint in a question and answer session is the possibility of the interviewer influencing the questions and interpreting the answers when writing them down. There is

undoubtedly some interpretation of answers in this kind of a process. The researcher made clear efforts to ensure that the answers were correct by repeating back what she had understood before writing it down.

A final point relates to the questionnaires, which were filled by participants themselves or with little assistance such as in the pilot. It was found that these questionnaires often lacked in quality or fullness.

Overall however the quantity and quality of the questionnaires is sufficiently high to allow for an analysis of answers in all of the eight parts. The answers have been analysed in Chapter 6 and include illustrative quotes, qualitative and quantitative analysis and examples. Quotations are not attributed to specific participants to ensure confidentiality.

## Chapter 2 - UNHCR and Refugee Integration

### *UNHCR's Local Integration Definition and Policy*

#### **1951 Refugee Convention**

UNHCR's involvement in the integration of refugees stems mainly from its mandate in relation to the *1951 Refugee Convention*. The *1951 Refugee Convention* Article 34 specifically states that States shall as far as possible facilitate the assimilation and naturalisation of refugees, in particular States shall make every effort to expedite naturalisation proceedings<sup>11</sup>. However, UNHCR's involvement is also related to the link between refugee protection and human rights protection in general, including issues of non-discrimination, anti-racism and xenophobia. Furthermore, there is a link between successful integration and the overall attitude in the host community vis-à-vis immigration broadly and therefore also asylum seekers and refugees. UNHCR's Protection goals of preserving an asylum space, as well as promoting resettlement in Europe, are therefore also linked to perceptions of the success of integration of refugees.

While Article 34 of the *1951 Refugee Convention* refers to assimilation and naturalisation, there is a consensus that assimilation should not be understood to mean a requirement on the part of the refugees to forgo their own culture and the term is used interchangeably with integration<sup>12</sup>. The logic of the Convention framework is that, with the passing of time, refugees should be able to enjoy a wider range of rights as their association and ties with the hosting State grow stronger<sup>13</sup>. As such, *Executive Conclusion No. 104* calls on States to facilitate, as appropriate, the integration of refugees, including, as far as possible, through facilitating their naturalisation<sup>14</sup>.

Integration in UNHCR is generally referred to as local integration and is identified as one of three durable solutions, the others being resettlement and repatriation<sup>15</sup>. In this paper we will refer to local integration when discussing UNHCR's policy and recommendations.

<sup>11</sup> *Supra* note 7, the *1951 Refugee Convention*. Online <http://www.unhcr.org/refworld/docid/3be01b964.html>

<sup>12</sup> UN High Commissioner for Refugees, Local Integration, *Global Consultation on International Protection*, EC/GC/02/6, 25 April 2002. Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/3d6266e17.html> [accessed 19 March 2009]

<sup>13</sup> UN High Commissioner for Refugees, *Local Integration and Self-Reliance*, EC/55/SC/CRP.1, 2 June 2005. Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/478b3ce12.html> [accessed 19 March 2009]

<sup>14</sup> See UN High Commissioner for Refugees, Executive Committee of the High Commissioner's Programme (Excom), *Conclusion on Local Integration*, (No. 104 (LVI) – 2005) 7 October 2005. Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/4357a91b2.html> [accessed 19 March 2009]

<sup>15</sup> UNHCR held a series of discussions with States in 2002 referred to as the Global Consultations. Among the topics was finding durable solutions to refugee situations. Global Consultation paper EC/GC/02/6 deals in some detail with Local Integration as one of the durable solutions. In the wake of the Global Consultations UNHCR developed the agenda for protection, which had as Goal 5 Redoubling the search for Durable Solutions. One of the identified objectives under Goal 5 was to have a comprehensive durable solutions strategy. The strategy was published on 1 May 2003 as: UN High Commissioner for Refugees, *Framework for Durable Solutions for Refugees and Persons of Concern*, 1 May 2003. Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/4124b6a04.html> [accessed 19 March 2009].



### ***UNHCR's definition of integration***

UNHCR's definition of local integration acknowledges integration as a two-way process<sup>16</sup> and outlines three specific aspects. It is defined as follows<sup>17</sup>:

Local integration in the refugee context is the end product of a multifaceted and on-going process, of which self-reliance is but one part. Integration requires a preparedness on the part of the refugees to adapt to the host society, without having to forego their own cultural identity. From the host society, it requires communities that are welcoming and responsive to refugees, and public institutions that are able to meet the needs of a diverse population. As a process leading to a durable solution for refugees in the country of asylum, local integration has three inter-related and quite specific dimensions.

First, it is a legal process, whereby refugees are granted a progressively wider range of rights and entitlements by the host State that are broadly commensurate with those enjoyed by its citizens. These include freedom of movement, access to education and the labour market, access to public relief and assistance, including health facilities, the possibility of acquiring and disposing of property, and the capacity to travel with valid travel and identity documents. Realization of family unity is another important aspect of local integration. Over time the process should lead to permanent residence rights and in some cases the acquisition, in due course, of citizenship in the country of asylum.

Second, local integration is clearly an economic process. Refugees become progressively less reliant on State aid or humanitarian assistance, attaining a growing degree of self-reliance and becoming able to pursue sustainable livelihoods, thus contributing to the economic life of the host country.

Third, local integration is a social and cultural process of acclimatization by the refugees and accommodation by the local communities, that enables refugees to live amongst or alongside the host population, without discrimination or exploitation and contribute actively to the social life of their country of asylum. It is, in this sense, an interactive process involving both refugees and nationals of the host State, as well as its institutions. The result should be a society that is both diverse and open, where people can form a community, regardless of differences.

The elements of this definition were discussed in more detail in the Standing Committee paper on *Local integration and Self-reliance*<sup>18</sup>. Here it is emphasized that local integration is the end product of a dynamic and multifaceted two-way process with three interrelated dimensions as outlined above.

#### ***The legal dimension***

Part of the legal dimension is the efforts to expedite naturalisation proceedings for refugees and reduce fees. Some states have done this by including the asylum period in calculation of legal stay towards applications for naturalisations or by making exceptions for refugees to naturalisation tests and requirements. Another part of the legal dimension is the expectation that refugees meet their obligation towards the State as responsible members of society. In Chapter 4 the naturalisation practices of 12 European countries are outlined.

#### ***Self-reliance - the economic dimension***

<sup>16</sup> See: *Supra*, note 14, *Conclusion on Local Integration*, (No. 104 (LVI) – 2005) 7 October 2005

<sup>17</sup> *Ibid.*, page 5, *Conclusion on Local Integration No. 104*

<sup>18</sup> *Supra*, note 13, *Local Integration and Self-Reliance*, EC/55/SC/CRP.1, 2 June 2005, par. 10

The issue of self-reliance is further elaborated in the Standing Committee paper and the link between local integration and self-reliance is outlined. Some of the benefits of self-reliance include that refugees become less dependent on open-ended assistance, regain better control of their lives and that it provides greater stability and dignity. It is recommended that assistance and rights to become self-reliant are introduced as early as possible, but it also recognises that refugees may find it difficult to achieve this economic integration for a variety of reasons, including medical problems, the new cultural environment or past experiences which have left the person with trauma.

A specific reference was made in the paper to reception arrangements in industrialized countries with well-developed asylum systems. The paragraph mentions that “reception arrangements can be mutually beneficial where asylum-seekers are given opportunities to become self-reliant”. It goes on to mention that “The time asylum-seekers spend awaiting the outcome of the asylum procedure can thereby be used to further develop their human potential and skills, which will facilitate the local integration of those who will be recognised or the return and reintegration of those found not to be in need of international protection”<sup>19</sup>.

### *Acclimatization – the cultural dimension*

Finally, the paper touches on the cultural and social aspect of integration and the responsibility of the refugee to make conscientious efforts to acclimatize him or her self and to understand the new culture and lifestyles, taking into consideration the values of the host population. In turn the host community must be welcoming and accommodating and must make efforts to understand the refugees’ background as well as oppose discrimination, racism and xenophobia. A specific recommendation is made to ensure that refugees are properly informed about their obligations and responsibilities in relation to integration<sup>20</sup>.

## **Age and Gender Considerations for Integration**

UNHCR advocates mainstreaming of age, gender and diversity into all policies and programmes. Likewise UNHCR recommends an age and gender-sensitive, participatory and community development approach to activities aimed at enhancing the capacity for refugees to integrate. It is highlighted that some groups of refugees, such as separated children, women or older refugees may require particular strategies and support<sup>21</sup>.

## **Integration Target Groups**

UNHCR’s integration efforts, policies and recommendations are aimed at refugees, which includes persons who have been recognised by national refugee status determination bodies, resettled refugees as well as persons with complementary forms of protection status, such as subsidiary protection in the context of the European Union<sup>22</sup>. While UNHCR acknowledges that local integration generally of asylum seekers

<sup>19</sup> *Ibid*, par.10, *Local Integration and Self-Reliance*

<sup>20</sup> *Ibid*, par.29, *Local Integration and Self-Reliance*

<sup>21</sup> *Supra*, note 14, *Conclusion on Local Integration No. 104*. See also: *Supra*, note 13, *Local Integration and Self-Reliance*

<sup>22</sup> For relevant definition and criteria for refugee status and subsidiary protection under EC law, see: Council of the European Union, Council Directive 2004/83/EC of 29 April 2004 on Minimum Standards for the Qualification and Status of Third Country Nationals or Stateless Persons as Refugees or as Persons Who

may not be appropriate, UNHCR has made clear its position in relation to how the asylum period and reception conditions may impact on the longer term local integration<sup>23</sup>.

## ***Integration and Resettlement***

In relation to integration in industrialised countries UNHCR has been mainly involved in integration of resettled refugees. A number of useful tools have been developed which may be used to guide integration efforts for refugees also outside the specific programmes designed for resettlement. In the handbook entitled *Refugee Resettlement: An International Handbook to Guide Reception and Integration*, some key principles on refugee integration are outlined. The *Handbook* is developed jointly by UNHCR, governmental and non-governmental partners in resettlement receiving countries<sup>24</sup>.

While the situation for resettled refugees may be slightly different from refugees who enter a European State and seek asylum with their own resources, many of the experiences in the home countries as well as difficulties in integration are the same. It is therefore pertinent to list some of the key guiding principles of the *Handbook*.

The guiding principles in the *Handbook* set out that integration is a mutual, dynamic, multifaceted and ongoing process, which requires willingness from the refugee to adapt and from the communities to be welcoming. It relates to both actual participation in all aspects of life such as economic, social, cultural, civil and political life as well as the perception of acceptance and membership of society. Opportunity to get naturalisation, family reunification and ethnic community networks can play an important role in the integration process.

The Handbook formulates nine clear integration goals which are: 1) to restore security, control and social and economic independence, 2) to promote the capacity to rebuild a future, 3) to promote family reunification and other supporting relationships, 4) to connect with those who can offer support, 5) to restore confidence in political systems and institutions, 6) to promote cultural and religious integrity, 7) to counter racism and discrimination, 8) to support development of cohesive refugee communities and 9) in doing so ensuring that this is for refugees irrespective of age, gender or other diversifying factors.

While many of these goals are also included in other documents on refugee integration, the *Handbook* gives, in addition, a good insight into some of the more emotional and psychological issues which can impede good and speedy integration and which are likely to be prevailing for refugees and therefore may merit targeted support for this group.

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Otherwise Need International Protection and the Content of the Protection Granted, 19 May 2004. Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/4157e75e4.html> [accessed 19 March 2009] (Hereinafter the *Qualification Directive*)

<sup>23</sup> *Supra*, note 13, *Local Integration and Self-Reliance*, par.10. See also: UN High Commissioner for Refugees, *Note on the Integration of Refugees in the European Union*, May 2007. Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/463b24d52.html> [accessed 19 March 2009]

<sup>24</sup> UN High Commissioner for Refugees, *Refugee Resettlement: An International Handbook to Guide Reception and Integration*, September 2002. Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/405189284.html> [accessed 19 March 2009] (Hereinafter the *Handbook*)

## ***UNHCR's Recommendations on Integration in the European Context.***

UNHCR's work in relation to local integration is mainly in countries which do not have developed national asylum institutions. In relation to integration in the European Union UNHCR has made a number of recommendations and comments in relation to EC law and in particular in its *Note on Integration of Refugees in the European Union*<sup>25</sup>. In this note recommendations are made focusing on refugee integration in relation to the broader migration and integration issues, the asylum process and post-recognition challenges. Some of the recommendations are outlined below.

### ***Migration, integration and refugees***

Refugees face similar challenges as other third country nationals staying legally in the European Union. Integration policies for refugees should therefore be mainstreamed in general integration plans drawn up for third country nationals. Within this framework recommendations are made to ensure refugee participation and consultation, as well as involvement and cooperation among actors involved in planning and implementation of integration programmes. Recommendations are also made to promote policies recognising that each individual may need different forms of integration support depending on personal circumstances.

### ***Integration and the asylum process***

While it is generally recommended that refugees are included in broader migration integration policies, it is also recognised that refugees who have gone through a national refugee determination system are in a different situation to other newcomers. The reception facilities, length of the procedure and reception policies can play an important role in either aiding or impeding the integration of refugees. Specific recommendations include that reception policies should minimize isolation and separation from host communities, that effective language and vocational skills development should be provided and that the pursuit of employment should be assisted. Access to employment should be granted progressively, taking into account the duration of asylum procedures.

The design of language training and accommodation is also specifically mentioned. Integration can be enhanced if the language training provided to asylum seekers is adapted to the various learning capacities and if key information about the host society is communicated. The negative impact on integration of accommodation in reception centres can also be countered by the involvement of asylum seekers in local society and personal development such as sports, art and cultural life in general.

Two factors which can impact negatively on integration are also mentioned: detention of asylum seekers and prolonged asylum determination procedures. Detention of asylum seekers even for short periods can have lasting consequences on the person's ability to integrate. Extended asylum procedures can be an obstacle to successful social, economical and cultural integration. The prolonged situation of insecurity and inactivity as well as separation from family and dependency on support for everyday life activities can be damaging to mental health and induce conditions such as depression, dependency syndrome, apathy and lack of self-confidence, hindering employment and social skills after recognition.

<sup>25</sup> *Supra*, note 23, *Note on the Integration of Refugees in the European Union*.

### ***Integration challenges for recognised refugees***

While refugees are in some ways in a similar situation to other immigrants, their specific situation distinguishes them in many ways. Refugees move from one country to another for non-economic reasons. They also deal with the loss of protection from their own State and likely separation from family support. The note outlines the main areas in which a differentiated approach between refugees and other migrants is called for. They centre on:

- 1) *The importance of a secure legal status and residence rights.* In this respect the note highlights that short term residence permits can have a negative impact on the person's sense of belonging and motivation to integrate. Having the possibility to get long-term residence rights or naturalisation at an early stage is important and refugees should be exempted from negative consequences of failing integration and language test. Similarly their status should not be frequently reviewed.
- 2) *Dealing professionally and effectively with trauma.* Due to the past experiences in their country of origin many refugees are in need of specialised care and counselling as well as specific health services. While they can normally be provided through mainstreamed services, such services may not be available or need developing.
- 3) *Access to documentation, administrative assistance and recognition of qualifications.* Under the 1951 Refugee Convention Article 25 the host State shall assist with documentation or certifications. For refugees, issues relating to documents relate to both the difficulties they may have obtaining documents from their home country as well as to the difficulties in getting recognition of qualifications specified in the documents. This can pose challenges for family reunification, access to all levels of education and to employment.
- 4) *The right to work for all with protection status and measures taken to ensure a work environment free from discrimination.* For refugees there can be a number of barriers to accessing work. Sufficient language qualifications and recognition of qualifications are some but it may also be awareness of employers of refugees' entitlement to work or lack of incentives to employ refugees. There may be a need for anti-discrimination efforts and to find innovative ways of ensuring employment, including mentoring arrangements and measures to address challenges faced by women.
- 5) *Timely family reunification and full rights for family members.* The note places specific emphasis on family reunification in the context of integration and makes reference to the UNHCR Executive Committee which has called upon countries of asylum and countries of origin to "support the efforts of the High Commissioner to ensure that the reunification of separated refugee families takes place with the least possible delay"<sup>26</sup>. There can be many obstacles to getting timely family reunification, including lack of documentation or family arrangements which are not recognised in the host State. The recommendation is for States to adopt a pragmatic and flexible approach to requests for family reunification and to grant the arriving family members the same level of rights as refugees.

<sup>26</sup> UN High Commissioner for Refugees, Executive Committee of the High Commissioner's Programme (Excom), *Conclusion on Family Reunification*, (No. 24 XXXII – 1981) par.2. Available online at <http://www.unhcr.org/excom/EXCOM/3ae68c43a4.html> [accessed 31 March 2009]

- 6) *Access to naturalisation.* Naturalisation is specifically mentioned in Article 34 of the *1951 Refugee Convention* and the note sets out in some detail the legal framework as well as some good practice examples from EU Member States. Among the positive measures are reducing waiting periods and naturalisation fees and/or removing requirements for the renunciation of the citizenship of the country of origin. Some countries have also reduced the time necessary in the country before refugees can apply and/or include the time spend pending a decision on an asylum application. UNHCR welcomes such practices.

UNHCR's comments to EC law in relation to integration will be discussed in the below chapter on Integration in the European Union. The main integration trends in the EU and in the selected Member States will be discussed in relation to UNHCR's definition and recommendation in the Chapter 3 and 4.



## Chapter 3 - The European Union and Refugee Integration

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### *Integration in the European Union*

Refugee integration in the European Union is closely linked to immigration and migration generally. While the EC treaty does not confer power directly to the Community to take measures in the field of integration policy, the reference to “conditions of entry and residence” in article 63(3) of the treaty has been taken to include measures relating to minimum standards of treatment of categories of immigrants who are covered by Directives<sup>27</sup>. Member States, however, remain responsible for the integration of third country nationals and have great discretion in this respect; the Commission has mainly a role of support and sharing of best practices.

The area of immigration, asylum and integration falls under the Directorate General of Justice Freedom and Security<sup>28</sup>. Below is an outline of the main policy events, legislative measures and integration initiatives taken within the EU framework. The outline is arranged under two headings. One is the European Council in Tampere (Finland) in 1999, which adopted conclusions calling for a common immigration policy and fair treatment of third country nationals and paved the way for a number of initiatives which had an integration aim or impacted integration of third country nationals in EU Member States as well as agreeing on the establishment of a Common European Asylum System (CEAS). The other is the Hague Programme adopted by the European Council in 2004, which underlined the need for greater coordination of national integration policies and EU activities based on common basic principles.

### ***The Tampere Programme (1999 – 2004)***

On 15-16 October 1999 the European Council held a special meeting on the creation of an area of freedom, security and justice in the European Union. The Presidency Conclusions, also referred to as the *Tampere Agreement*, called for a common immigration policy, as well as a common European asylum system and included references to the need for fair treatment of third country nationals<sup>29</sup>.

### *Commission initiatives*

Following directly from the *Tampere Agreement* the European Commission released two Communications touching on immigration and integration<sup>30</sup>. Among the issues raised in

<sup>27</sup> *Consolidated Version of the Treaty Establishing the European Community*, available at [http://europa.eu/eur-lex/en/treaties/dat/C\\_2002325EN.003301.html](http://europa.eu/eur-lex/en/treaties/dat/C_2002325EN.003301.html) [accessed 03 April 2009]

<sup>28</sup> European Commission, Justice and Home Affairs website (Justice, Freedom and Security). Available at [http://ec.europa.eu/justice\\_home/index\\_en.htm](http://ec.europa.eu/justice_home/index_en.htm) [accessed 19 March 2009]

<sup>29</sup> European Union: Council of the European Union, *Presidency Conclusions, Tampere European Council, 15-16 October 1999*, 16 October 1999. Available at: <http://www.unhcr.org/refworld/docid/3ef2d264.html> [accessed 29 March 2009]

<sup>30</sup> European Commission, Communication from the Commission to the Council and the European Parliament on a Community Immigration Policy, Brussels, 22 November 2000, COM(2000) 757 final. Available online at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2000:0757:FIN:EN:PDF> [accessed 19 March 2009] and also: European Commission, Communication from the Commission to the Council and the European Parliament on an open method of coordination for the Community Immigration Policy, Brussels, 11 July 2001, COM(2001)387 final. Available online at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2001:0387:FIN:EN:PDF> [accessed 19 March 2009]



these Communications were the need to develop specific integration policies based on fair treatment of third-country nationals residing legally in the Union, the prevention of social exclusion, racism and xenophobia and the respect for diversity<sup>31</sup>.

The fact that integration is a two-way process is emphasized. This means that integration involves adaptation on the part of both the immigrant and the host society. It also means that there is a need to create a welcoming society which respects cultural diversity and with anti-discrimination legislation. It is however further recognised that anti-discrimination legislation and efforts may not be enough and integration programmes are suggested.

The Commission goes on to stress the importance of integration for having a successful migration policy and outlines a number of points to ensure the development of integration policies. These points include setting up frameworks for involving local actors, providing special measures for social and economic integration of women and second generation migrants, developing settlement programmes, as well as exploring the validity of civic citizenship<sup>32</sup>. The need for special attention to the needs of migrant women and children is also mentioned<sup>33</sup>. These efforts marked the first steps to including, within EU policy and legislation, issues relating to national integration policy.

In June 2003, following recommendations from the October 2002 JHA Council meeting<sup>34</sup>, the European Commission adopted a policy paper on immigration, integration and employment in which it called on the EU member states to step up their efforts to integrate immigrants<sup>35</sup>. In July 2004, the Commission also adopted its *First Annual Report on Migration and Integration*. The report concluded that it is difficult to assess whether there had been progress in developing comprehensive integration strategies at national level. However, a number of Member States were in the process of developing specific integration courses or programmes targeted at immigrants and refugees. They also pointed out that a systematic mainstreaming of gender considerations seems to be lacking in most Member States when dealing with immigration, both in terms of policy and data. The importance of the *European Refugee Fund* in relation to giving support to refugees for integration was highlighted<sup>36</sup>.

### Directives

During this period, four Council Directives were also adopted which impacted on the integration of migrants. Firstly, a package of two anti-discrimination measures were adopted by the EU Council of Ministers in 2000, consisting of two legal instruments - a

<sup>31</sup> *Supra*, note 30, COM(2000) 757 final, pg.19

<sup>32</sup> *Supra*, note 30, COM(2001) 387 final, pg.11-12

<sup>33</sup> *Supra*, note 30, COM(2000) 757 final, pg.19

<sup>34</sup> 2455th Council meeting, Luxembourg, 12894/02, 14/15 October 2002. Available online at [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/jha/72751.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/jha/72751.pdf) [accessed 29 March 2009]

<sup>35</sup> European Commission, Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on Immigration, Integration and Employment, Brussels, 3 June 2003 COM(2003) 336 final. Available online at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2003:0336:FIN:EN:PDF> [accessed 19 March 2009]

<sup>36</sup> European Commission, Communication from the Commission to the Council the European Parliament, the European Economic and Social Committee and the Committee on the Regions, *First Annual report on Migration and Integration*, Brussels, 16 July 2004, COM(2004) 508 final. Available online at [http://ec.europa.eu/employment\\_social/employment\\_analysis/imm/com\\_508\\_en.pdf](http://ec.europa.eu/employment_social/employment_analysis/imm/com_508_en.pdf) [accessed 19 March 2009]

directive on racial discrimination<sup>37</sup> and a directive on discrimination in employment<sup>38</sup> together with a Community action programme. Secondly, two additional Directives were adopted impacting integration; the *Family Reunification Directive*<sup>39</sup> and the *Long-Term Residence Status Directive*<sup>40</sup>.

While refugees were included or affected in some of these efforts and policies, the main aim was integration of immigrants and the *Long-Term Residence Status Directive* is not applicable to persons with refugee status or other protection status.

The *Reception Conditions Directive* was also adopted during this period<sup>41</sup> and this Directive focuses asylum seekers as its main target group. While the Directive does not cover integration issues, its provisions can significantly impact refugees' integration prospects. As mentioned in Chapter 2 above UNHCR made specific mention of the impact detention of asylum seekers and the length of stay in asylum accommodation can have on a refugee's integration prospects in the *Note on the Integration of Refugees in the European Union*<sup>42</sup>.

### **Other integration initiatives**

Other important initiatives during this first phase of movement toward a common immigration policy include the establishment of a network of *National Contact Points on Integration*. This network meets regularly and shares best practices in various States.

### **The Hague Programme (2005-2010)**

The Hague Programme adopted by the European Council on 4-5<sup>th</sup> November 2004 underlined the need for greater co-ordination of national integration policies and EU initiatives in this area<sup>43</sup>. It further stated that a framework, based on common basic principles, should form the foundation for future initiatives in the EU and set out to create a Handbook on Integration. The Justice and Home Affairs Council adopted such a set of Common Basic Principles for Immigrant Integration in the European Union in November

<sup>37</sup> Council of the European Union, Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment of persons irrespective of race or ethnic origin. Available online at [http://europa.eu/eur-lex/pri/en/oj/dat/2000/l\\_180/l\\_18020000719en00220026.pdf](http://europa.eu/eur-lex/pri/en/oj/dat/2000/l_180/l_18020000719en00220026.pdf) [accessed 19 March 2009]

<sup>38</sup> Council of the European Union, Council Directive 2000/78/EC of 27 November 2000 establishing a framework for equal treatment in employment and occupation. Available online at [http://ec.europa.eu/employment\\_social/news/2001/jul/directive78ec\\_en.pdf](http://ec.europa.eu/employment_social/news/2001/jul/directive78ec_en.pdf) [accessed 19 March 2009]

<sup>39</sup> Council of the European Union, Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification. Available online at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2003:251:0012:0018:EN:PDF> [accessed 19 March 2009]

<sup>40</sup> Council of the European Union, Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents. Available online at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:016:0044:0053:EN:PDF> [accessed 19 March 2009]

<sup>41</sup> Council of the European Union, Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers. Available online at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2003:031:0018:0025:EN:PDF> [accessed 19 March 2009]

<sup>42</sup> Supra, note 23, *Note on the Integration of Refugees in the European Union*

<sup>43</sup> "During the coming years, the European Union will support and encourage Member States to deliver better policies on integration in order to prevent isolation and social exclusion of immigrant communities" in The Hague Programme: Ten priorities for the next five years, No.6 Maximising the positive impact of Migration. Available online at [http://ec.europa.eu/justice\\_home/news/information\\_dossiers/the\\_hague\\_priorities/doc/06\\_migration\\_en.pdf](http://ec.europa.eu/justice_home/news/information_dossiers/the_hague_priorities/doc/06_migration_en.pdf) [accessed 19 March 2009]

2004<sup>44</sup>. These *EU Common Basic Principles* aim at *inter alia* assisting Member States in formulating integration policies. They identify a number of integration indicators or expectations. These principles have been used to formulate the questionnaire used in this research to explore whether refugees in Ireland felt ownership or agreed with these expectations. The findings from this survey can be found in Chapter 6. The *EU Common Basic Principles* can also be found in full in Annex 1.

### *Commission initiatives*

A number of initiatives in related areas also followed the adoption of the Hague programme stressing the link between migration and successful integration. They included the *2004 Green Paper on an EU approach to Managing Economic Migration*<sup>45</sup> and the adoption of a *Policy Plan on Legal Migration in 2005*<sup>46</sup>, suggesting the creation of a European Integration Fund for Third Country Nationals. In 2006, the Commission issued a Communication entitled *The Global Approach to Migration 1 year on: Towards a comprehensive European migration policy in 2006*<sup>47</sup>.

### *A Common Agenda for Integration*

Building on the adoption of the *EU Common Basic Principles*, a number of integration specific policy documents followed. On 1 September 2005 the Commission adopted the Communication *A Common Agenda for Integration - Framework for the Integration of Third-Country Nationals in the European Union*<sup>48</sup>. The primary aim of this Communication is to provide the Commission's first response to the invitation of the European Council to establish a coherent European framework for integration. The cornerstones of such a framework are proposals for concrete measures to put the Common Basic Principles into practice, together with a series of supportive EU mechanisms. They include: *National Contact Points on Integration*, *Handbooks on Integration*, an integration website, the *European Integration Forum*, *Annual Reports on Migration and Integration*, of the proposed *European Year of Equal Opportunities 2007* and the *European Year of Inter-cultural Dialogue 2008*. The Commission also calls for Member States to strengthen their efforts at developing comprehensive national integration strategies.

<sup>44</sup> The full text of the JHA Council conclusion can be found on: Council of the European Union, Press Release 14615/04, Justice and Home Affairs, Brussels 19 November 2004. Available online at <http://www.europa.eu/rapid/pressReleasesAction.do?reference=PRES/04/321&format=PDF&aged=1&language=EN&guiLanguage=en> [accessed 19 March 2009]

<sup>45</sup> European Commission, *Green Paper on an EU approach managing economic migration*, Brussels, 11 January 2005, COM(2004) 811 final. Available online at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52004DC0811:EN:HTML> [accessed 19 March 2009]

<sup>46</sup> European Commission, Communication from the Commission, *Policy Plan on Legal Migration*, Brussels 21 December 2005, COM(2005) 669 Final. Available online at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52005DC0669:EN:NOT> [accessed 19 March 2009]

<sup>47</sup> European Commission, Communication from the Commission to the Council and the European Parliament, *The Global Approach to Migration One Year On: Towards a Comprehensive European Migration Policy*, 30 November 2006. COM(2006) 735 final. Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/4693a7c82.html> [accessed 19 March 2009]. This builds on from: Council of the European Union, *Global approach to migration: Priority actions focusing on Africa and the Mediterranean*, 15744/05, Brussels, 13 December 2005. Available online at <http://register.consilium.eu.int/pdf/en/05/st15/st15744.en05.pdf> [accessed 19 March 2009]. It also adds integration to the policy areas to be included.

<sup>48</sup> European Commission, Communication from the Commission to the Council the European Parliament, the European Economic and Social Committee and the Committee on the Regions: *A Common Agenda for Integration Framework for the Integration of Third-Country Nationals in the European Union*, Brussels, 1 September 2005, COM(2005) 389 final. Available online at [http://eur-lex.europa.eu/LexUriServ/site/en/com/2005/com2005\\_0389en01.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/com/2005/com2005_0389en01.pdf) [accessed 19 March 2009]

An important recommendation in the *Common Agenda* is that a gender perspective should be incorporated into all relevant action, as well as specific attention paid to the situation of migrant youth and children. The agenda does not mention special measures or needs of refugees although refugees would be generally included as legally residing third country nationals.

#### *Second Annual Report on Migration and Integration*

In 2006, the Commission presented the *Second Annual Report on Migration and Integration* which provides an overview of migration trends in the European Union, analysing the changes and describing actions taken<sup>49</sup>. It outlines some of the main trends and confirms that the main focus in most countries remains on employment and access to labour markets. Due to the emphasis in many states on integration obligations, the Report also makes specific mention of the need to ensure that integration measures respect the legislative framework set out in the *Family Reunification* and *Long-Term Residence Status* directives.

#### *Directives*

##### *Qualification Directive*

Of particular importance to refugee integration was the adoption, in 2004, of the *Qualification Directive*<sup>50</sup> laying down minimum standards and entitlements for persons with refugee or subsidiary protection status. The *Qualification Directive* makes some specific references to integration measures in the preamble including the possibility of reviewing the Directive to ensure that it is on track with developments under the *EU Common Basic Principles*. In Article 33 it also provides that, in order to facilitate the integration of refugees into society, Member States shall make provision for integration programmes which they consider to be appropriate or create pre-conditions which guarantee access to such programmes. Furthermore, as the Directive also deals with entitlements for persons with refugee or subsidiary protection status such as work, education, social assistance and health entitlements, the provisions potentially have a great impact on integration. UNHCR has made a number of comments and observations on the Directive including a recommendation that persons with subsidiary protection have the same rights in relation to work as refugees and that they be included in integration programmes envisaged in Article 33.

#### *2007 and 2008 Post- Potsdam Informal Council Meeting.*

In June 2007, the JHA Council adopted conclusions on the strengthening of integration policies in the EU by promoting “unity in diversity”<sup>51</sup>. This conclusion was adopted as a follow-up to the Informal Meeting of EU Ministers Responsible for Integration that took place in May 2007 in Potsdam. It marked a new step in the EU integration agenda and

<sup>49</sup> European Commission, Commission Staff Working Document, *Second Annual Report on Migration and Integration*, Brussels, 30 June 2006, SEC(2006)892. Available online at [http://ec.europa.eu/employment\\_social/employment\\_analysis/imm/sec\\_2006\\_892\\_en.pdf](http://ec.europa.eu/employment_social/employment_analysis/imm/sec_2006_892_en.pdf) [accessed 19 March 2009]

<sup>50</sup> Council of the European Union, Council Directive 2004/83/EC of 29 April 2004. The *Qualification Directive* 19 May 2004. Available online at <http://www.unhcr.org/refworld/docid/4157e75e4.html> [accessed 19 March 2009]. Full reference *Supra*, note 22.

<sup>51</sup> Council of the European Union, Press Release 10267/07, 2807<sup>th</sup> Council meeting, Justice and Home Affairs, Luxembourg, 12-13 June 2007, pg.23. Available online at [http://www.consilium.europa.eu/ueDocs/cms\\_Data/docs/pressData/en/jha/94682.pdf#page=23](http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/jha/94682.pdf#page=23) [accessed 19 March 2009]

stresses the need to consider approaches to integration involving society as a whole and recognises that intercultural dialogue is an important instrument for fostering integration.

The Council Conclusion mainly reaffirms the importance of integration measures for managing migration and confirms support for the initiatives taken so far. It highlights the importance of the *National Focal Points* and calls for the *Annual Report of the Commission* to be a better tool for coordination and sharing and comparing practices. It further calls for more consideration and exploration of a number of issues. Firstly, exploring and clarifying concepts of participation and active citizenship. Secondly, by examining the added value of having a common European module for integration such as introduction courses and language courses. Thirdly, analysing measures that can be targeted at the host society, to step up the host society element of the two-way process. Fourthly, exploring how integration programmes can contribute to prevention of social alienation and radicalisation and finally, promoting the development of common indicators and indexes for measuring integration outcomes. The conclusion talks about immigrants and makes no reference to refugee integration.

#### *Green Paper on the future Common European Asylum System*

Since then there has been a number of other important policy discussions impacting on integration. Firstly, the Commission published its *Green Paper on the future Common European Asylum System*<sup>52</sup>. The *Green Paper* aims at soliciting views on the second stage of a *Common European Asylum System* envisaged by the *Hague Program*, which should lead to higher common standards of protection and greater equality in protection across the EU. It deals mainly with the existing legal framework for asylum and protection but also includes a section on integration. The Commission highlight the need to consider enhancing the standards in the *Qualification Directive* and extend them to both refugees and beneficiaries of subsidiary protection as well as including these groups in the *Long-Term Residence Status Directive*, as proposed. (See below on the development of the latter proposal).

There is also mention of developing integration programmes designed to take into account the specific needs of people with protection status in relation to housing, access to health care and social services. Special emphasis is placed on employment and the potential need for assisting holders of protection status with accessing employment and overcoming cultural barriers or other obstacles. Likewise it is suggested that asylum seekers could get access to selected integration measures and facilities.

#### *Third Annual Report.*

The Commission adopted its third annual report on Migration and Integration in September 2007<sup>53</sup>. The report covers EU and national development in the integration area in 2005 and first half of 2006. Apart from outlining some of the policy and concrete initiatives taken by the EU, it also looks at progress under each of the *EU Common Basic Principles* and some of the efforts made to mainstream integration concerns into other EU policy areas.

<sup>52</sup> European Commission, *Green Paper on the Future Common European Asylum System*, Brussels 6 June 2007, COM(2007) 301 final. Available online at [http://ec.europa.eu/justice\\_home/news/intro/doc/com\\_2007\\_301\\_en.pdf](http://ec.europa.eu/justice_home/news/intro/doc/com_2007_301_en.pdf) [accessed 19 March 2009]

<sup>53</sup> European Commission, Communication from the Commission to the Council the European Parliament, the European Economic and Social Committee and the Committee on the Regions: *Third Annual Report on Migration and Integration*, Brussels 11 September 2007, COM(2007) 512 final. Available online at [http://ec.europa.eu/justice\\_home/fsj/immigration/docs/com\\_2007\\_512\\_en.pdf](http://ec.europa.eu/justice_home/fsj/immigration/docs/com_2007_512_en.pdf) [accessed 19 March 2009]

Among the steps to mainstream integration are the *Integrated Guidelines within the European Employment Strategy*, a study on good practice in the area of ethnic minority entrepreneurship, the *European Year of Intercultural Dialogue*, the promotion of fundamental rights, non-discrimination and equal opportunities as well as initiatives in relation to health, the urban dimension and education.

Of particular relevance is the reference made to the *Green Paper* and the reinforcement of the concept that beneficiaries of international protection require tailored integration measures owing to their particular situation. Reference is also made to the *Roadmap for Equality between Women and Men 2006-2010*. This document acknowledges that immigrant women are often at risk of suffering double discrimination, being discriminated both as women and as persons from a minority group. There is however no particular mention of refugees and the document refers to the *Common Agenda for Integration* in relation to more concrete measures.

#### *European Pact on Immigration and Asylum*

Another important step in addition to the adoption of the *Green Paper* is the adoption of the *European Pact on Immigration and Asylum*<sup>54</sup> by the European Council in October 2008 during the French Presidency. The Pact sets out five basic commitments of which the first is to organise legal immigration to take account of the priorities, needs and reception capacities determined by each Member State, and to encourage integration<sup>55</sup>. This commitment focuses mainly on regulation of labour market immigration, but also reaffirms the *EU Common Basic Principles*, the two-way process of integration and encourages measures to promote language learning and access to employment and to combat any forms of discrimination. Of particular importance is its suggestion to regulate family migration more effectively and include integration considerations in national legislation, except for certain specific categories.

#### *Vichy European Ministerial Conference on Integration*

The *Vichy European Ministerial Conference on Integration* took place on 3-4 November 2008 and built on the above outlined policies and initiatives. In the conference declaration, Member States agreed to give particular attention to: promotion of European Union fundamental values; the integration process; access to employment and the promotion of diversity; integration of women and the education of children as well as intercultural dialogue at the service of integration in the national integration policies. The conference also looked at the usefulness of intercultural dialogue as an instrument to foster integration<sup>56</sup>.

Some of the key observations on these themes included the view that the introductory phase is a key step in the integration process. This phase could include learning the

<sup>54</sup> "The Pact will henceforth form the basis, for the Union and its Member States, of a common immigration and asylum policy, guided by a spirit of solidarity between Member States and cooperation with third countries". Council of the European Union, *Brussels European Council Presidency Conclusions*, 14368/08, 15-16 October 2008, (OR. fr). Available online at [http://www.consilium.europa.eu/ueDocs/cms\\_Data/docs/pressdata/en/ec/103441.pdf](http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/en/ec/103441.pdf) [accessed 19 March 2009]

<sup>55</sup> Council of the European Union, *European Pact on Immigration and Asylum*, 13440/08, (approved by the JHA Council on 25 September and adopted by the European Council). Available online at <http://register.consilium.europa.eu/pdf/en/08/st13/st13440.en08.pdf> [accessed 19 March 2009]

<sup>56</sup> European Ministerial Conference on Integration, Vichy 3-4 November 2008, Declaration approved by the representatives of the Member States (Translation of the official Declaration). Available online at [http://www.ue2008.fr/webdav/site/PFUE/shared/import/1103\\_Ministerielle\\_Integration/conference\\_integration\\_041108\\_Final\\_declaration\\_EN.pdf](http://www.ue2008.fr/webdav/site/PFUE/shared/import/1103_Ministerielle_Integration/conference_integration_041108_Final_declaration_EN.pdf) [accessed 19 March 2009]

language, history and institutions of the host society. It also encourages schemes aimed at increasing employment including vocational skills training. Of particular interest is the focus on women and on the education of children. The Vichy declaration acknowledges that women may have specific needs that have to be addressed to ensure their full participation, inclusion and integration. Particular emphasis is placed on the need to ensure that all are fully aware of women's rights and their equal status with men within the EU. It is made explicit that all immigrants must be made aware of this if policies are to be effective. The declaration concludes by inviting the Commission to draw up a report on the implementation of these measures for the next ministerial conference on integration to be organised by Spain in 2010.

### *Other integration initiatives*

In addition to the policy framework and the legislation adopted, there have been a number of initiatives to promote and support integration in the EU. One of the most important has been the *Network* mentioned above and the *Handbook on Integration for policy-makers and practitioners* which was first published in November 2004. Since then a *Second edition of the Handbook on Integration* was published, focusing on mainstreaming immigrant integration, housing in an urban environment, economic integration and integration governance<sup>57</sup>. A third edition is planned for 2009 based on the integration conference held in Dublin in September 2008 focusing on Dialogue Platforms. Other important events include the *European Conference on Active Participation of Ethnic Minorities' Youth in Society* held in Copenhagen in September 2006 and the *Conference on Integrating Cities: European Policies, Local Practices* held in Rotterdam in October 2006.

Below we will look in more detail at two issues impacting integration. Firstly, the proposed amendments to include refugees and beneficiaries of subsidiary protection to the *Long-Term Residence Status Directive*. Secondly, some of the funding initiatives of the EU for the purpose of promoting integration.

### ***Amendments to the Long-Term Residence Status Directive***

The *Long-Term Residence Status Directive* is important in the context of integration as it lays down the conditions for when Member States must give legally residing third-country nationals certain rights after five years' continuous legal residence<sup>58</sup>. To obtain long-term resident status the non-EU Member Country national must show that s/he has stable resources sufficient to live without recourse to the social assistance system of the Member State concerned and sickness insurance for themselves and their family. Integration conditions such as sufficient knowledge of language may also be required.

The essence of the long-term resident status is that persons enjoying this status will enjoy equal treatment with nationals as regards: employment, education, recognition of qualifications, welfare benefits, social assistance and benefits as well as freedom of association and union membership. Most importantly however is that under the Directive, the holder of long-term residence can reside in another Member State for the

<sup>57</sup> European Commission, Justice, Freedom and Security, *Handbook on Integration for policy-makers and practitioners*, 2<sup>nd</sup> ed., (2007). Available online at [http://ec.europa.eu/justice\\_home/doc\\_centre/immigration/integration/doc/2007/handbook\\_2007\\_en.pdf](http://ec.europa.eu/justice_home/doc_centre/immigration/integration/doc/2007/handbook_2007_en.pdf) [accessed 19 March 2009]

<sup>58</sup> *Supra*, note 40. Council Directive 2003/109/EC, (concerning the status of third-country nationals who are long-term residents), Article 4.1.

purpose of work and pursuit of study, among other purposes. It would also provide refugees with a more secure status which cannot be affected by for instance cessation, and therefore also benefits integration.

While this Directive also benefits family members of those with long-term residence it does not apply to refugees, those granted subsidiary protection or their families. On 6 June 2007 a proposal for an amendment of the *Long-Term Residence Status Directive* was put forward to extend its scope to beneficiaries of international protection<sup>59</sup>. This followed a study commissioned by the Commission in which there was widespread support for including refugees under the scope of the Directive. In the debate that followed the main issues for discussion were whether beneficiaries of subsidiary protection should be included and whether the time spent in the asylum process should be counted towards the five years required to qualify. During the French Presidency the amendments to the Directive were discussed, but no agreement was reached at the last JHA council, in November 2008, and the discussions have been deferred further.

This is a significant blow to the rights of refugees and those with subsidiary protection in regard to their possibilities of integrating fully in the EU<sup>60</sup>.

### ***EU funding for integration initiatives***

There are a number of EU funding programmes aimed at integration of third country national within the EU, however they are not all available for integration projects for refugees and beneficiaries of subsidiary protection. The two main Directorates-General providing relevant funding are DG Freedom, Security and Justice and DG Employment, Social Affairs and Equal Opportunities. While the funding provided under DG Employment, Social Affairs and Equal Opportunities are aimed at more mainstreamed projects in relation to equal opportunities, the funding under DG Freedom, Security and Justice has a more targeted integration focus.

The programmes under DG Freedom, Security and Justice can be divided in two overall categories: programmes in the context of migration issues such as the *European Fund for the Integration of Third Country Nationals* (EIF) or the *European Refugee Fund* (ERF) and programmes in the context of fundamental rights and justice such as DAPHNE III and Rights and Citizenship. While some programmes can benefit all third country nationals including refugees and beneficiaries of subsidiary protection, the EIF excludes both groups, while the ERF is specifically aimed at these groups<sup>61</sup>.

### ***European Refugee Fund (ERF)***

The European Refugee Fund, which is the main funding programme benefiting refugees, has as general objective to support and improve the efforts of Member States to grant

<sup>59</sup> European Commission, Proposal for a Council Directive amending Directive 2003/109/EC to extend its scope to beneficiaries of international protection. Available online at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2007:0298:FIN:EN:PDF> [accessed 19 March 2009]

<sup>60</sup> For a full appreciation of UNHCR's observation to the proposed amendments see: UN High Commissioner for Refugees, UNHCR Observations on the Commission Proposal for a Council Directive Amending Directive 2003/109/EC Establishing a Long-Term Residence Status to Extend its Scope to Beneficiaries of International Protection, 29 February 2008. Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/47cc017a2.html> [accessed 19 March 2009]

<sup>61</sup> See also: EUROPA, Justice and Home Affairs – Funding Introduction. Available online at [http://ec.europa.eu/justice\\_home/funding/intro/funding\\_intro\\_en.htm](http://ec.europa.eu/justice_home/funding/intro/funding_intro_en.htm) [accessed 19 March 2009]



reception conditions to refugees, displaced persons and beneficiaries of subsidiary protection, to apply fair and effective asylum procedures and to promote good practices in the field of asylum so as to protect the rights of persons requiring international protection and enable Member States asylum systems to work efficiently<sup>62</sup>.

From 1 January 2008, the fund can also be used for: capacity building for the asylum systems of the Member States in general; the efforts of Member States to provide a durable solution in their territories to refugees and displaced persons identified as eligible for resettlement by the UNHCR; and the burden sharing between Member States consisting of the transfer of beneficiaries of international protection from one Member State to another<sup>63</sup>. The fund supports tailored integration measures for people falling within its scope including refugees and beneficiaries of subsidiary protection whose stay in the EU is of a lasting and stable nature<sup>64</sup>.

The beneficiaries of the fund are therefore mainly the Member States which develop a multi-annual programming strategy on the use of the resources they receive each year. The strategy spans from 2008 to 2013 and must be based on the Community strategic guidelines and in dialogue with the Commission.

It is worth noting that while 93 % of the funds available under the ERF are allocated to Member States, as outlined above, each year the Commission may use up to 7 % of the Fund's available resources to finance "transnational actions or actions of interest to the Community as a whole concerning asylum policy and measures applicable to refugees and displaced persons", in accordance with Article 8 of Council Decision 2004/904/EC.

Community Actions must be complementary to those supported under the national programmes of the *European Refugee Fund II*, as well as to those supported under complementary initiatives, such as the EQUAL initiative or the Community actions of the European Fund for the Integration of legal migrants from Third-countries and the preparatory actions for return management in the area of migration<sup>65</sup>.

<sup>62</sup> Council of the European Union, Council Decision 2004/904/EC of 2 December 2004 establishing the European Refugee Fund for the period 2005 to 2010. Available online at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:381:0052:0062:EN:PDF> [accessed 19 March 2009]

<sup>63</sup> European Commission, Commission Decision 2008/22/EC of 19 December 2007 laying down rules for the implementation of Decision No 573/2007/EC of the European Parliament and of the Council establishing the European Refugee Fund for the period 2008 to 2013 as part of the General programme "Solidarity and Management of Migration Flows" as regards Member States' management and control systems, the rules for administrative and financial management and the eligibility of expenditure on projects co-financed by the Fund. Available online at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:007:0001:0068:EN:PDF> [accessed 19 March 2009]

<sup>64</sup> In the preamble to the Council Decision establishing the ERF dated 2 December 2004, *Supra*, note 59, par.5, reference is made to integration in the context of the Geneva Convention as well as the cope of the fund to support this. Quote: "*The integration of refugees into the society of the country in which they are established is one of the objectives of the Geneva Convention of 28 July 1951 relating to the Status of Refugees, as supplemented by the New York Protocol of 31 January 1967. Such persons must be enabled to share the values set out in the Charter of Fundamental Rights of the European Union. To this end, there should be support for action by Member States to promote their social, economic and cultural integration in so far as it contributes to economic and social cohesion, the maintenance and strengthening of which is one of the Community's fundamental objectives provided for by Articles 2 and 3(1)(k) of the Treaty.*"

<sup>65</sup> ERF Community Actions, European Refugee Fund 2005-2010, Community Actions (Article 8 of Council Decision 2004/904/EC), Annual Work Programme 2007 including budgetary implications and selection criteria. Available online at [http://ec.europa.eu/justice\\_home/funding/2004\\_2007/refugee/doc/call\\_for\\_proposal\\_2007/work\\_programme\\_2007\\_en.pdf](http://ec.europa.eu/justice_home/funding/2004_2007/refugee/doc/call_for_proposal_2007/work_programme_2007_en.pdf) [accessed 19 March 2009]

### *The European Fund for the Integration of Third Country Nationals (EIF)*

The Fund was established in 2003 and operates in similar manner to the ERF. It is therefore the Member States who are the beneficiaries and they must, like for the ERF, develop a multi-annual programming strategy on the use of the resources they receive each year. Like for the ERF there are also provisions for Community Action projects<sup>66</sup>. The fund does not cover integration for refugees and beneficiaries of subsidiary protection, which must be funded through the ERF. The current programme covers 2007 to 2013.

The purpose of the fund is to support the efforts of Member States to enable third country nationals to fulfil the conditions of residence and to facilitate their integration into European societies, in accordance with the *EU Common Basic Principles*.

The Fund is targeted primarily at newly arrived third country nationals through actions supporting the integration process of third country nationals in Member States. It will also support enhancing the capacity of Member States to develop, implement, monitor and evaluate in general all integration strategies, policies and measures for third country nationals and the exchange of information, best practice and co-operation in and between Member States<sup>67</sup>.

Organisations working on integration matters must therefore look at the strategies in their particular Member State and submit projects within the scope of the strategy to benefit from these funds.

### *DAPHNE III*

Daphne III is a programme to prevent and combat violence against children, young people and women and to protect victims and groups at risk. It runs from 2007 to 2013. The programme's specific objective is to contribute to the prevention of, and the fight against, all forms of violence occurring in the public or the private domain against children, young people and women, including sexual exploitation and trafficking in human beings, by taking preventive measures and by providing support and protection for victims and groups at risk.

The programme is aimed at non-governmental organisation and other volunteer organisations. While it does not specifically target refugees and beneficiaries of subsidiary protection such groups can be included in proposals<sup>68</sup>.

<sup>66</sup> For more information on Community Action proposals see: European Commission, European Fund for the Integration of third country nationals 2007-13, Community Actions call for proposals 2007. Available online at

[http://ec.europa.eu/justice\\_home/funding/integration/docs/call\\_for\\_proposal\\_2007/call\\_proposals\\_2007\\_en.pdf](http://ec.europa.eu/justice_home/funding/integration/docs/call_for_proposal_2007/call_proposals_2007_en.pdf) [accessed 19 March 2009]

<sup>67</sup> See: EUROPA, Justice and Home Affairs – Funding - The European Fund for the Integration of Third-country nationals. Available online at

[http://ec.europa.eu/justice\\_home/funding/integration/funding\\_integration\\_en.htm](http://ec.europa.eu/justice_home/funding/integration/funding_integration_en.htm) [accessed 19 March 2009]

<sup>68</sup> See also the following links for more information as well as the call for proposals. European Commission, The Daphne III Programme (2007-13) to prevent & combat violence against children, young people and women to protect victims and groups at risk JLS/DAP/2008-2. Available online at

[http://ec.europa.eu/justice\\_home/funding/daphne3/doc/og\\_call\\_2008\\_en.pdf](http://ec.europa.eu/justice_home/funding/daphne3/doc/og_call_2008_en.pdf) [accessed 19 March 2009].

See also: EUROPA – Justice and Home Affairs – Funding - Prevent and combat violence against children, young people and women and to protect victims and groups at risk. Available online at

[http://ec.europa.eu/justice\\_home/funding/daphne3/funding\\_daphne3\\_en.htm](http://ec.europa.eu/justice_home/funding/daphne3/funding_daphne3_en.htm) [accessed 19 March 2009]

### *Other funding opportunities for integration within the EU*

Under the *Rights and Citizenship Programme* funding has a broad rights aim, but may be relevant for integration as it has as one of its objectives to fight against racism, xenophobia and anti-Semitism. The fund is aimed at giving support to NGOs and other society groups<sup>69</sup>.

Within the Directorate-General of Employment, Social Affairs and Equal Opportunities it is particularly the European Social Fund (ESF) which can be of relevance for integration of refugees and beneficiaries of subsidiary protection.

In the context of the European Social Fund (ESF), the Community initiative EQUAL offered a pool of innovative good practice to prevent and fight labour market discrimination of immigrants. Increasing immigrants' participation in employment and thereby strengthening their social integration is a specific priority of the new ESF for 2007-2013<sup>70</sup>.

Other programmes include the new PROGRESS programme 2007-2013, which will also support the implementation of the anti-discrimination and gender equality principles<sup>71</sup>.

In a similar manner, related funding which may have an integration impact: the URBAN II Community initiative has a focus on social inclusion in disadvantaged urban areas and the URBACT programme for the exchange of experience on urban development issues takes into account specific diversity challenges faced by European cities. This approach will continue with the URBACT II programme 2007- 2013<sup>72</sup>.

## ***Summary of Integration in the European Union***

From this overview of the integration policies in the European Union within the framework of a common immigration and asylum policy we can see the development in the definition of integration as well as in the overall thinking in the area. Before 1999 and the Tampere agreement this area was left outside the EU scope. Since then a number of significant policy decisions have followed all aimed at strengthening the cooperation between Member States and harmonisation of approaches to immigration and integration acknowledging that successful immigration is linked to successful integration.

The *EU Common Basic Principles* form the basis for the integration thinking and efforts and emphasis is placed on the need not only for governments to ensure equal opportunities and anti-discrimination measures are in place, but also to engage local society to play their role in the two-way process. At the same time, more importance has been given by a number of Member States on setting out clearly the integration expectations or obligations of the *EU Common Basic Principles* to foreigners who are expected to integrate. These expectations are in essence to learn the language, to

<sup>69</sup> See also EUROPA – Justice and Home Affairs – Funding - Fundamental rights and citizenship. Available online at [http://ec.europa.eu/justice\\_home/funding/rights/funding\\_rights\\_en.htm](http://ec.europa.eu/justice_home/funding/rights/funding_rights_en.htm) [accessed 19 March 2009]

<sup>70</sup> For more on funding under the ESF see: European Social Fund – ESF – EU – Home. Available online at [http://ec.europa.eu/employment\\_social/esf/index\\_en.htm](http://ec.europa.eu/employment_social/esf/index_en.htm) [accessed 19 March 2009]

<sup>71</sup> For more information on funding under PROGRESS see: European Commission, Employment Social Affairs and Equal Opportunities, Progress Programme. Available online at <http://ec.europa.eu/social/main.jsp?catId=327&langId=en> [accessed 19 March 2009]

<sup>72</sup> For more information on funding URBACT see: URBACT – Integrated Urban Development Transnational Exchange, Social Inclusion in Europe. Available online at <http://urbact.eu/urbact-programme/presentation/presentation.html> [accessed 19 March 2009]

participate economically and to respect the common values and principles of the host society and the EU.

Although not excluded from most integration policy, refugees and others with protection status are not specifically targeted in the EU context. In fact the Commission has highlighted that refugees may require tailored integration measures owing to their particular situation. Even so, some Directives allow lower standards for refugees and beneficiaries of subsidiary protection and both groups are excluded from the benefits of the Long-Term Residence Status Directive.

In several documents there has been a call for special measures to ensure integration particularly of women, children and youth.

### ***UNHCR's Observations and Recommendations on Integration in the EU Context***

UNHCR has made a number of observations and recommendations on the policies and legal frameworks for asylum seekers and refugees in the European Union as well as how these policies and regulations impact on refugees' integration prospects.

In this section, UNHCR's comments relating to key legislative and policy measures within the EU will be outlined and the EU approach will be reviewed in relation to UNHCR's integration definition and recommendations.

#### ***UNHCR comments to EU policy and legislation in relation to integration***

UNHCR provides advice and expertise to European Union institutions and Member States on asylum questions, based on its supervisory responsibility with respect to the implementation of the 1951 *Convention relating to the Status of Refugees* and its 1967 *Protocol* and on UNHCR's consultative role as affirmed in Declaration 17 to the Amsterdam Treaty<sup>73</sup>.

A number of observations and recommendations relevant for refugees and integration have been made to incoming countries holding the European Union Presidency<sup>74</sup> as well as to the *European Commissions Communication "A Common Agenda for integration"*<sup>75</sup> and to relevant EU Directives including: the *Long-Term Residence Status Directive*<sup>76</sup>, the

<sup>73</sup> *Supra*, note 7, *Convention Relating to the Status of Refugees*. See also: Declaration 17 to the *Treaty of Amsterdam*, European Union, October 1997. Available online at <http://www.eurotreaties.com/amsterdambfinalact.pdf> [accessed 31 March 2009]

<sup>74</sup> See for instance UN High Commissioner for Refugees, *UNHCR's Recommendations to the Slovenian Presidency of the European Union*, January - June 2008, 10 December 2007. Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/476beab22.html> [accessed 19 March 2009]. See also: UN High Commissioner for Refugees, *Building a Europe of Asylum: UNHCR's Recommendations to France for its European Union Presidency* (July - December 2008), 9 June 2008. Available online at <http://www.unhcr.org/refworld/docid/484e71812.html> [accessed 19 March 2009]

<sup>75</sup> UN High Commissioner for Refugees, UNHCR Observations on the European Commission Communication, *A Common Agenda for Integration: Framework for the Integration of Third-Country Nationals in the European Union COM(2005) 389 final*, 14 November 2005. Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/437b4e7e4.html> [accessed 19 March 2009]

<sup>76</sup> UN High Commissioner for Refugees, UNHCR Observations on the Commission Proposal for a Council Directive Amending Directive 2003/109/EC Establishing a Long-Term Residence Status to Extend its Scope to Beneficiaries of International Protection, 29 February 2008. Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/47cc017a2.html> [accessed 20 March 2009]

*Family Reunification Directive*<sup>77</sup>, the *Qualification Directive*<sup>78</sup> and the *Reception Directive*<sup>79</sup>.

The observations and recommendations made by UNHCR are around four main themes.

1) *Personal Scope*: UNHCR has consistently advocated for equal treatment of refugees and subsidiary protection beneficiaries, given that the protection needs of beneficiaries of subsidiary protection are often as compelling and as lengthy in duration as those of refugees. Following from this is also that beneficiaries of subsidiary protection should have the same access to integration programmes as refugees. While this would be the case for the overall anti-discrimination measures taken, there is still considerable scope within EU legislation to afford beneficiaries of subsidiary protection lesser standards of rights<sup>80</sup>.

2) *Legal status*: In line with Article 34 of the *1951 Refugee Convention*, ExCom conclusion No. 104 and UNHCR's definition of integration outlined above, UNHCR has continued to highlight the importance of the security of residence status for integration. A secure residence status enables beneficiaries of international protection to focus unequivocally on a future in their new country and to work towards integration in their host communities on an equal basis with other legally residing third-country nationals.

UNHCR has highlighted three issues of particular importance with regard to the legal status issues. Firstly, the importance of including refugees and beneficiaries of subsidiary protection in the scope of the *Long-Term Residence Status Directive*. Although the benefits of such inclusion were acknowledged by the Commission and a great number of EU Member States, it was not possible to get an agreement on this during the French Presidency in the second half of 2008. Secondly, the importance of including all legal stay of refugees and beneficiaries of subsidiary protection, including as asylum seekers, when calculating legal stay in relation to decisions on long term residence permits or citizenship. Thirdly, the importance of a restrictive approach to review of continued protection needs and a restrictive application of the ceased circumstances provision. *UNHCR's Cessation Guidelines*<sup>81</sup> stipulate that refugee

<sup>77</sup> UN High Commissioner for Refugees, UNHCR's Comments on the Amended Proposal of the European Commission for a Council Directive on the Right to Family Reunification COM(2002) 225 final, 2 May 2002. Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/3e4932de4.html> [accessed 20 March 2009]

<sup>78</sup> UN High Commissioner for Refugees, UNHCR's Observations on the European Commission's Proposal for a Council Directive on Minimum Standards for the Qualification and Status of Third Country Nationals and Stateless Persons as Refugees or as Persons Who Otherwise Need International Protection, Brussels, 12 September 2001, COM(2001) 510 final, 2001/0207 (CNS). Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/3c6a69254.html> [accessed 20 March 2009]. See also: UN High Commissioner for Refugees, *UNHCR Annotated Comments on the EC Council Directive 2004/83/EC of 29 April 2004 on Minimum Standards for the Qualification and Status of Third Country Nationals or Stateless Persons as Refugees or as Persons Who Otherwise Need International Protection and the Content of the Protection Granted* (OJ L 304/12 of 30.9.2004), 28 January 2005. Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/4200d8354.html> [accessed 20 March 2009]

<sup>79</sup> UN High Commissioner for Refugees, UNHCR Annotated Comments on Council Directive 2003/9/EC of 27 January 2003 Laying Down Minimum Standards for the Reception of Asylum Seekers, July 2003. Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/3f3770104.html> [accessed 20 March 2009]

<sup>80</sup> See for instance Article 33 (2) of the Qualification Directive, *Supra*, note 22

<sup>81</sup> UN High Commissioner for Refugees, Guidelines on International Protection No. 3: Cessation of Refugee Status under Article 1C(5) and (6) of the 1951 Convention relating to the Status of Refugees (the "Ceased Circumstances" Clauses), HCR/GIP/03/03, 10 February 2003. Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/3e50de6b4.html> [accessed 20 March 2009]

status should not be the subject of “unnecessary review” in light of “temporary changes, not of a fundamental character, in the situation prevailing in the country of origin”. This builds inter alia on consideration that the application of cessation may place the individual and his or her family members in an extremely vulnerable situation. It may lead to disruption of the refugee’s life and integration process in the host country and the loss of rights attached to refugee status.

3) Specific needs of refugees: UNHCR has repeatedly drawn the attention to the need to take account of the specific situation of refugees and subsidiary protection beneficiaries, when designing integration measures as well as considering issues of xenophobia and discrimination. In UNHCR’s latest recommendations to the incoming Czech Presidency a specific recommendation in this regard was made as follows. “Integration discussions and initiatives should explicitly consider policies and measures aimed at international protection beneficiaries who need targeted support to integrate in their host communities and at awareness-raising and building tolerance in host communities<sup>82</sup>”.

Other specific needs and considerations for refugees and beneficiaries of subsidiary protection are as mentioned above linked to *the length and conditions of the asylum procedure*, which can impact on the integration prospects. In this respect UNHCR has highlighted that integration measures and programmes for asylum seekers can be very helpful<sup>83</sup> and that accommodation and reception conditions should be implemented with integration in mind.

Other special circumstances of persons in need of protection are also mentioned as they can impact the ability to integrate successfully. Lacking the protection of one’s country of origin and having to rebuild one’s life in a new country, as well as the impact of having lost family and support structures and the experiences of many refugees of having suffered extreme trauma before finding safety in a new country, are all factors which can make integration more challenging.

4) *Family Reunification*: The link between a stable family situation, with family support, and successful integration has been made in the context of family reunification rights for refugees and beneficiaries of subsidiary protection<sup>84</sup>. In its recommendations to the French Presidency UNHCR wrote “UNHCR also wishes to highlight that family separation is often an impediment to integration. Promoting and facilitating the reunification of refugee families not only enables refugees to enjoy their basic right to respect for family life, but helps to promote their successful integration in their host country. UNHCR is concerned that strict criteria for family reunification and the absence of family reunification rights for subsidiary protection beneficiaries have a detrimental effect on integration and do not take into account the particular circumstances of people who have had to flee persecution and/or serious human rights violations<sup>85</sup>”.

<sup>82</sup> See: UN High Commissioner for Refugees, “A Europe Without Barriers”: UNHCR’s Recommendations to the Czech Republic for its European Union Presidency (January - June 2009), December 2008. Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/49477b362.html> [accessed 20 March 2009]

<sup>83</sup> *Supra*, note 72, UNHCR comments on A Common Agenda for integration, pg.3.

<sup>84</sup> See also page 23 for UNHCR’s recommendations in relation to Family Reunification and Integration.

<sup>85</sup> *Supra*, note 70, Building a Europe of Asylum: UNHCR’s Recommendations to France for its European Union Presidency, pg.14.

### ***UNHCR's and EU's integration policies and definition.***

UNHCR defined integration as a two-way process and outlined three specific aspects i.e. the legal aspect, the self reliance aspect and the social and cultural aspect.

There is a clear acceptance at all levels that integration is a two-way process and that it requires a welcoming society, with anti-discrimination measures and equal opportunities for all as well as a real effort and commitment on behalf of the refugee or immigrant to integrate or acclimatise.

While there is recognition in a number of EU policy documents of the impact issues of legal status can have on integration, EU legislation still has a number of gaps in relation to granting refugees and beneficiaries of subsidiary protection a secure legal status and entitlements of other long-term residence. Furthermore, the *Qualification Directive* allows Member States to offer lesser rights to beneficiaries of subsidiary protection, such as integration support, and provides that the status of both refugees and beneficiaries of subsidiary protection can be reviewed every 3 years, rather than be a secure and long term status allowing for full integration focus.

Self-reliance is highlighted as an important aspect of integration both in UNHCR's definition and in the *EU Common Basic Principles* and much of the integration effort is focused on this aspect. The *Qualification Directive* provide for full access to employment for refugees but allow lesser entitlements for beneficiaries of subsidiary protection. With the lack of inclusion of both groups under the *Long-Term Residence Status Directive* an important avenue for improving employment opportunities is closed. In relation to asylum seekers, UNHCR has advocated for a 6 month limit before allowing access to work permits rather than the one year currently in force in the Reception Directive. This is based on considerations of inter alia the importance of self-reliance at an early stage for successful integration.

There is recognition by both UNHCR and EU policy of the importance of cultural and social integration. In the EU context there is less emphasis on this in legislative measures but the *EU Common Basic Principles* have specific mention of this aspect.

In Chapter 4, the integration models and support for integration of refugees and beneficiaries of subsidiary protection in 12 selected European countries will be outlined and reviewed.

## Chapter 4 – National Integration Practices

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### *Defining Integration in National Policy*

#### **Definition framework**

In this part we look at some of the trends in integration policy and practice in selected European countries. In particular we look at the definition of integration used in different countries. In Ireland, the main policy documents in relation to integration are the *National Action Plan against Racism*, *Integration a Two way process* and *Migration Nation*. They outline that integration in Ireland is based on the *intercultural model*. Our initial discussions on integration with different counterparts also indicated that integration thinking was divided roughly into three models: *assimilation*, *multiculturalism* and *interculturalism*. However, through this research we have found that these terms are not used or embraced by governments in general in their integration policies. We are therefore not referring or using these terms to describe integration unless they are used in a specific country context, such as for instance in Ireland and Spain.

The countries looked at in this part are Austria, Belgium, Denmark, Finland, France, Germany, Netherlands, Norway, Slovenia, Spain, Switzerland and the UK (England)<sup>86</sup>. For each country a number of questions were researched in relation to the legislative framework, policy documents, responsible authorities, persons targeted in the integration plans and the modalities for reaching integration goals, such as support for language, introduction courses, contracts, integration tests, etc. The initial research was carried out through available material on government and NGO websites. The findings were then shared with UNHCR focal points covering these countries or with persons working for the relevant government ministry and/or relevant NGOs in the countries for their input. In the choice of countries we included two countries which are not part of the EU, Norway and Switzerland, to represent approaches outside the EU. Ireland was looked at separately and the trends in policy and integration support have been outlined and discussed in Chapter 5.

The central question in this research was related to how governments define integration. We have found that most countries have the definition of integration in their policies or in strategies rather than in law and that the definition is often formulated in broad terms describing the aim of integration, the indicators of integration and the means by which the government sets out to achieve integration. Integration as such is not defined in one uniform or clear way.

Below are our main findings in relation to the prevailing integration definition in relation to aim, content and support.

#### **Integration Aims**

We found that in all the countries the integration aims are either explicitly or implicitly outlined as: persons of foreign origin who have long-term legal stay having “achieved equal opportunities”, “reached full potential”, “having full participation” or “statistically are equal to host population”. Refugees are included broadly as persons with long-term legal

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<sup>86</sup> See Chapter 1 on methodology for the selection of countries.



stay and so are persons benefiting from subsidiary or complementary protection, while asylum seekers are generally not included.

One example where the integration aims have been identified in policy is UK (England) where the government in *Integration Matters, 2004* outlines that “Integration takes place when refugees are empowered to: meet their responsibilities and achieve their full potential as members of British Society, contribute to the community and access the services to which they are entitled”<sup>87</sup>. This definition was also endorsed in the latest policy paper from the UK Border Agency *Moving on Together, 2009*<sup>88</sup>. This definition has in the UK (England) been supplemented in *Our Shared Future, 2007* with a new definition on integration as part of community cohesion. This report outlines a number of indicators of an integrated and cohesive society. This includes a society where all have a sense of contribution and of personal rights and responsibilities and where those with different backgrounds would have equal access to life opportunities<sup>89</sup>.

### ***A two-way process***

Within the overall aims outlined above all countries reviewed included in their definition that integration requires a two-way process as also stated in the *EU Common Basic Principles* and echoed by UNHCR in its definition.

The two-way process notion has been expressed in different ways in the countries reviewed. However, as a general pattern, countries interpret the government's part of the two-way process to be one of ensuring a welcoming environment, where there are mutual tolerance, equal treatment and opportunities. Many also include the government's responsibility to give support to integration. Some countries have made specific mention of responsibilities for society as a whole or of specific actors in society.

An example of a country which has included a clear definition in legislation reflecting the two-way process is Switzerland. The Swiss *Foreigners Act* Article 4 makes it clear how integration is defined and understood and includes a reference to the Swiss population and their responsibilities to show openness towards foreigners. It specifies:

- 1) The purpose of integration of foreigners is to facilitate coexistence between the Swiss populations and the foreigner on the basis of the constitutional values as well as mutual respect and tolerance.
- 2) Integration must allow foreigners who have legal and long term residency to participate fully in the economical, social and cultural life.
- 3) Integration implies on the one hand that the foreigner is willing to integrate and on the other hand that the Swiss population shows openness towards them.

<sup>87</sup> Home Office, *Integration matters: A National Strategy for Refugee Integration*, July 2004, pg.11. Available online at <http://www.homeoffice.gov.uk/documents/cons-strat-refugee-201004/strat-refugee-integrate-201004?view=Binary> [accessed 20 March 2009]

<sup>88</sup> Home Office, UK Border Agency, *Moving on Together: Government's Recommitment to Supporting Refugees*, 2009, pg.8. Available online at <http://www.ukba.homeoffice.gov.uk/sitecontent/documents/aboutus/workingwithasylumseekers/refugeeintegrationstrat> [accessed 01 April 2009]

<sup>89</sup> The Commission on Integration and Cohesion, *Our Shared Future* (2007). Available online at <http://image.guardian.co.uk/sys-files/Education/documents/2007/06/14/oursharedfuture.pdf> [accessed 20 March 2009]

- 4) It is indispensable that the foreigner familiarize him or herself with Swiss society and the Swiss way of life, in particular that s/he learns one of the national languages<sup>90</sup>.

Apart from the government's responsibility, the two-way process implies that there is a responsibility of the foreigner to integrate. This has in many countries been interpreted to what can best be described as a set of **integration expectations** to the newcomer or foreigner. Just like UNHCR mentioned when stating that there must be some willingness and measures to acclimatise on the part of the refugees<sup>91</sup>, the *EU Common Basic Principles* include a number of expectations to what the refugee or newcomer must do to integrate and these are reflected in most national policies.

The integration expectations mainly centre around three themes. Firstly the foreigners must learn one of the countries official languages, secondly, they must become self-reliant, employed or otherwise economically integrated and thirdly, they must make efforts to understand and accept or at least respect the core values of the country and the EU.

The majority of countries which were researched have made such expectations explicit in either their law or in policy documents and have taken steps to ensure that newcomers or foreigners are fully aware of these expectations.

There are different ways in which the expectations are communicated to the newcomer; some examples are included below;

Austria: Refugees must sign an agreement stating that they agree to the integration expectations before admission to the integration house. The expectations in the agreement include a willingness to integrate, attendance at the German classes, a commitment to job-seeking, good cooperation with staff and active participation in the community life of the integration house<sup>92</sup>.

Denmark: Refugees must have an interview and set up a personal integration plan. They are expected to follow this plan and non-compliance may be sanctioned<sup>93</sup>.

France: The refugee signs an integration contract that clearly sets out the expectations of both him/her and of the government<sup>94</sup>.

<sup>90</sup> Article 4, *Loi fédérales sur les étrangers* (LEtr), 15 December 2005 (unofficial translation). Original French text available online at <http://www.admin.ch/ch/fr/rs/1/142.20.fr.pdf> [accessed 20 March 2009]

<sup>91</sup> Supra, note 23, *Note on the Integration of Refugees in the European Union*, <http://www.unhcr.org/refworld/docid/463b24d52.html>

<sup>92</sup> For more information see: Integration Houses, available at [http://www.integrationsfonds.at/en/support/integration\\_houses](http://www.integrationsfonds.at/en/support/integration_houses) [accessed 03 April 2009]

<sup>93</sup> *Consolidation of the Act on Integration of Aliens in Denmark*, Consolidation Act No.839 of 5 September 2005 of Danish Ministry of Refugee, Immigration and Integration Affairs. Available online at [http://www.nyidanmark.dk/NR/rdonlyres/105C4108-2914-4BCB-B5CE-5023B5EF62F7/0/act\\_on\\_integration\\_2005.pdf](http://www.nyidanmark.dk/NR/rdonlyres/105C4108-2914-4BCB-B5CE-5023B5EF62F7/0/act_on_integration_2005.pdf) [accessed 20 March 2009]

<sup>94</sup> Example of the contract see: Ministère de l'Emploi, de la Cohésion Sociale et du Logement Agence Nationale de l'Accueil des Étrangers et des Migrations, *Contrat d'Accueil et d'Intégration*. Available online at [http://www.anaem.fr/IMG/pdf/cai\\_publication/CONTRAT%202007%20recto%20verso.pdf](http://www.anaem.fr/IMG/pdf/cai_publication/CONTRAT%202007%20recto%20verso.pdf) [accessed 04 April 2009]

The integration expectations can also be reflected in the type of integration support made available based on individual integration plans. Such support mainly centres on language, self-reliance and social or cultural awareness.

Countries in which this type of support is given are Finland, Germany, Norway, Slovenia, the UK (England), the Netherlands and to some extent Switzerland. This is also given in the Flanders part of Belgium.

Other countries have not made such expectations explicit, but it may never the less be clear from the way integration is presented in policy documents that there are such expectations. In Spain and in the Wallonia part of Belgium there is less emphasis on the individual's integration efforts and more on the government's responsibility. This is also the case to some extent for Norway and Switzerland, although they do offer some individualised support. Ireland is similar to this, however, proposed legislation for the first time includes some integration expectations in relation to long-term residence rights<sup>95</sup>. In the countries which do not have such explicit integration expectations, such expectations are nevertheless underlying the integration policies.

The table below provides an overview of key points in relation to the integration definition in the reviewed countries.

Austria: In Austria integration is recognised as a two-way process<sup>96</sup>. It is defined in terms of s. 11 of the Nationality Law 1985 (as amended), which refers to integration of an alien as adaptation to social, economic and cultural life in Austria and to the values of a democratic European society.<sup>97</sup>

Belgium (Federal level): There is no definition in law. Integration is a two-way process defined in a policy paper of 1990 as "a) assimilation as the necessity of public order dictates, b) respect for basic values of Belgian society and c) respect for cultural diversity"<sup>98</sup>.

Belgium (Flanders): Integration can be defined as living together in diversity irrespective of a person's origin. This is to be achieved by indicators of equality and active, shared citizenship<sup>99</sup>. The goal of the integration policy is to achieve a shared society where people with different backgrounds can live together without abandoning their own cultural and religious values and customs<sup>100</sup>.

<sup>95</sup> *Immigration, Residence and Protection Bill 2008*, Bill no.2 of 2008. Available online at <http://www.oireachtas.ie/viewdoc.asp?fn=/documents/bills28/bills/2008/0208/document1.htm> [accessed 20 March 2009]

<sup>96</sup> Austrian Integration Fund (ÖIF) - Mission Statement. Available online at [http://74.125.77.113/translate\\_c?hl=en&sl=de&u=http://www.integrationsfonds.at/index.php%3Fid%3D101&prev=/search%3Fq%3DAustrian%2Bintegration%2Bfund%26hl%3Den%26rlz%3D1T4GZEZ\\_en-GBIE285IE285&usq=ALkJrhin5LpadfajC1\\_e8gHTb0Es8UMF4Q](http://74.125.77.113/translate_c?hl=en&sl=de&u=http://www.integrationsfonds.at/index.php%3Fid%3D101&prev=/search%3Fq%3DAustrian%2Bintegration%2Bfund%26hl%3Den%26rlz%3D1T4GZEZ_en-GBIE285IE285&usq=ALkJrhin5LpadfajC1_e8gHTb0Es8UMF4Q) [[accessed 20 March 2009]

<sup>97</sup> *Federal Law Concerning the Austrian Nationality (Nationality Act 1985) (last amended 2006)*, Federal Law Gazette of the Republic of Austria, FLG No. 311/1985, 30 July 1985. Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/3ae6b52114.html> [accessed 20 March 2009]

<sup>98</sup> Royal Commissariat for Migrant Policy, *Integratie (beleid). Een wer lange adem*, (Brussels, Inbel, 1989).

<sup>99</sup> Inburgering - Integration Programme. Available online at <http://binnenland.vlaanderen.be/inburgering/integrationprograme.htm> [accessed 20 March 2009]

<sup>100</sup> Pulinx, R., *Living together in diversity – Linguistic integration in Flanders*, Department of Education and Training - Flemish Ministry of Education and Training, (Council of Europe Language Policy Division, Brussels) pg.1. Available online at [http://www.coe.int/t/dg4/linguistic/Source/Pulinx\\_MigrantsFlanders\\_EN.doc](http://www.coe.int/t/dg4/linguistic/Source/Pulinx_MigrantsFlanders_EN.doc) [accessed 20 March 2009]

Belgium (Wallonia): There is no integration definition as such. Integration policy is geared towards mainstreaming and integration is mainly defined by reference to integration indicators. The areas covered and dealt with by established integration centres as part of the integration efforts are: language, employment, education, health, promotion of participation in social, cultural and economic life, intercultural initiatives, anti-racism and discrimination<sup>101</sup>.

Denmark: There is no definition as such in law. Instead s.1 of the *Integration Act* defines integration defined in terms of aims and responsibilities, as well as the means to integrate such as housing, introduction programs and other supports outlined in s.3<sup>102</sup>. The Act also recognises positive obligations on both immigrants and the government.

Finland: S. 2 of the 1999 Act defines integration as the personal development of immigrants, aimed at participation in work life and the functioning of society while preserving their language and culture and the measures taken and resources provided by the authorities to promote such integration<sup>103</sup>. Integration is recognised as a two-way process<sup>104</sup>.

France: No official definition exists. An advisory group to the Minister, Le Haut Conseil à l'Intégration, defines integration as a term used to describe a situation where an immigrant settles in a durable or long-term manner in a receiving country<sup>105</sup>. That integration is a two-way process is reflected in the immigrant's contract and the government's commitment to support.

Germany: Integration is not defined in law but on the website of the Ministry of the Interior a definition is given recognising the two-way processes. The definition is given as follows: "Integration is a long-term process intended to ensure that all lawful and permanent residents are included in German society. Immigrants should be able to take part in all areas of society, as fully and as equally as possible. Immigrants are obligated to learn German and to be familiar with Germany's constitution and laws and to respect and abide by them. At the same time, immigrants must have the chance to participate in as many areas of society as possible, on an equal footing as possible."<sup>106</sup>

Netherlands: There is no definition in law for integration; instead indicators of integration are used. The main indicators of integration used are language and learning how the Dutch live and work<sup>107</sup>. Integration is recognised as a two-way process seen in the

<sup>101</sup> FéCRI website. Available at <http://www.fecri.be> [accessed 20 March 2009]

<sup>102</sup> *Supra*, note 93, *Consolidation of the Act on Integration of Aliens in Denmark*, s.1 and s.3.

<sup>103</sup> *Finnish Act on the Integration of Immigrants and the Reception of Asylum Seekers* 493/1999, April 1999. Available online at [www.finlex.fi/pdf/saadkaan/E9990493.PDF](http://www.finlex.fi/pdf/saadkaan/E9990493.PDF) [accessed 20 March 2009]

<sup>104</sup> Government Migration Policy Programme, Government Resolution 19/10/06, pg.18. Available online at [http://www.mol.fi/mol/en/99\\_pdf/en/90\\_publications/migration\\_programme2006.pdf](http://www.mol.fi/mol/en/99_pdf/en/90_publications/migration_programme2006.pdf) [accessed 20 March 2009]

<sup>105</sup> Mots de l'Intégration - Haut Conseil à l'Intégration. Available online at [http://www.hci.gouv.fr/rubrique.php3?id\\_rubrique=19#](http://www.hci.gouv.fr/rubrique.php3?id_rubrique=19#) [accessed 20 March 2009]

<sup>106</sup> BMI – Integration. Available online at [http://www.zuwanderung.de/cn\\_108/nn\\_1070222/EN/Home/Functions/Subtopic/Integration.html](http://www.zuwanderung.de/cn_108/nn_1070222/EN/Home/Functions/Subtopic/Integration.html) [accessed 27 March 27, 2009]

<sup>107</sup> Het Beginnt met Taal - English. Available online at <http://www.hetbegintmettaal.nl/english> [accessed 20 March 2009]

positive obligations placed on the immigrant and the support from the Dutch government<sup>108</sup>.

Norway: Integration is defined in terms of goals. The aim of integration policy as contained in the policy documents is for the Government to give new immigrants the possibility to contribute and participate as quickly as possible. Looking at the goals of the government and the obligations on those being integrated under the *Integration Act*, integration can be said to be a two-way process<sup>109</sup>.

Slovenia: There is no specific definition of integration in law but the *Aliens Act* refers to integration as the inclusion of aliens who have a residence permit in the Republic of Slovenia in the cultural, economic and social life of the country. The act also recognises that both the immigrant and the government have integration obligations.<sup>110</sup>

Spain: There is no definition in law for integration. Integration is defined in the *Strategic Plan for Citizenship* as a two-way process of mutual adaptation, which encompasses the basic values of the EU.<sup>111</sup>

Switzerland: Integration is defined in Article 4 of the *Foreigners Act*. Under the act integration must facilitate co-existence, allow foreigners to participate fully in society and reinforces that both residents and immigrants make positive efforts to integrate. Article 4(3) specifically recognises integration as a two-way process.<sup>112</sup>

UK (England): There is no definition in law. In *Our Shared Future*, integration is defined as “the process that ensures new residents and existing residents adapt to one another”. Integration is also defined in terms of 6 aims; one such aim is “similar life opportunities”<sup>113</sup>, the policy paper also recognises integration and cohesion as a two-way process. In the latest policy document, *Moving on Together, 2009* the government endorses the definition found in *Integration Matters, 2004*: “Integration takes place when refugees are empowered to: meet their responsibilities and achieve their full potential as members of British Society, contribute to the community and access the services to which they are entitled”.

### **Communication of and support for integration expectations**

The research also looks at two other central questions to understand how the two-way process part of the integration definition is understood *i.e.* the question of whether the integration expectations as formulated in law or policy have been clearly communicated to refugees? And how refugees are supported to meet such integration expectations?

<sup>108</sup> *Fact sheet on Integration in the Netherlands- Aim and Background of Integration of Newcomers Act*. Available online at <http://www.degeschiedenisvaninburgering.nl/service/serv038.html> [accessed 20 March 2009]

<sup>109</sup> National report of Norway by the Royal Norwegian Ministry of Education and Research, “*The development and State of the Art of Adult Learning and Education*”, (May, 2008) pg.22. Available online at <http://www.unesco.org/ui/en/UIPDF/nesico/confintea/Norway.pdf> [accessed 20 March 2009]

<sup>110</sup> *Aliens Act*, 61/99, 30 July 1999. Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/3ae6b59c14.html> [accessed 31 March 2009]

<sup>111</sup> Ministry of Employment and Social Affairs, *Strategic Plan for Citizenship and Immigration 2007-2010 - Executive Summary*, (2007). Available online at <http://www.mtas.es/es/migraciones/Integracion/PlanEstrategico/Docs/PEClingles.pdf> [accessed 20 March 2009]

<sup>112</sup> *Supra*, note 90, *Loi fédérales sur les étrangers* (LEtr),

<sup>113</sup> *Supra*, note 89, *Our Shared Future* (2007), pg.10

We found that there are essentially two trends in Europe in regard to this. As mentioned in the above, all countries have included in some form expectations for the newcomer to integrate, although not all countries have made these expectations explicit. The main trend is to communicate the integration expectations in an integration contract or integration plan between the government and the individual and give time-limited but targeted support to the fulfilment of this contract or plan.

This trend was followed by all countries; except Spain, Ireland and in the Wallonia part of Belgium as well as to some extent Switzerland. Norway, which placed less emphasis on the individual's obligation in the two-way process, also has provisions for making an individual integration plan.

The other trend is not to communicate integration expectations or make specific targeted support available, but to channel all support into the mainstream services. This however does not exclude that there may be integration expectations from society at large or from the government on the newcomer or foreigner. This was the trend in Spain, Belgium (Wallonia) and Ireland, where the definition of integration refers to a two-way process, thereby indicating that there are some expectations on the foreigner to integrate.

In Spain the *Strategic Plan for Citizenship* cites the *EU Common Basic Principles* as its main reference point for creating a definition for integration<sup>114</sup>. Spain takes on board the concept of the "two-way" process set out in the common principles when it defines integration as "a two-way dynamic process of mutual adjustment on the part of all immigrants and residents in Member States."<sup>115</sup> However there are no clear formulations of the expectations and as a consequence there are no expectations communicated to the foreigner, nor is there any targeted support given to the foreigner to fulfil such expectations.

In conclusion, there seems to be consistency in the definition of integration used in all the twelve European countries in as much as the overall aims are similar and the basis of integration is the two-way process. All countries have as part of the government's responsibility in the two-way process an anti-discrimination or "welcoming" element as well as some form of integration efforts to ensure that existing structures in health, education, social welfare etc. can meet the needs of a more diverse society or in other words that integration is mainstreamed into existing structures. However countries differ significantly in the way they view the newcomer's responsibility to integrate and how they give support to this.

Below, we will look further at the trends in this initial integration support. First, however, we will examine to which extent refugees and beneficiaries of subsidiary protection were found to be included under the integration aims and policies.

<sup>114</sup> *Supra*, note 111, *Strategic Plan for Citizenship and Immigration 2007-2010 - Executive Summary*, (2007), p.17

<sup>115</sup> *Ibid*, pg.17

## ***Personal Scope of Integration Policy and Legislation***

It was found that depending on the immigration history of countries, integration efforts and policies were either made to target integration of migrants generally or sprung from a need to integrate refugees in particular. However, in all countries the overall integration efforts target immigrants, refugees, people with other protection status, foreigners with long-term legal stay and their families.

While generally all third-country nationals, refugees and beneficiaries of subsidiary protection as well as their families are included in the overall integration efforts or aims, the programmes and support may vary for each of these groups. Some projects are particularly targeting refugees and persons with protection status, but may not include family members. It was found that in countries where a targeted or individual support was given for an initial integration period, this was given both to refugees and persons with subsidiary protection. However, in other areas affecting integration, such as entitlements to work, education or family reunification there could still be different entitlements for the two groups as also provided for in the *Qualification Directive*<sup>116</sup>.

In Austria, Denmark, England, Norway and Slovenia refugees were the main target for integration efforts, although other groups are also included.

The Netherlands distinguish between integration for newcomers “nieuwkomers” and long-stayers “oudkomers”.

In Switzerland the *Integration Act* does not cover integration of refugees and consequently some of the general integration expectations and obligations on foreigners do not apply to them, although refugees may still get targeted integration support.

## ***Asylum seekers***

Many countries acknowledged that the time spend in the asylum process may impact on integration potential, but nevertheless found that integration support should only commence once the person was found to be a refugee or a beneficiary of subsidiary protection. Ireland and Denmark are not part of the *Reception Condition Directive*<sup>117</sup>, but other countries give asylum seekers the possibility to work after a certain fixed time after lodging the application for asylum if a decision has not been taken, usually a year<sup>118</sup>.

The Netherlands has a tiered reception system. During the first phase, where there is no substantive negative decision taken, the person is in an orientation and integration centre. During the orientation phase, information and activities take account of the temporary nature of the stay. The Dutch language courses provided are limited to a

<sup>116</sup> Supra, note 22, *the Qualification Directive*  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004L0083:EN:HTML> [accessed 20 March 2009]

<sup>117</sup> Supra, note 41, Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers

<sup>118</sup> For a full analysis of the transposition of the Reception Directive provisions in Article 11 and the right to work see: Odysseus - Academic Network for Legal Studies on Immigration, *Comparative Overview of the Implementation of the Directive 2003/9 of 27 January 2003 Laying Down Minimum Standards for the Reception of Asylum Seekers in the EU Member States*, 2007. Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/484009fc2.html> [accessed 20 March 2009]

basic knowledge of the language that is strictly necessary for a short stay. Those who are granted refugee status are entitled to private housing in a municipality. However, this process may take several months (on average 6 months). In the meantime these people stay in the centres for orientation and integration (integration phase). The applicants who are given a negative decision in the first instance are transferred to a return centre where the idea of voluntary return is promoted<sup>119</sup>.

As mentioned in Chapter 2, UNHCR has highlighted that a number of reception condition practices may impact on the integration of refugees and beneficiaries of subsidiary protection. These practices may vary from country to country and have not been included in this research.

Below is a table with an overview of the inclusion of refugees and asylum seekers in integration efforts for each country.

Austria: Refugees and those with subsidiary protection are the primary targets of the ÖIF integration efforts. ÖIF offers some services from which migrants also benefit. The ÖIF also supplies the general public with information about migration and integration<sup>120</sup>. Asylum seekers are not included. Article 68 of the *Asylum Act* specifically covers refugees<sup>121</sup>.

Belgium (Flanders): Integration policy mainly covers newcomers (those recently arrived in Belgium i.e. have received their residence permit for more than three months for the first time), old-comers (those there for over a year) and ministers of official religions. However the requirements to newcomers and old-comers are slightly different. Asylum seekers are also obliged to attend a social orientation course four months after submitting an application<sup>122</sup>.

Belgium (Wallonia): Integration of foreigners is pursued through the seven regional integration centres which cover all foreigners. Most integration efforts are project based so projects targeting refugees may be in place. Asylum seekers are not specifically targeted or included in the general integration projects but specific integration activities targeted at asylum seekers are organised by CIRE<sup>123</sup>.

Denmark: The *Act on Integration of Aliens in Denmark* s. 2(1) specifies that refugees and those who have been family reunified with refugees or other immigrants are included when lawfully residing in Denmark. Whether or not an alien falls within the act is decided by the Danish Immigration Service.<sup>124</sup> Asylum seekers are not generally included.

Finland: For the purposes of integration, "immigrants" as cited in the *Integration Act* include refugees<sup>125</sup>. The integration policy targets all immigrants who register as

<sup>119</sup> *Ibid*, pg.23.

<sup>120</sup> Austrian Integration Fund - Information for Migrants. Available online at <http://www.integrationsfonds.at/index.php?id=124&L=1> [accessed 20 March 2009]

<sup>121</sup> *Supra*, note 97, *Federal Law Concerning the Austrian Nationality*, article 68.

<sup>122</sup> *Supra*, note 98, Royal Commissariat for Migrant Policy

<sup>123</sup> For more information see: CIRE absI - Coordination et Initiatives pour et avec les Réfugiés et Étrangers. <http://www.cire.irisnet.be/> [accessed 20 March 2009] and see also: *supra*, note 101, FéCRI website

<sup>124</sup> *Supra*, note 93, *Consolidation of the Act on Integration of Aliens in Denmark*

<sup>125</sup> *Supra*, note 103, *Finnish Act on the Integration*



unemployed jobseekers and apply for social assistance. Asylum seekers are generally not included.

France: Integration contracts are obligatory for permanent workers, holders of residence permits marked "compétences et talents" (skills and talents), beneficiaries of the family reunification procedure aged at least sixteen, the family members of French nationals (spouses, children over eighteen, ascendants, parents of French children) and refugees and members of their family – when they are issued with their first residence permit<sup>126</sup>. Asylum seekers are not included.

Germany: All foreigners living lawfully in the Federal territory on a permanent basis are provided with support in integrating in Germany<sup>127</sup>. Asylum seekers are generally not included.

The Netherlands: Asylum seekers are not targeted but in principle every foreigner with a residence permit, whether for asylum or otherwise, is obliged to integrate<sup>128</sup>. The proof of integration is passing a test. Not all are required to participate in integration programmes and not all benefit for free from the integration programmes. Persons who have otherwise demonstrated being able to understand and speak Dutch are exempted from doing the course, e.g. persons who have passed exams in primary and secondary school.

Norway: Refugees are specifically targeted for integration purposes<sup>129</sup>. Other members of the target group are persons granted residency on humanitarian grounds, persons with collective protection and family members reunited with them. Asylum seekers are generally not included.

Slovenia: Refugees have a right to assistance with integration under Article 89 of the *Law on International Protection*. Under the *Aliens Act*, there is a guarantee that the Republic of Slovenia would assist all aliens with a residence permit in their integration in to Slovenian society<sup>130</sup>. Asylum seekers are generally not included.

Spain: In Spain, integration of all immigrants is believed to be key, therefore all immigrants are included in the Spanish integration plan.<sup>131</sup> Asylum seekers are generally not included.

Switzerland: Refugees are clearly covered in many integration efforts but specific measures of integration contracts set out in the *Foreigners Act* do not apply to refugees<sup>132</sup>. Asylum seekers are excluded.

<sup>126</sup> ANAEM - Agence National d'Accueil des Etrangers et des Migrations. Available online at [http://www.anaem.fr/contrat\\_d\\_accueil\\_et\\_d\\_integration\\_47/chiffres\\_et\\_publics\\_du\\_cai\\_336.html#repere1](http://www.anaem.fr/contrat_d_accueil_et_d_integration_47/chiffres_et_publics_du_cai_336.html#repere1) [accessed 20 March 2009]

<sup>127</sup> *German Residence Act of 30 July 2004 (as amended August 2007)*, 30 July 2004. Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/48e5cd7f2.html> [accessed 27 March 2009]

<sup>128</sup> *Supra*, note 108, *Fact sheet on Integration in the Netherlands*

<sup>129</sup> S.2, *Act on an introduction programme and Norwegian language training for newly arrived immigrants* (the Introduction Act), 2005. English translation available online at <http://www.ub.uio.no/ujur/ulovdata/lov-20030704-080-eng.pdf> [accessed 20 March 2009].

<sup>130</sup> *Supra*, note 110, *Aliens Act*, 61/99, Article 82

<sup>131</sup> Ministry for Employment and Social Affairs, *Plan Estrategico de Ciudadania e Integración*, pg.131 Available online at <http://www.tt.mtas.es/periodico/inmigracion/200702/plan.pdf> [accessed 20 March 2009]

<sup>132</sup> *Supra*, note 90, *Loi fédérales sur les étrangers* (LEtr), 15 December 2005

UK (England): For the purposes of the integration strategy, refugees and those with humanitarian protection are specifically targeted<sup>133</sup>. Asylum seekers are excluded from the integration programme.<sup>134</sup>

### ***Integration Support – Targeted or Mainstreamed?***

The main trend in the countries researched is to give time-limited targeted integration support to newcomers. This is given in some form or other in Austria, Belgium (Flanders), Denmark, Finland, France, Germany, the Netherlands, Norway, Slovenia, UK (England) and to some extent Switzerland. Only in Spain and Belgium (Wallonia) is integration pursued solely through a mainstreamed approach. Ireland has historically also had a mainstreamed approach to integration and does not, like Spain and Belgium (Wallonia), provide any targeted support for integration of refugees. However, in recent policy and proposed legislation integration expectations to the foreigner have been formulated<sup>135</sup>. Ireland will be considered in detail in Chapter 5.

### ***Countries with targeted support***

In this part we look at the type of support provided in those countries which give targeted support for a limited time period before it is expected that a newcomer or a person of foreign background is able to avail of only mainstreamed services. We will look at the support in relation to refugees or others with protection status, referred to as refugees unless a distinction is necessary. We will look at Austria, Belgium (Flanders), Denmark, France, Germany, the Netherlands, Norway, Slovenia and the UK (England).

### ***Content of integration contract or plan***

Three trends in relation to the identification of integration needs and the content emerged. The first was an actual contract that stipulated the obligations of the newcomer in his or her integration. In return, a number of services are offered to the newcomer to support the integration process. This type of standard contract is one that is used as part of the integration policy in France.

The second type of integration contract or plan is one that is tailored to the needs of the individual refugee or newcomer. This type is used in Belgium (Flanders), Denmark, England, Finland, Germany and the Netherlands. Based on an interview, often with a social worker, an agreement is drawn up that outlines the goals that the newcomer must achieve in order to fulfil his or her terms of the contract. The authority (usually the local municipality) then, in different ways, provides supports to help the newcomer achieve their goals. Although the agreements may vary for every newcomer, a requirement that the newcomer engages in language training will usually form part of the agreement.

<sup>133</sup> See: National Strategy for the Integration of Refugees - Home Office. Available online at <http://www.homeoffice.gov.uk/documents/cons-strat-refugee-201004/> [accessed 20 March 2009]

<sup>134</sup> Home Office UK Border Agency – Integration. Available online at <http://www.ukba.homeoffice.gov.uk/asylum/outcomes/successfulapplications/integration/> [accessed 20 March 2009]. See also *Moving on Together, 2009*, *Supra*, note 88.

<sup>135</sup> See: *Supra*, note 95, *Immigration, Residence and Protection Bill 2008*, and also: *Migration Nation, statement on integration strategy and diversity management*. Office of the Minister for Integration. May 2008. Available online at <http://www.diversityireland.ie/>. [accessed 22 February 2009].

The third type is an integration house used in Austria (see below).

In Austria, refugees can apply to enter an integration house. A requirement for entering the integration house is the signing of an agreement stating among other that the person is willing to integrate, will actively and regularly attend German classes and be job seeking. A number of services are provided in the integration house including language training, job searching, social services and other activities aimed at facilitating the integration process<sup>136</sup>.

In both Denmark and France refugees have to enter and sign an integration contract, however the content of the contract in the two countries is somewhat different<sup>137</sup>.

In Belgium (Flanders), UK (England), Finland, Germany, Norway, the Netherlands and Slovenia an individual integration plan is drawn up between the newcomer and the government, often at the municipality level. In some respect this is similar to the contract, as there may be consequences of non-compliance.

In Belgium (Wallonia), Ireland, Switzerland and Spain there is generally no individual plan or targeted support available, although at a regional or municipality level there may be individual support available.

Similar for all the integration programmes is that language training, social orientation and assistance with entering the labour market are normally the areas that are addressed in the individual plans or programmes. Such programmes are either standard integration programmes, specific programmes based on a personal integration plan or a mixture of both.

#### *Language support*

While most individual integration plans included a language component, in many this training is mainstreamed and provided by adult education courses. In some cases, the specific requirements in relation to language are left up to the various municipalities. The municipalities also tend to provide the language courses through adult education centres. In such cases the role of municipalities or other integration structures is to facilitate the language classes and bridge the gap between newcomers and access to these classes. Many countries use the Common European Framework of Reference (CEFR) for language to assess language qualifications for integration standards<sup>138</sup>. This was found to be the case in Austria, Germany, the Netherlands and Norway for example. The UK (England) uses the English for Speakers of Other Languages (ESOL). Although countries use the CEFR, the required level may differ among countries as well as within countries for different groups covered by the integration efforts.

<sup>136</sup> For more information about the Integration House in Austria and an example of the agreement see [http://www.integrationsfonds.at/en/support/integration\\_houses/the\\_concept/](http://www.integrationsfonds.at/en/support/integration_houses/the_concept/) [accessed 26 March 2009]

<sup>137</sup> A sample of the contract used in Denmark is available on line at A sample of the contract can be found in Danish at <http://www.nyidanmark.dk/NR/rdonlyres/BFD39DAB-9649-461D-8EB4-7353B2774139/0/integrationskontrakt.pdf> [accessed 03 April 2009]. The contract used in France is available online at [http://www.anaem.fr/IMG/pdf/cai\\_publication/CONTRAT%202007%20recto%20verso.pdf](http://www.anaem.fr/IMG/pdf/cai_publication/CONTRAT%202007%20recto%20verso.pdf) [accessed 03 April 2009]

<sup>138</sup> For more information on this initiative see: Council of Europe, Common European Framework of Reference for Languages: Learning, Teaching, Assessment. Available online at [http://www.coe.int/t/dg4/linguistic/CADRE\\_EN.asp](http://www.coe.int/t/dg4/linguistic/CADRE_EN.asp) [accessed 20 March 2009]

In the Netherlands for instance, there are different levels required for oldcomers, or oudkomers, and newcomers, or nieuwkomers. For newcomers it is A2 under the CEFR and for oudkomers it is A2 for reading and writing and A1 for speaking and listening.

#### *Support to become self-reliant*

Another component of most integration plans is support to become self-reliant or employed. In the majority of countries this is one of the key aims of the integration support. Austria, Belgium (Flanders), Denmark, Finland and the UK have placed particular emphasis on employment in their plans.

In Finland, the right to an integration plan is triggered when an immigrant registers to apply for social assistance. According to section 10 of the Integration Act, the integration plan takes the place of the job-seeking plan that is referred to in the *Employment Services Act*<sup>139</sup>. Immigrants registered in this manner may engage the integration plan for up to a period of three years after first being entered in the population data system of their home municipality<sup>140</sup>. A plan may be suspended after one month if the person becomes employed or enrolls in full time study<sup>141</sup>.

#### *Cultural adaptation or awareness support*

In many countries, courses on the society and the culture of the host country also form part of the integration programmes. This is often implemented in conjunction with the language classes or alongside the language training under an overall integration programme. In some countries video material, booklets or courses on society are provided on how to go about daily living.

An example of the latter can be seen in Norway. S. 2 of the *Introduction Act*, states that the introduction programme is designed for people who need to obtain basic qualifications. The introduction programme aims to provide basic Norwegian language skills, provide basic insight into Norwegian social conditions and prepares people for participation in working life<sup>142</sup>. As well as Norwegian language instruction, there is an additional requirement of attending 50 hours of social studies on Norway. This is conducted in the person's mother tongue or a mutual language<sup>143</sup>.

Another example is France where the introduction course includes a social integration aspect. Here the introduction course is the main part of the integration contract. It consists of a ½ day general course and then the specific contract content. This includes another one day course which teaches beneficiaries about the French institutions and the values of the Republic, (gender equality, secularism, compulsory and free access to education) and the political and administrative organisation in France. There is also an information session about life in France, adapted to the needs of the migrant lasting from

<sup>139</sup> *Supra*, note 103, *Finnish Act on the Integration*, s.10

<sup>140</sup> *Ibid*, s.7

<sup>141</sup> *Ibid*, s.10

<sup>142</sup> *Supra*, note 129, *Norwegian Introduction Act 2005*, s.4

<sup>143</sup> Norwegian Ministry of Labour and Social Inclusion – Tuition in Norwegian and social studies for adult immigrants. Available online at <http://www.regjeringen.no/en/dep/aid/Topics/Integration-and-diversity/tuition-in-norwegian-and-social-studies-.html?id=1142> [accessed 04 April 2009].

1 to 6 hours. This session informs newly arrived migrants of the formalities of everyday life. Then there is a video screening of *Life in France*<sup>144</sup>.

#### *Accommodation support*

In some of the countries looked at, accommodation support is also part of the integration plan; however there is less focus on this aspect of integration in the individual plans in almost all of the countries looked at. Apart from the integration plans, accommodation issues may be addressed through the mainstreamed services available for legally residing third country nationals.

In Slovenia, there are special provisions made in terms of housing for vulnerable groups of refugees. Those mentioned as being vulnerable are unaccompanied minors, the disabled, the elderly, pregnant women, single women, single parent families and victims of sexual abuse, torture or organised crime. A commission consisting of representatives of the Ministry, the Centre for Social Work and the local community all have an input into what would be appropriate housing for vulnerable refugees. The type of housing made available to such persons is determined on this basis<sup>145</sup>.

#### *Content of integration plans per country*

Below is an overview of the content of the individual integration support in each of the countries covered.

Austria: The goal of integration support is to stabilize the situation of recognised refugees. The refugee is offered a year-long integration house accommodation. There is no automatic access to the integration house and a person must make an application showing that they have a willingness to learn German and take part in the labour market. Participants are obliged to show a willingness to integrate, to regularly attend German classes, to show a commitment to job-seeking, to participate in the community life of the integration house, to adhere to house rules etc<sup>146</sup>. The support in each of the integration houses can vary, but in all the houses, German classes are offered to both literate and illiterate refugees. Usually, 560 hours of German classes are offered which last approximately 6 months. The integration support offered in the integration houses may also cover literacy classes, health issues, housing and community integration<sup>147</sup>. In addition to the integration support given in the integration houses, there are also a number of integration centres around the country where refugees can get information and support for integration and a financial support scheme is in place for refugees offering interest free loans or funding to activities aimed at linguistic integration, professional integration, social integration or housing.

<sup>144</sup> For more on the French integration course see [http://www.ofii.fr/contrat\\_d\\_accueil\\_et\\_d\\_integration\\_47/vivre\\_ensemble\\_en\\_france\\_499.html](http://www.ofii.fr/contrat_d_accueil_et_d_integration_47/vivre_ensemble_en_france_499.html) [accessed 03 April 2009]

<sup>145</sup> Reply of the Republic of Slovenia on the list of issues to be taken up in connection with the consideration of the second periodic report of Slovenia (CCPR/C/SVN/2004/2) pg.52. Available online at [http://www.mzz.gov.si/fileadmin/pageuploads/Zunanja\\_politika/CP/Zbornik/VI\\_ICCPR\\_-\\_Drugo\\_periodicno\\_porocilo.pdf](http://www.mzz.gov.si/fileadmin/pageuploads/Zunanja_politika/CP/Zbornik/VI_ICCPR_-_Drugo_periodicno_porocilo.pdf) [accessed 20 March 2009]

<sup>146</sup> Austrian Integration Fund (ÖIF) - Integration Agreement. Available online at <http://www.integrationsfonds.at/index.php?id=85&L=1> [accessed 20 March 2009]

<sup>147</sup> Austrian Integration Fund (ÖIF) - Support at the ÖIF. Available online at <http://www.integrationsfonds.at/index.php?id=572&L=1> [accessed 20 March 2009]

Belgium (Flanders): The aim of the integration policy is to achieve one shared society without abandoning cultural and religious values and customs<sup>148</sup>. To do this the immigrant must commit to the values of Flemish society and in return support is provided by the Integration Welcome Office<sup>149</sup>. The integration programme consists of three parts: a language course with Dutch as a second language, a social orientation course and a career integration course. The individual plan will start almost immediately after arrival and must be completed within one year. Non-compliance will lead to fines and in the future social housing will only be given to those who have a sufficient language grasp<sup>150</sup>.

The IWO co-ordinates the integration programme and provides support to those integrating by offering a social orientation course, assistance when seeking employment and individual guidance to the person integrating. There are also Dutch Language Houses. These houses help newcomers to locate and access Dutch Language classes and monitor the demand for language classes where shortages might exist. Although these Dutch Languages Houses help give newcomers access to language classes, the language classes in Flanders are generally mainstreamed and are provided by the adult education centres.

Denmark: Here there is an individualised integration contract offered by a municipal authority within one month of receiving a protection status. It contains a 3 year plan drawn up with the person who is integrating but covers the person until long-term residence rights have been acquired. The plan can offer skills training, language classes, employment with a wage supplement, in-service training and education opportunities. A means tested introduction allowance can also be paid to unemployed foreigners. The language classes are free of charge for all foreigners over the age of 18. The actual provision of the classes is left up to the municipalities. The plan is under periodic review and can be adapted to changed circumstances. The plan contains the educational and occupational obligations of the person integrating and outlines what they must do to achieve those goals<sup>151</sup>.

Finland: In Finland, an integration contract is provided for in s. 11 of the *Integration Act* when an immigrant registers to apply for social assistance. Based on this, an 18 week integration plan is drawn up which is tailored to the needs of the refugee. While participating in the plan the immigrant is expected to become involved in working life and Finnish society, while at the same time preserving their own culture<sup>152</sup>. In return the scheme offers language study, labour market training, educational training and other measures that may be considered reasonable.<sup>153</sup> The participant has a right to an 'integration allowance' only if they take part in the scheme. Non-compliance can lead to a reduction of social benefits. There is no integration test. Although an integration plan is

<sup>148</sup> *Supra*, note 100, *Living together in diversity – Linguistic integration in Flanders*, pg.1

<sup>149</sup> *Supra*, note 99, Inburgering - Integration Programme

<sup>150</sup> See: <http://www.binnenland.vlaanderen.be/inburgering/regelgeving.html> [accessed 04 April 2009]

<sup>151</sup> The content of the Danish integration programme is found *The Consolidated Integration of Aliens in Denmark Act, 2005 – 2007* (LBK nr 1593 af 14/12/2007). Available at <https://www.retsinformation.dk/Forms/R0710.aspx?id=114165#Kap4> [accessed 3 April 2009]

<sup>152</sup> *Supra*, note 103, *Act on the Integration of*, s.1

<sup>153</sup> *Ibid*, s. 11

drawn up for the individual, the plan has the ultimate aim of getting the newcomer into employment or vocational training.

France: There is a reception and integration contract, which has been compulsory since 1 January 2007. The introduction course is the main part of the integration contract and is obligatory for refugees and their families. It is free of charge. The integration contract has a focus on language skills and education includes education on how to participate in civic and social life. The course teaches participants about the French institutions and the values of the Republic. The contract is entered into for 1 year but may be extended for 1 additional year; no test exists after the end of the contract. Breaches of the contract can lead to termination of it and refusal to renew an entitlement to stay or the issuance of a residence permit.

Germany: The German integration programme consists of 600 hours of German language courses<sup>154</sup> and a 45 hour orientation course about German culture, the legal system and history of Germany<sup>155</sup>. Specialist language courses (900 hours) are also available for parents, young people, women and participants who cannot read or write. Support courses can be organised for participants who require a high level support in language learning. Participants may apply to repeat the follow-on language course (300 hours) provided that they have duly attended the integration course and have not reached the level B1 in the language examination. Participants may still access social welfare whilst taking part. At the end of the integration course there is an oral and written German proficiency examination and an orientation test. Prolongation of the temporary residence permit (not applicable in cases of refugees or subsidiary protection beneficiaries) or entitlement to a permanent residence permit may depend on participation and if the participant fails to attend or fails the test set out in the course, the person may be charged with the cost of the fees and possible social benefit reductions.

Netherlands: Under the *Integration Act (WI)*, old and new immigrants are obliged to register with their local municipalities and engage in an integration inquiry to examine their integration needs. If it is deemed that they are in need of an integration course, the municipality then tailors the integration course to the needs of the individual. The key elements of the integration policy remain the emphasis on each person's own responsibility and the legal obligation to become integrated. The course aims to ensure that all participants are self-sufficient. While some cost of the integration course is to be paid by the newcomer, the cost for refugees is fully covered. The integration programme consists of Dutch as a second language and knowledge of Dutch society. The obligation to participate has been changed into an obligation to pass an end test. Non-compliance will lead to fines of up to €250 and €500 if one is not willing to attend courses<sup>156</sup>.

<sup>154</sup> S.10, s.11 and s.12, *Integration Order of December 13 2004*, BGIB I pg.3370. Available online at <http://translate.google.com/translate?prev=hp&hl=en&js=n&u=http%3A%2F%2Fbundesrecht.juris.de%2Fintv%2FBJNR337000004.html&sl=de&tl=en> [accessed 27 March 2009]

<sup>155</sup> *Supra*, note 127, *German Residence Act of 30 July 2004 (as amended)*, s.43 (2)

<sup>156</sup> *Supra*, note 108, *Fact sheet on Integration in the Netherlands*

Norway: An integration programme is obligatory for those falling under s.2 of the *Introduction Act*<sup>157</sup>. As part of this an individual plan is drawn up focusing on integration through basic skills training, provided within 3 months of getting status. Classes on language and on understanding Norwegian community life are offered under the plan. As well as Norwegian language instruction, there is an additional requirement of attending 50 hours of social studies on Norway. This is conducted in the person's mother tongue or a mutual language. In return for participating in the course, a refugee is given an "introduction" benefit<sup>158</sup>. The integration plan is engineered to last up to 2 years but is extendable to 3 years should there be a need.

Slovenia: In Slovenia an individual integration plan is prepared for refugees<sup>159</sup>. This plan looks at what measures are necessary to assist the refugee in passing the test of Slovenian as a foreign language at a basic level. When drawing up the plan, the amount of time necessary to learn the language is evaluated. The total number of hours required to reach the required basic level is approximated. The integration plan also includes an introduction to the culture, history and constitutional regulations of Slovenia. The plan further looks at the issue of education and training for improving employment opportunities. Another aspect of the integration plan is the provision of housing. Refugees can access an integration house for up to one year after getting status, after which the refugee or family can get support to find private accommodation. The plan also addresses ways of actively including the refugee in the local community<sup>160</sup>.

UK (England): A Personal Integration Plan under the RIES project is drawn up within 28 days of receiving status and will offer a 12-month service to each person granted refugee status or humanitarian protection. The plan's main focuses are on gaining employment and also on language. As part of the plan the person integrating has a caseworker who assists in realizing the plan and makes period reviews. The Personal Integration Plan covers issues like entry into employment, housing needs, contact with public services, English language tuition (where needed), opportunities for volunteering and contact with cultural or faith communities, if required<sup>161</sup>. There is an interest free loan scheme to purchase goods and services to assist integration into the United Kingdom.<sup>162</sup> Language for refugees is only free of charge if they are unemployed or in receipt of social welfare benefits<sup>163</sup>.

It is worth noting that in all the countries looked at the targeted support is time-limited and is in addition to other integration efforts in line with the integration aims set out

<sup>157</sup> *Supra*, note 129, *Norwegian Introduction Act 2005*, s.2

<sup>158</sup> *Ibid*,

<sup>159</sup> Article 99 *Law on International Protection* (2008), Slovenia. Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/47f1fdfc2.html> [accessed 24 March 2009].

<sup>160</sup> *Supra*, note 110, *Slovenian Alien's Act*, pg.52

<sup>161</sup> *Supra*, note 85, *Integration matters: A National Strategy for Refugee Integration*, July 2004, pg.33.

<sup>162</sup> Home Office, UK Border Agency – Refugee Integration and Employment Service. Available online at <http://www.ukba.homeoffice.gov.uk/aboutus/workingwithus/workingwithasylum/integration/ries/> [accessed 20 March 2009]

<sup>163</sup> Refugee Council Briefing, *ESOL and Further Education Funding Changes 2007/08 announced by the Learning and Skills Council*, November 2007, pg.2. Available online at <http://www.refugeecouncil.org.uk/OneStopCMS/Core/CrawlerResourceServer.aspx?resource=9862B19C-5CEA-4E24-BCF1-623FC49E3EC7&mode=link&guid=44029d1bd7824394b2bb5bbdc26c862c> [accessed 20 March 2009]



above of creating a cohesive society. As such, newcomers are also expected to avail of mainstreamed services in the areas of health, education, social services etc. In addition countries may also have specific integration project for targeted groups or themes.

### ***Countries without targeted support***

Spain and Belgium (Wallonia) both have a mainstreamed approach to integration. The main features of this policy are that there is no personal interview or plan drawn up for integration and no targeted support, and there is less emphasis on the individual's obligation to integrate. Once a person has been granted refugee or subsidiary protection status they can avail of mainstreamed services available for all citizens.

Integration support required outside the mainstreamed services of work, education, health, housing etc. is mainly provided by immigrant or refugee support organisations, which may be fully or partially funded by the government. In general, the onus for the implementation of integration policies is on the local authority or NGO. In Spain for example, specialised NGOs offer assistance in obtaining vocational training to asylum seekers and refugees. They also offer a scholarship programme. They may also help to facilitate access to housing by assisting with deposits and rent<sup>164</sup>.

Local municipalities may also have access to project funds for integration efforts. One of the main challenges for government is to ensure consistency, cooperation and sharing of best practices among the different integration initiatives.

In Spain this has led to the establishment of a website for sharing best practices available for those involved in integration.

In Belgium (Wallonia) the federal government has established a coordinating body FéCRI which has a website coordinating and consolidating the efforts of the seven Integration Centres in the region<sup>165</sup>. Each centre provides a number of tailored services to immigrants and refugees such as accompanying services for access to services or job interviews. Many of the seven Integration Centres were based on existing organisations already involved in integration activities in the community. With the adoption of the decree of 4<sup>th</sup> July 1996, the organisations were given a new status as Integration Centres and their activities had to adhere to the aims outlined in the decree to include: promotion of education, statistical collection and information sharing, evaluation of local initiatives, promotion of participation in social, cultural and economic life, promotion of intercultural dialogue initiatives as well as integration activities in relation to housing, health and social and professional issues<sup>166</sup>.

<sup>164</sup> UNHCR Spain website

[http://translate.google.co.uk/translate?hl=en&sl=es&u=http://www.acnur.org/paginas/index.php%3Fid\\_pag%3D1435&sa=X&oi=translate&resnum=1&ct=result&prev=/search%3Fq%3DC.E.A.R.%2BEspana%2B%2Bintegraci%25C3%25B3n%2Bbeca%26hl%3Den%26rlz%3D1T4GZEZ\\_en-GBIE285IE285%26sa%3DG](http://translate.google.co.uk/translate?hl=en&sl=es&u=http://www.acnur.org/paginas/index.php%3Fid_pag%3D1435&sa=X&oi=translate&resnum=1&ct=result&prev=/search%3Fq%3DC.E.A.R.%2BEspana%2B%2Bintegraci%25C3%25B3n%2Bbeca%26hl%3Den%26rlz%3D1T4GZEZ_en-GBIE285IE285%26sa%3DG)  
[accessed 20 March 2009]

<sup>165</sup> *Supra*, note 101, FéCRI website.

<sup>166</sup> See for instance the homepage of one of the integration centres; Centre d'action interculturelle de la province Namur A.S.B.I. Available online at <http://www.cainamur.be/accueil.html> [accessed 23 March 2009]

## ***The Use of Tests and Consequences for Non-Compliance***

In certain countries, there are penalties for not complying with the integration plan or contract. In Denmark, the newcomer's breach of integration obligations set out in the contract affects their integration support allowance, excludes them from language education and in some instances leads to refusal of long-term residence<sup>167</sup>. Similarly in Switzerland, a newcomer may be denied an extension or reissue of their stay permit. In Finland and the Netherlands, the integration support in terms of social welfare payments may be cut back if the newcomer does not co-operate with the integration plan. Furthermore in the Netherlands a long term residence permit can be denied if the person did not pass the integration test<sup>168</sup>.

In other countries, newcomers are rewarded for their completion of the integration course. For instance in Austria where refugees who successfully complete their time in the integration house are offered assistance with accommodation in the form of a "starter apartment", which is a low cost apartment owned and administered by the Austrian Integration Fund.

### ***Integration tests***

Integration tests that exist in the countries mapped are often the first step toward gaining citizenship, and as such, completion of an integration test or fulfilling an integration contract is often required to gain citizenship. An example is Germany where newcomers must take a test at the end of the integration course. This test is an oral and written German proficiency examination as well as an orientation test. When the student completes the test, he or she receives an "integration certificate" which allows her or him to prove existing knowledge of German in order to fulfil one requirement for naturalisation. Similar standards are applied in the Netherlands<sup>169</sup>.

In many cases, although there may not be a specific integration test, it may be required that the newcomer pass e.g. a language test in order to extend the residence permit and become eligible for naturalisation. This can be seen in Austria, where under the "integration agreement" in the *Residence and Settlement Act*, migrants must pass German courses within a certain period of time in order to be granted an extension of the residence permit. It should be noted that this does not apply to refugees and persons with subsidiary protection status.

Successful integration by a newcomer is, in some countries, examined in a different manner than a test, either by the successful completion of an integration course or contract or by passing an exam to display sufficient language ability. In Flanders in Belgium for example, 80% attendance at the language classes is required to complete the integration course although there is no test as such.<sup>170</sup> In Switzerland the integration

<sup>167</sup> See *Supra*, note 89, *Act on Integration of aliens in Denmark*, s.30(1) and s.11(9), *Aliens (Consolidation) Act*, Consolidation act no. 826 of 24 August 2005 of the Danish Ministry of Refugee, Immigration and Integration Affairs. Available online at [http://www.nyidanmark.dk/resources.ashx/Resources/Lovstof/Love/UK/udlaendingelov\\_826\\_eng.pdf](http://www.nyidanmark.dk/resources.ashx/Resources/Lovstof/Love/UK/udlaendingelov_826_eng.pdf) [accessed 01 April 2009]

<sup>168</sup> See Article 21 Dutch *Aliens Act*

<sup>169</sup> See Article 8 sub 1 d of the Law regarding Dutch Nationality.

<sup>170</sup> Agentschaap voor Binnenlands Bestuur. Available online at <http://www.binnenland.vlaanderen.be> [accessed 24 March 2009]

contract must be satisfied in order to avail of an extension of a residence permit<sup>171</sup> which is not applicable to refugees.

### **Citizenship tests**

Conditions for citizenship in the states examined ranged from a general capability in one of the languages of the host country, to a requirement to pass a language and citizenship test. Most of the states however required a competency in the local language before citizenship was granted. Unlike the integration tests, which are often created on a policy level, citizenship tests tend to be legislated for in acts.

Below is a table of the practices in relation to the use of integration and citizenship tests as well as an outline of the consequences of non compliance or failure in a test.

Austria: Beneficiaries of international protection do not have to pass a test to stay in Austria, while migrants who fall within the *Residence and Settlement Act* need to pass German courses within a certain period of time in order to be granted an extension of their residence/settlement permits according to the "Integration Agreement". Instead of an integration test, the integration houses offer incentives for refugees and beneficiaries of subsidiary protection to become integrated. For instance, if the person achieves the goals set out in the integration house, they are offered help with accommodation by the ÖIF after they leave the integration houses<sup>172</sup>.

In relation to citizenship there are however some expectations in relation to integration which must be met by all, including beneficiaries of protection. Under Article 10 (a) of the *Nationality Act* (as amended), before nationality will be awarded, proof must be shown of a basic knowledge of German and a basic knowledge of the democratic system and the history of Austria and of the federal province concerned<sup>173</sup>. Material for learning the required knowledge is available in German only. Under Article 11, when considering the citizenship application, due account is to be taken of the general conduct of the aliens, having regard to the common good, the public interests and the extent of his or her integration. Such integration shall include in particular the alien's adaptation to social, economic and cultural life in Austria and to the basic values of a democratic European country and its society. With respect to obtaining citizenship a test on the above mentioned elements must be passed.

Belgium: There is no integration test used in Belgium for beneficiaries of international protection. In Belgium (Flanders) there is however a requirement to attend 80% of integration classes. A person may be fined if s/he does not attend the classes or refuses to sign the integration contract. In Belgium (Wallonia) there is no integration test in use and no requirement of participation in integration activities.

Belgium has one of Europe's most liberal naturalisation laws which has no integration requirement and only requires 3 years legal residence, 2 years for refugees.

<sup>171</sup> *Supra*, note 90, *Loi fédérales sur les étrangers* (LEtr), 15 December 2005 Article 54

<sup>172</sup> Austrian Integration Fund (ÖIF) - Support at the ÖIF

<http://www.integrationsfonds.at/index.php?id=572&L=1> [accessed 24 March 2009]

<sup>173</sup> *Supra*, note 97, *Federal Law Concerning the Austrian Nationality*, article 10(a)

Denmark: There is no integration test for persons benefiting from international protection. An integration test is planned, but not yet in use, for persons seeking to come to Denmark on family reunification grounds or as religious leaders, but this does not apply to family of refugees.

The test and preparation material is being prepared and it is expected it will include basic language knowledge and some understanding of Danish values and laws including prohibition of FGM, forced marriages, the equal status of men and women. This will be tested through 30 questions for which preparation material will be made available. The test can be taken in Denmark after provisional residence permission is granted and a three months entry visa issued to take the test. If the test is failed family reunification will not be granted.

In order to acquire naturalisation a person, including beneficiaries of protection, must have the necessary language certificate requirements and it is required that the person is self-supporting. A self-supporting person means that the person may not receive any public benefits according to the *Act on an Active Social Policy*<sup>174</sup> or the *Integration Act*<sup>175</sup>. There is also a citizenship test in which the applicant must show knowledge of Danish society, culture and history. In September 2008 the rules for naturalising were tightened in the *Regulation on the Naturalisation test*<sup>176</sup>. The test has 40 questions, 35 are based on study material and 5 are about current affairs in Denmark. The questions are not known in advance.

Finland: There is no citizenship or integration test but there is a requirement that the individual applying for citizenship have satisfactory oral and written skills in either the Finnish or Swedish language. Alternatively, similar proficiency in Finnish sign language is also accepted<sup>177</sup>.

France: There is no integration test in France but there is an integration contract for foreigners, including beneficiaries of protection. Breaches of the contract can lead to its termination and refusal to renew an entitlement to stay or the issuance of a residence permit. There is also an integration requirement for foreigners who want to ask for family reunification; however this does not apply to refugees and those benefiting from subsidiary protection. One can generally apply for naturalisation after 5 years of continued legal residence. There is no naturalisation test, but there is a naturalisation ceremony.

Germany: There are two different tests used in Germany: one is the test taken at the end of an integration course and the other is the citizenship test.

*Test at the end of the integration course:*

<sup>174</sup> *Consolidated Act on an Active Social Policy*, Consolidation Act no.266 of 2000. Available online at [http://www.ladk.dk/meddelelser/english/legislation/active\\_consolidation\\_act.htm](http://www.ladk.dk/meddelelser/english/legislation/active_consolidation_act.htm) [accessed 3 April 2009]

<sup>175</sup> *Supra*, note 93, *Consolidation of the Act on Integration of Aliens in Denmark*

<sup>176</sup> BEK no. 1070, (5 November 2008). Available online at <https://www.retsinformation.dk/Forms/R0710.aspx?id=121909> [accessed 20 March 2009]

<sup>177</sup> s.13, *Nationality Act*, 359/2003, (1 June 2003). Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/3ae6b51614.html> [accessed 20 March 2009]

At the end of each integration course, the student will take a final test. Such test is made up of an oral as well as a written German proficiency examination and an orientation test. The student will, with the successful completion of the test, acquire the "Integration Certificate", which will allow him/her to prove existing knowledge of the German language and fulfil the requirement for naturalisation. If the student has not acquired a high level of German at the end of the course, s/he may until 30 of June 2009 pass a less advanced German test, which will lead to the certificate of "Starter German 2". Alternatively, he or she may decide to opt for a certificate which indicates the individual knowledge using the A scale level.

From 1<sup>st</sup> July 2009, there is language test which will indicate the proficiency level attained on a scale for A2 to B1 according to the *Common European Framework of Reference for Languages*. This test will replace the "Certificate German" and the "Starter German 2". The attainment of Level B1 is necessary to attain the "Integration Certificate" and in order to fulfil the requirements of s 10 (1) (6) of the *Nationality Act* for naturalisation.<sup>178</sup> Failure in the tests will not lead to the end of refugee protection or any deterioration of residence rights. In the case of migrants who are obliged to attend the course, a failure of the test may, however, be taken into account when taking decisions on the extension of a residence permit according to section 8 (3) of the *Residence Act*<sup>179</sup>.

According to section 10 (3) of the *Nationality Act*, the successful completion of the test may also shorten the time span necessary in order to qualify for naturalisation.

#### *Citizenship test:*

On 1<sup>st</sup> September 2008, a citizenship test was introduced in Germany. The test consists of 33 questions, selected from a catalogue of 310 questions. The citizenship test has to be taken by those who have applied for naturalisation. If passed, the requirements set out in section 10 (1) (7) of the *Nationality Act* are fulfilled. Applicants with a physical, psychological or mental handicap do not have to take the test, neither do holders of a German school leaving certificate. The test is made up of multiple choice questions and ten of the questions relate specifically to the area in which the immigrant is currently living. To pass the test, immigrants must answer 17 questions correctly. As well as passing the test, immigrants must fulfil other requirements such as having a good level of German, no criminal record and an income independent of social welfare<sup>180</sup>.

The Netherlands: Apart from foreigners who want to stay in the Netherlands on a temporary basis (e.g. for medical treatment, study, as au pair etc.), every foreigner with a residence permit for a fixed period on the basis of asylum or a regular residence permit is eligible for the integration programme. Persons applying for regular residence are obliged to pass a test while still abroad.

Since 15 March 2006, certain foreign nationals wishing to settle in the Netherlands for a prolonged period and who require authorisation for temporary residence have to take the civil integration examination abroad. This applies to foreign nationals who wish to form a family with someone in the Netherlands or to be reunited with family members already living in the Netherlands. This exam does not apply to the family members of a person in

<sup>178</sup> *Supra*, note 157, *Integration Order of December 13 2004*, s.17 (2,3)

<sup>179</sup> *Supra*, note 127, *Residence Act of 30 July 2004*, article 8(3)

<sup>180</sup> BBC website – German Citizenship is put to the test. Available online at <http://news.bbc.co.uk/2/hi/europe/7597534.stm> [accessed 27 March 2009]

possession of an asylum seekers residence permit/persons with refugee status. Despite this, family members and spouses of asylum seekers with a regular status are obliged to pass the exam once in the Netherlands.

If a refugee or a person having a residence permit on other grounds related to the need for international protection has obtained Dutch nationality, his family members should pass the integration test abroad.

The integration programme applies to all “newcomers” in the Netherlands who do not undertake the integration test abroad. Under Article 2 of the *Integration Act*, a “newcomer” is required to undergo an integration inquiry. This inquiry determines whether the newcomer needs to follow a programme and whether s/he can be compelled to participate in such a programme. After the inquiry and the integration course there is a test of knowledge and skills, including the knowledge of Dutch language and society. The result of the test counts towards the assessment of whether the person has successfully integrated or not. The required level under the Common European Framework of Reference for Languages (CEFR) for newcomers is A2. Under the CEFR for “oudkomers” it is A2 for reading and writing and A1 for speaking and listening.

There are plans in the Act of linking granting of indefinite residence rights to an integration test, but the date that it will come into force has recently been postponed and this will not be applied to beneficiaries of international protection.

For naturalisation, a person must pass the same civic integration examination at level A2 of the CEFR and have legally resided uninterrupted for the previous 5 years.

Norway: There is no integration test but there is an obligation to take part both in the introduction course and the Norwegian language training under the *Introduction Act*<sup>181</sup>.

Requirements for citizenship include legal stay in Norway for a total of seven years during the last ten years and, since 1 September 2008, a requirement of completion of 300 hours of tuition in the Norwegian language or having documented sufficient skills in Norwegian or Saami. This applies to persons aged between 18 and 55<sup>182</sup>.

Slovenia: According to the Article 99 of the *Law on International Protection* a refugee should enrol in a Slovenian language course and a course of familiarisation with Slovenian history, culture and the constitutional system of the Republic of Slovenia. Article 17 defines in more detail the Slovenian language requirements and ways and grounds of ensuring rights to persons with international protection<sup>183</sup>. Refugees have a right to attend 300 hours of the course and have to pass an exam at a basic level at the end. However, under current legislation, there is no integration test or exam required to secure residency rights.

<sup>181</sup> *Supra*, note 129, *Norwegian Introduction Act*

<sup>182</sup> See: Norwegian Directorate of Immigration - Requirements to obtain citizenship by application. Available online at <http://www.udi.no/templates/Tema.aspx?id=7394#generalrequirements> [accessed 20 March 2009]

<sup>183</sup> *Supra*, note 158, *Law on International Protection* (2008)

In order to acquire Slovenian citizenship however, a person must demonstrate a command of the Slovenian language through an obligatory written and oral examination<sup>184</sup>. According to Article 10 of the *Citizenship Act*, the level of language competency required is set by the Slovenian Government. According to the website of the Ministry of the Interior, the refugee must pass an exam in the Slovene language at the basic level<sup>185</sup>. The basic level consists of an oral and a written test. The key is being able to speak and write on everyday subjects in a simple manner<sup>186</sup>.

Spain: There is generally no integration test used in Spain, although in the Region of Valencia a test for immigrants has recently been introduced. To get citizenship a refugee must have stayed legally in the country for five years (for others it is 10 years), have certificate of good conduct and show that s/he has integrated, *i.e.* speaks Spanish<sup>187</sup>. In addition to these main rules, there are a number of exceptions whereby citizenship can be obtained after only one or two years of legal residence. This is the case for instance for some nationals of Latin American countries and for those married to a Spaniard.

Switzerland: There is no integration test for refugees and others with protection status in Switzerland. For other foreigners, their stay can be linked to participation in language and integration courses at the Canton level. This is not made obligatory for the Cantons, but the Cantons can make it obligatory for the foreigners. (Art 54 LEtr and Art 5 OIE). Foreigners holding a residence permit have the possibility to obtain an anticipated permanent residence permission if they fulfil the conditions of a “successful integration” (Art 34 (4) LEtr and 62 OASA)<sup>188</sup>.

There is no test for naturalisation but the process is complicated and long and falls in three stages as naturalisation has to be approved by the Confederation, the Cantons and the Commune. There are two processes 1) ordinary and 2) facilitated. The facilitated process is for spouses or children of Swiss citizens. In both processes the person must have integrated to be naturalised (and in the ordinary process must have stayed in the country for 12 years). There is no test or indication of the things which must be satisfied as “having integrated” other than saying the person must have integrated socially and culturally<sup>189</sup> but the candidate has to prove his or her knowledge to a commission.

<sup>184</sup> Article 10 (5), *Citizenship Act of the Republic of Slovenia* (1999). Available online at UNHCR Refworld <http://www.unhcr.org/refworld/docid/3ae6b59118.html> [accessed 24 March 2009]

<sup>185</sup> Government of the Republic of Slovenia - Ministry of the Interior – Refugee Rights. Available online at [http://www.mnz.gov.si/en/frequently\\_requested\\_contents/upravne\\_notranje\\_zadeve/persons\\_with\\_refugee\\_status/refugee\\_rights/](http://www.mnz.gov.si/en/frequently_requested_contents/upravne_notranje_zadeve/persons_with_refugee_status/refugee_rights/) [accessed 20 March 2009]

<sup>186</sup> Website of the Association of Language Testers in Europe – Slovenian Language Examination, Basic Level. Available online at <http://www.alte.org/members/slovenian/uol/en/basic.php> [accessed 20 March 2009]

<sup>187</sup> *Spanish Civil Code*. Available online at [http://translate.google.com/translate?prev=hp&hl=en&js=n&u=http%3A%2F%2Fwww.ucm.es%2Finfo%2Fciwil%2Fjgstorch%2Fleyes%2Fcc\\_0107.htm%23T%25C3%258DTULO%2520PRIMERO.%2520De%2520los%2520espa%25C3%25B1oles%2520y%2520extranjerios&sl=es&tl=en](http://translate.google.com/translate?prev=hp&hl=en&js=n&u=http%3A%2F%2Fwww.ucm.es%2Finfo%2Fciwil%2Fjgstorch%2Fleyes%2Fcc_0107.htm%23T%25C3%258DTULO%2520PRIMERO.%2520De%2520los%2520espa%25C3%25B1oles%2520y%2520extranjerios&sl=es&tl=en) [accessed 27 March 2009]

<sup>188</sup> For Swiss law in English please see <http://www.admin.ch/ch/e/rs/rs.html> [accessed 04 April 2009]

<sup>189</sup> Office Fédéral de Migrations – Naturalisation. Available online at <http://www.bfm.admin.ch/bfm/fr/home/themen/buergerrecht/einbuergerungen.html> [accessed 20 March 2009]

UK (England): Since 2005, refugees are no longer granted indefinite leave to remain when they obtain their status. This new provision does not apply to resettled refugees. At the end of five years leave to remain, unless there are serious reasons to refuse, the residence permit initially granted will be renewed<sup>190</sup>.

If however a person wishes to apply for indefinite leave to remain or to naturalise as a British citizen, it is necessary to show that she or he knows about life in the UK. This is done through taking the "Life in the UK" test or by taking combined English for Speakers of Other Languages (ESOL) and citizenship classes<sup>191</sup>.

## ***Age and Gender Considerations***

Many of the countries examined provided targeted supports for young people and women or persons with special needs, either as part of their general integration programme or in projects supplementing the general integration programme. Even countries that would appear to be largely mainstreamed provide targeted supports through projects for women and children or "vulnerable groups", which usually include the former.

Many countries identified that women were less likely to participate fully in integration programmes due to their commitments at home or due to their cultural background. In Germany<sup>192</sup> for example, special integration classes are offered for women ahead of the ordinary courses and are viewed as being introductory to further integration measures. It was identified by the German government that due to their background or social status in their home country, they may be unable to participate in standard integration measures. In Austria, it was noted that women may not be able to attend integration classes because of the fact that they may have to take care of their children. Childcare is offered so women can participate in language courses<sup>193</sup>. Similarly in the Netherlands, the integration programmes have different profiles and catering among others for people who are raising young children. This course is usually taken by women.

Specific measures are also employed in order to give women greater access to the labour market. In Norway, which was one of the non EU countries looked at in the research, the Government has launched labour market measures designed specifically to increase the participation of women in working life and society in general, with particular emphasis on the immigrant woman<sup>194</sup>. The Ministry of Government Administration and Reform launched an initiative in the area of information and

<sup>190</sup> This practice is known as "active review". For more information, see: Home Office – UK Border Agency – Active Review. Available online at <http://www.bia.homeoffice.gov.uk/asylum/outcomes/successfulapplications/activereview/> [accessed 20 March 2009]

<sup>191</sup> Home Office – UK Border and Immigration Agency – Background to the Test. Available online at [http://www.lifeintheuktest.gov.uk/htmlsite/background\\_10.html](http://www.lifeintheuktest.gov.uk/htmlsite/background_10.html) [accessed 20 March 2009]

<sup>192</sup> Federal Ministry of the Interior – BMI Integration. Available online at [http://www.zuwanderung.de/cln\\_108/nn\\_1120120/EN/ImmigrationFuture/Integration/3\\_Integration.html](http://www.zuwanderung.de/cln_108/nn_1120120/EN/ImmigrationFuture/Integration/3_Integration.html) [accessed 20 March 2009]

<sup>193</sup> Austrian Integration Fund (ÖIF). Available online at <http://www.integrationsfonds.at> [accessed 20 March 2009]

<sup>194</sup> Norwegian Ministry of Labour and Social Inclusion, *Action Plan for Integration and Social Inclusion of the Immigrant Population and Goals for Social Inclusion*, pg. 8. Available online at [http://www.regjeringen.no/Upload/AID/publikasjoner/rappporter\\_og\\_planer/2006/H-plan2006\\_int\\_og\\_inkl\\_english.pdf](http://www.regjeringen.no/Upload/AID/publikasjoner/rappporter_og_planer/2006/H-plan2006_int_og_inkl_english.pdf) [accessed 20 March 2009]



communication technology called “Women and d@ta”. The aim of the project is to boost digital competence for women within different ethnic minority groups in Norway<sup>195</sup>.

In most of the countries with targeted integration programmes, children under the age of 16 were not included in the integration programmes offered. The most common way in which countries seemed to assist children in the integration process was therefore through education. In Switzerland, there are for instance special integration classes in schools aimed at children and adolescents. In Norway and Finland<sup>196</sup>, there were extra language classes available to children to immerse them in the host country's language before they entered school. Norway seemed to go further in this area than the other countries researched. The Government's current aim is to ensure that children from immigrant backgrounds are able to speak Norwegian before they enter school. This is being achieved by supporting children to attend day care ahead of their entry into primary schools<sup>197</sup>.

In Spain, which is for the most part a mainstreamed country, there is still a support system in place for “vulnerable refugees”. There is emergency aid offered to vulnerable refugees who need additional support not provided for in the existing social services. This support is provided by specialised NGOs such as Comisión Española de Ayuda al Refugiado (CEAR), ACCEM and the Spanish Red Cross. There is also a special reception system for newly arrived asylum seekers who are in vulnerable situations and they are catered for there until such time as they are able to access mainstream services<sup>198</sup>.

It is clear that whether a country is mainstreamed or targeted in its approach does not necessarily reflect whether specific supports are offered to vulnerable groups and women and children.

### **Summary of National Integration Practices**

EU Member States mainly follow the *EU Common Basic Principles* in relation to the definition of integration and indicators, aims of their policy and legislation in the area. As such all countries looked at had as part of their integration definition that integration is a two-way process. The main responsibility of the governments is to ensure anti-discriminatory measures, equal opportunities and that services in society can meet the needs of a more diverse society. Some countries have included specific expectations of host societies or other actors. Although not always made explicit, all countries have some expectations that the newcomer will make efforts to integrate.

While some countries are mainly targeting persons with protection status and their families in their integration policies, integration efforts are in all countries aimed at all foreigners with legal long term stay. Despite this, rights in the country for different groups may vary and this may impact on integration. Asylum seekers are generally not included

<sup>195</sup> *Supra*, note 109, National report of Norway by the Royal Norwegian Ministry of Education and Research, pg.51

<sup>196</sup> *Supra*, note 104, Government Migration Policy Programme pg.22

<sup>197</sup> *Supra*, note 194, *Action Plan for Integration and Social Inclusion*, pg.7

<sup>198</sup> UNHCR Spain website

[http://translate.google.co.uk/translate?hl=en&sl=es&u=http://www.acnur.org/paginas/index.php%3Fid\\_pag%3D1435&sa=X&oi=translate&resnum=1&ct=result&prev=/search%3Fq%3DC.E.A.R.%2BEspana%2B%2Bintegraci%25C3%25B3n%2Bbeca%26hl%3Den%26rlz%3D1T4GZEZ\\_en-GBIE285IE285%26sa%3DG](http://translate.google.co.uk/translate?hl=en&sl=es&u=http://www.acnur.org/paginas/index.php%3Fid_pag%3D1435&sa=X&oi=translate&resnum=1&ct=result&prev=/search%3Fq%3DC.E.A.R.%2BEspana%2B%2Bintegraci%25C3%25B3n%2Bbeca%26hl%3Den%26rlz%3D1T4GZEZ_en-GBIE285IE285%26sa%3DG)

[accessed 20 March 2009]

in integration efforts. Outside the scope of the Reception Directive asylum seekers are excluded from the targeted integration support. Activities with integration impact for asylum seekers are generally only provided on an *ad hoc* basis by NGOs and volunteer organisations.

There are mainly two trends in Europe in relation to how integration expectations are formulated and communicated to those who have to integrate, and in relation to how the expectations are supported. One is to set out clear expectations, communicate them directly to the newcomer in the form of a contract or a plan and to give time-limited targeted support to meet the expectations. The other trend is not to formulate clear expectations and hence not communicate the expectations or provide individuals with targeted support. This trend was found only to be followed by Spain and Belgium (Wallonia), but also, as will be seen in Chapter 5, by Ireland.

The three main areas included in individual integration plans are; language, employment and some and cultural adaptation or understanding. To a lesser extent other issues may be included such as accommodation and participation in civic life.

None of the countries included in this research mentioned family reunification rights as a means for integration and only Belgium was found to include easy access to citizenship as part of a tool to improve integration.

Some countries have introduced an integration test, however the consequences of failing the integration test vary. In some countries failing the test leads to cut in social assistance or refused long-term residence permits. In other countries passing the test leads to increased financial or other support. Most integration tests were related to getting citizenship.

Most of the countries which had targeted support also had special projects or programmes for the integration of women, children and youth. However as also pointed out by the EU Commission in its *Third Annual Report on Migration and Integration*, gender issues have not been mainstreamed into the majority of integration policies and there is still a lack of age and gender aggregated data in relation to integration in most countries<sup>199</sup>.

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<sup>199</sup> *Supra*, note 53, *Third Annual Report on Migration and Integration*, COM(2007)  
[http://ec.europa.eu/justice\\_home/fsj/immigration/docs/com\\_2007\\_512\\_en.pdf](http://ec.europa.eu/justice_home/fsj/immigration/docs/com_2007_512_en.pdf)



## Chapter 5 – Integration in Ireland

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In this part, the key features of the Irish integration strategy are outlined looking at government stated policy, applicable law, implementation, NGO involvement and to some extent service provision. It is outside the scope of this research to look at the actual services provided by NGOs, local authorities and government services. Similarly, the research is not aimed at evaluating the mainstreamed services in Ireland and their ability to support integration targets in general.

### Background

Integration is a relatively new issue in Ireland owing to its history of outward migration. The beginning of a policy toward integration was evident in 1998 when the National Consultative Committee on Racism and Interculturalism was set up. As well as tackling the issue of racism, the NCCRI had the aim of promoting an intercultural society in Ireland<sup>200</sup>.

Prior to 2007 and the establishment of the Office of the Minister for Integration, integration matters were dealt with by the Reception and Integration Agency, which is part of the Department of Justice, Equality and Law Reform. A separate Office, the Office of the Minister for Integration was set up in June 2007 as a response to the increase in immigration to Ireland, in particular since 2004. The Office of the Minister for Integration is the main body responsible for integration policy in Ireland. The Minister for Integration is a Minister of State across three Departments – the Department of Justice Equality and Law Reform; Education and Science; and the Department of Community, Rural and Gaeltacht Affairs. The Office of the Minister for Integration launched their first policy statement *Migration Nation*, statement on integration strategy and diversity management in 2008<sup>201</sup>.

The key principles underpinning the government's integration policy, as formulated in *Migration Nation*, are the mainstreaming of services to avoid creation of parallel societies, a partnership approach between the government and non-governmental organisations, a strong link between integration policy and wider social inclusion policies and measures, as well as a commitment to effective local delivery<sup>202</sup>.

There are three main policy documents that have been issued by the Irish Government in the area of integration. They are *Integration: A Two Way Process*<sup>203</sup>, the *National Action Plan against Racism*<sup>204</sup> and *Migration Nation*.

<sup>200</sup> The NCCRI ceased to exist as of end of 2008. Their website can still be accessed at <http://www.nccri.ie/index.html> [accessed 24 March 2009]

<sup>201</sup> *Migration Nation, statement on integration strategy and diversity management*. Office of the Minister for Integration. May 2008. Available online at <http://www.diversityireland.ie/>. [accessed 22 February 2009]

<sup>202</sup> *Ibid. Migration Nation*, pg.9

<sup>203</sup> *Integration: A Two Way Process*, a Report to the Minister for Justice, Equality and Law Reform (1999). Available online at [http://www.ria.gov.ie/filestore/publications/INTEGRATION\\_a\\_two\\_way\\_process.pdf](http://www.ria.gov.ie/filestore/publications/INTEGRATION_a_two_way_process.pdf) [accessed 20 March 2009]

<sup>204</sup> NCCRI, *The National Action Plan Against Racism*. Available online at <http://www.nccri.ie/action-plan.html> [accessed 24 March 2009]

The earliest policy document on integration was *A Two Way Process* produced in 1999 by the Interdepartmental Working Group on the Integration of Refugees in Ireland. That report outlined the position of the refugee integrating into Irish life. Integration was defined and the supports available to the refugee were explained. A key element of the policy was that integration is a two-way process with obligations on both the refugee and the host society. This is expressed as "*integration requires a willingness to adapt to the lifestyle of Irish society without abandoning one's own cultural identity*" and is further elaborated as: "*refugees for their part must be encouraged to recognise that integration is a two way process to which they need to be committed and in which they have an intrinsic role to play.*" The *Two Way Process* report does not, however, specify what the concrete expectations in this regard are.

The *National Action Plan against Racism* was established in 2005 with a life span up to 2008. The NAPR followed from commitments given by governments, including Ireland at the United Nations World Conference against Racism in Durban South Africa in 2001. The main thrust of the NAPR was to entrench anti-discrimination measures that would tackle discriminatory practices against Travellers and other newer communities. This was seen as the most appropriate tool to ensure integration and the key contribution of the government's part of the two-way process.

*Migration Nation* is the first statement made by the newly established Office of the Minister for Integration. The statement reinforces the concept of integration being a two-way process but also emphasises the need for a mainstreamed approach to integration.

## Definition of Integration in Ireland

In *A Two Way Process* integration is defined as "*the ability to participate to the extent that a person needs and wishes in all major components of society, without having to relinquish his or her identity*". Within the *National Action Plan against Racism* and for the purpose of implementing that policy's goals, integration is defined as a range of targeted strategies for the inclusion of groups such as Travellers, refugees and migrants as part of the overall aim of developing a more inclusive and intercultural society.

With *Migration Nation*, the most recent statement on integration, there is a reconfirmation of the two-way process as one which requires mutual adaptation. Within the context of the ministerial statement on integration, the various stakeholders are charged with "ownership considerations. In the newest statement on integration, the two-way process applies not only to the newcomer and the host community, but also to the corporate sector, trade unions, the media, and community and voluntary organisations.

In *Migration Nation*, the *Ministerial Statement of Policy* envisages that citizenship and long term residency will be contingent on proficiency of skills in the spoken language of the country.<sup>205</sup> This is also reflected in the *Immigration, Residence and Protection Bill, 2008*. Under section 36 of the Bill, the Minister may grant long-term residency to a person who meets a number of eligibility requirements. Such requirements include being lawfully resident for a period of time, being of good character, and being able to demonstrate "*in such a manner as may be prescribed, a reasonable competence for communicating in the Irish or English language*" as well as satisfy the Minister that s/he

<sup>205</sup> Ireland is a bilingual country, however, English is predominantly the spoken language.

has made reasonable efforts to integrate into Irish society, as prescribed<sup>206</sup>. This last requirement has not been further defined in the Bill. From what can be seen from other countries similar requirements have led to various forms of time-limited targeted support and individualised integration plans. The new *Immigration, Residence and Protection Bill, 2008*, like *Migration Nation*, indicates the shift in the level of expectation toward the newcomer in terms of how they must participate in their own integration.

While the *Immigration, Residence and Protection Bill, 2008* mentions integration in relation to long-term residence rights, other relevant legislation in the area of integration relates to the overall aim of social inclusion and equal opportunities. They, therefore, include: the *Irish Nationality and Citizenship Act 2004*, the *Immigration Act 1999 and 2004*, the *Refugee Act 1996*, the *Employment Permits Act 2006*, the *Equal Status Acts of 2000 and 2004* and the *Employment Equality Act of 1998 and 2004*.

Ireland's definition of integration emphasises not only anti-discrimination but also has an increased emphasis on integration expectations on the individual or new communities, as well as society as a whole. In the following we look at how the integration expectations are communicated and supported in Ireland.

### **Support for Integration of Refugees**

In *A Two Way Process* it was stated that state services were administered to refugees in the same way as services to Irish people. It was also noted that special intervention measures may be needed to address the "potential disadvantages faced by refugees"<sup>207</sup>.

*Migration Nation*, unlike *A Two Way Process*, focuses on migrants in general as the target group for integration and not specifically refugees or those with protection status and its aims are therefore formulated in broader terms. It is specified that while targeted services will be needed in short-term situations, this is entirely without prejudice to the absolute need for an overarching mainstreaming approach for integration services. Three specific goals are outlined 1) Proactive mainstreaming of services for the new communities; 2) Where targeted services are carried out by non-public bodies, such services to be reviewed for possible future mainstreaming; 3) The need to specifically identify where exceptional long-term targeting outside mainstreaming is appropriate. In addition, it is acknowledged that this will require sensitivity in delivering services to reflect cultural differences, for example, in health and education<sup>208</sup>.

Although it is acknowledged that the mainstream services must equip themselves to deal with the needs of the integrating community, any targeted initiatives are left up to the discretion of the relevant bodies, such as local authorities and partnerships.

Current Irish integration policy, similar to other countries, has embraced the two-way process as part of its integration definition or strategy. Ireland has placed significant emphasis on the governmental role and responsibility to ensure an inclusive society without discrimination. Like other countries, this has also involved broadening the scope of a welcoming society to include specific roles for other actors, such as the media, trade unions and the corporate sector. While expectations on new communities and

<sup>206</sup> *Immigration, Residence and Protection Bill 2008*, Bill no.2 of 2008. Available online at <http://www.oireachtas.ie/viewdoc.asp?fn=/documents/bills28/bills/2008/0208/document1.htm> [accessed 25 March 2009]

<sup>207</sup> *Supra*, note 203, *A Two Way Process*, pg.15

<sup>208</sup> *Supra*, note 201, *Migration Nation*, pg.16

newcomers are reflected in the policy and also in the *Immigration, Residence and Protection Bill, 2008* Ireland has not set out clear expectations to newcomers for their integration. As a result of this, there is no integration contract, introduction course or test, or individualised integration support available at the national level.

### **Strategies for Mainstreaming Relevant Sectors**

While there is no targeted integration support to refugees recognised in Ireland, there are a number of initiatives at the national level to provide mainstream services in a manner which recognises the different needs of migrants (including refugees). The areas targeted are those identified as having an impact on everyday life such as health, education, sport etc. In Ireland, these have been identified as important target areas and efforts have been made to make services related to these areas more accessible to newcomers.

#### **Health**

In the area of health, it has been recognised that it is important to provide services in a culturally sensitive manner to meet the needs of the new communities. There is a move toward providing a nationwide intercultural healthcare system and this is represented in the *HSE Intercultural Health Strategy*<sup>209</sup>. This is to be achieved by: increasing access to health services, carrying out research on the new population's health care needs; and staffing the service with a culturally diverse mix of employees, in addition to peer-led health information and training staff to provide services in a culturally sensitive manner.

The National Intercultural Health Strategy 2007 to 2011 was launched in February 2008. It has been developed in recognition of the changing fabric of Irish society and is an important part of ensuring that mainstreamed services in Ireland can deliver services to a more diversified society. The Intercultural Health Strategy acknowledges the circumstances of minority ethnic groups and the increased risk of poverty, social exclusion, racism and discrimination they face and how these factors may compromise their health. As a response, the aim of the Intercultural Health Strategy is to provide a framework to address the distinct health and care needs of these groups in Ireland.

The Intercultural Health Strategy recognised the specific health needs of asylum seekers and refugees. It highlights the special challenges attached to the estimated 10% to 35% of those seeking asylum in Europe having experienced torture in their pre-migratory state. It further acknowledges that many of the problems develop and/or increase after arrival due to a variety of stressors, including social isolation, culture shock, language barriers, lack of understanding of services, poverty and long stay in direct provision. In relation to direct provision, the issue of food in reception centres the strategy highlights: "While generalisations should be avoided around all direct provision centres and their provision of food, it is clearly important that the HSE work closely with the Reception and Integration Agency (RIA) to ensure the provision of quality, culturally appropriate food and associated aspects around health promotion".

The importance of health care which can deliver services to a diverse society has also been highlighted throughout the *Migration Nation*. A survey of persons with refugee and Leave to Remain status in Limerick City also points to the importance of health services. For asylum seekers the health services are often the first service they come in contact with when they arrive in Ireland. This early interaction between the health care system and asylum seekers resulted in 75% of refugees and those with leave to remain feeling

<sup>209</sup> The HSE health strategy is available online at: [http://www.hse.ie/eng/Publications/Social\\_Inclusion,\\_Asylum\\_Seekers,\\_Travellers/National\\_Intercultural\\_Health\\_Strategy\\_2007\\_-\\_2012.pdf](http://www.hse.ie/eng/Publications/Social_Inclusion,_Asylum_Seekers,_Travellers/National_Intercultural_Health_Strategy_2007_-_2012.pdf) [accessed 25 March 2009]

that they had not experienced obstacles when accessing health services. 87% felt that there were no obstacles to gaining information about their entitlements to medical care. Information was made available to them through Community Welfare Officers, Public Health nurses, GPs and local NGOs<sup>210</sup>.

### **Education**

Another priority area considered for integration mainstreaming is education<sup>211</sup>. Refugees are entitled to access education in the same manner as Irish citizens, *i.e.* primary, post-primary, further and higher education. They are entitled to benefit from the free fees initiative at third level provided they meet residency requirements (*i.e.* residence in the EU for three of the previous five years preceding entry to the course) as well as other requirements which Irish nationals are also required to meet<sup>212</sup>.

Under the immigration regime administered by the Department of Justice, Equality and Law Reform, the following categories of people from outside the EU are entitled to have their children in primary and post-primary schools in the Free Education Scheme: asylum seekers, refugees, those granted humanitarian leave to remain in the State, and work permit holders.

**In relation to education, it should also be mentioned that the Department of Education and Science, the Office of the Minister for Integration and the National Consultative Committee on Racism and Interculturalism (NCCRI) organised a conference on 1st October 2008 on Intercultural Education. At the conference the Minister for Integration, Conor Lenihan T.D. outlined some of the principles which would be key to developing an Intercultural Education Strategy. These included the "mainstreaming of education provision through inclusive practices by and for all involved in the education of both migrant and host community at national and at local level, a focus on knowledge of English (and Irish) for all residents, partnership and engagement through dialogue with the wider education community, and a focus on the fact that rights and responsibilities, high aspirations and high expectations should be the same for all students ."**

**At the conference the findings of research carried out by the Economic and Social Research Institute, The Integration of Newcomer Students in Primary and Second level Schools, were also presented . In preparation of the Intercultural Education Strategy the Department of Education and Science the Department of Education and Science consulted extensively with stakeholder groups. Following the conference on 1st October 2008 they held seven consultations with more than 200 participants and received more than 50 written submissions which were considered. The strategy is due to be finalised in autumn of 2009 .**

Sources used for the *Intercultural Education Strategy* are available in the links of this footnote<sup>213</sup>.

<sup>210</sup> Reception and Integration Agency, *Survey of Persons with Refugee and Leave to Remain Status in Limerick City*, (2005), pg.26. Available online at <http://www.limerickcitydb.ie/media/Media.4833.en.pdf> [accessed 25 March 2009]

<sup>211</sup> See [http://www.ria.gov.ie/integration/integration\\_priorities/education](http://www.ria.gov.ie/integration/integration_priorities/education) (under construction)

<sup>212</sup> Newly recognised refugees may not fulfil the residency requirement.

<sup>213</sup> Source: The Office of the Minister for Integration, March 2009, See also: Economic and Social Research Institute – Research Areas. Available online at <http://www.esri.ie/research> [accessed 25 March 2009] and See also: NCCRI – Intercultural Education Conference. Available online at <http://www.nccri.ie/news/IES-conf.html> [accessed 25 March 2009]



## Housing

Housing is another area mentioned in *Migration Nation* as being important to the integration process<sup>214</sup>. In the strategy the issue is not examined further, however, on the Office of the Minister for Integration's website the area has been mentioned as a priority area for refugees<sup>215</sup>. Here it is specified that refugees can access housing in the same way as Irish citizens, e.g. by means of owner occupation, renting private accommodation or applying for social housing provided by the local authorities.

**In 2008, NCCRI carried out a study entitled *Building Integrated Neighbourhoods: Towards an Intercultural Approach to Housing Policy and Practice in Ireland*. This report is the first comprehensive report in Ireland on the role that housing can play in the integration process. It set out a number of recommendations to address challenges identified in the report. Policy in this area is still evolving and the Department of Environment and Local Government will, over the coming months, examine these closely with a view to the further development of policy in this area .**

**Another study by the Reception and Integration Agency has also revealed that there are emerging problems in relation to the over reliance of the new communities on the private rental sector.**

Sources for the research on housing are available in the links of this footnote<sup>216</sup>.

## Employment

Being part of the workforce and being economically independent are also viewed as desirable indicators of integration by Ireland and other EU countries examined in this report. As such, employment is another of the four priority areas mentioned on the Minister for Integration's website and in *Migration Nation*. Once a person is granted refugee status they are entitled to seek employment in the State and are not required to apply for a Work Permit. In addition, refugees have the same entitlements to participation on FÁS courses and schemes as Irish citizens.

The main body that assists those with status in obtaining work is FÁS<sup>217</sup>. FÁS is the training and employment authority in Ireland. While FÁS do not run a targeted scheme to address the needs of refugees seeking employment, refugees can avail generally of their services. FÁS's *Social Inclusion and Equal Opportunities Initiative* focuses on the needs of travellers, single parents, early school leavers, ex offenders, women wishing to return to the workforce and migrant workers, but refugees are not included among the target groups. The equality legislation is seen as the basis for the social inclusion and equal opportunities scheme. It is, therefore, implied that refugees would be included in this scheme, when falling in any of the targeted groups.

In *Migration Nation*, the employment of a more diverse group of individuals in the public sector is seen as another way to break down barriers to integration. It was observed that many migrants do not compete for jobs in the public sector due to the belief that they will

<sup>214</sup> *Supra*, note 201, *Migration Nation*, pg.35

<sup>215</sup> <http://www.ria.gov.ie/integration> (under construction)

<sup>216</sup> Source: The Office of the Minister for Integration; See also: NCCRI, *Building Integrated Neighbourhoods: Towards an Intercultural Approach to Housing Policy and Practice in Ireland*, Part One, September 2008.

Available online at

[http://www.housingunit.ie/fileupload/Publications/NCCRI\\_Integ\\_Nbhood\\_part1\\_92899448.pdf](http://www.housingunit.ie/fileupload/Publications/NCCRI_Integ_Nbhood_part1_92899448.pdf) [accessed 25 March 2009] and: *supra*, note 210, *Survey of Persons with Refugee and Leave to Remain Status in Limerick City*, (2005).

<sup>217</sup> Foras Áiseanna Saothair (FÁS) – Irish National Training and Employment Authority. See <http://www.FÁS.ie> [accessed 25 March 2009]

not be eligible as a result of the fact that they are not Irish citizens. A greater amount of information to combat this misconception was deemed to be necessary<sup>218</sup>.

One of the major barriers to the workforce in Ireland for refugees is the problem of acquiring recognition of qualifications obtained from their country of origin. The Refugee Information Service (RIS) has raised awareness of the issue of refugees' qualifications and experience from other countries not being recognised<sup>219</sup>. As a result of meetings with clients of its integration service, RIS has noted that the lack of recognition of qualifications can result in long-term unemployment. RIS also points out that employers have continually cited the lack of Irish work experience as their reason for not hiring refugees who apply for jobs. It is worth noting that in February 2001 the *National Qualifications Authority of Ireland* was set up. It is an agency of the Department of Education and Science and the Department of Enterprise, Trade and Employment which has responsibility for developing and maintaining the *National Framework of Qualifications* and has three principal objects which are set out in the *Qualifications (Education & Training) Act 1999*<sup>220</sup>.

A comprehensive local analysis of the employment situation of refugees and people with leave to remain was carried out in Limerick in 2005. In the Survey of Persons with Refugee and Leave to Remain Status in Limerick City, 35% of those surveyed were currently in paid employment. The average length of time that was spent searching for employment was 2.2 months. The majority of those not employed were in education. Other factors that prevented individuals from engaging in employment were family commitments, illness and retirement. Nearly half of those surveyed had registered with FÁS. 16% of those surveyed reported that they earned less than 10,000 euro a year, 18% reported to earn 10,000 – 20,000 euro per year. The majority of respondents cited the following as their occupations: general operator, production assistant, manufacturer, security guard, kitchen worker. Over half of respondents felt that they were over-skilled for the work that they were doing. The survey notes that this phenomenon is closely related to the finding in the same survey that there was a high level of unrecognised qualifications in Ireland.

The Equality Authority carried out research in relation to ethnicity and discrimination in the Irish labour market. It was found that non-Irish nationals were three times more likely to experience discrimination while looking for work than Irish nationals. Within this group, black respondents were seven times more likely to experience discrimination. Overall, black respondents reported more difficulties when looking for work than any other ethnic group in the survey. Although there were no specific conclusions drawn as to the effect that discrimination had on refugees specifically, certain groups that refugees would fall into were identified as suffering discrimination.

<sup>218</sup> *Supra*, note 201, *Migration Nation*, pg.55. (This trend was also noted in the Census 2006 report, *Non-Irish Nationals Living in Ireland*, where it was found that the sector with the lowest number of non-Irish nationals were the public administration and defence sectors).

<sup>219</sup> *No Irish Experience!*, Refugee Information Service (RIS), (2008). Available online at <http://www.ris.ie/progressreport> [accessed 25 March 2009]

<sup>220</sup> For more information about this body please see: National Qualifications Authority of Ireland – About Us. Available online at <http://www.nqai.ie/about.html> [accessed 25 March 2009]

The research on ethnicity and discrimination in the Irish labour market is available in the link of this footnote<sup>221</sup>.

## **Funding**

Official policy recognises that integration happens at the local level and considerable funds are made available for their activities<sup>222</sup>. County Councils, City Councils, Local Area Partnerships as well as non-government organisations have an important role to play in relation to social inclusion and as such many local authorities have developed integration plans and anti-racism strategies.

In recent years, funding was made available under the Immigration Integration Fund to promote integration-based initiatives for legally resident immigrants. This fund was managed by the Integration Unit within the Reception and Integration Agency and allocated 3 million euro to national non-governmental organisations and Local Partnership Companies to address barriers to employment at a national and local level. Funded projects were required to work in partnership with mainstream service providers and the target community. The projects were implemented in 2007/2008 and disbursed through Pobal<sup>223</sup>.

In addition, an Immigrant Integration Small Grants Scheme and the Asylum Seeker Support and Inclusion Small Grant Scheme were operated by the Office of the Minister for Integration in 2008 which provided grants to community and voluntary groups working with legally resident immigrants at a local level and for groups working with asylum seekers. Under the 2008 scheme, over 120 voluntary and community-based organisations were given funding ranging from 5,000 to 15,000 euro under this scheme<sup>224</sup>.

Under the *Migration Nation*, the Office of the Minister for Integration's funding has recognised the important role of the County Councils, the City Councils, the Local Area Partnerships and the NGOs and local organisations involved in integration activities. The Office of the Minister for Integration has directed its funding to the local level aiming at channelling it to local authorities, sporting bodies, faith-based bodies and eventually to political parties. Funding to local authorities is provided to those areas with an identified high number of legally residing immigrants. Similarly non-government organisations playing an important role in integration may receive governmental funding support<sup>225</sup>.

In relation to EU funds, the Office of the Minister for Integration is the responsible authority for the management of the European Refugee Fund and the European Fund for the Integration of Third Country Nationals. Pobal is the delegated authority administering these funds on behalf of the Office of the Minister for Integration<sup>226</sup>. Furthermore, the Office of the Minister for Integration has oversight of one project under

<sup>221</sup> McGinnity, F & O'Connell, P.J., *Immigrants at Work – Ethnicity and nationality in the Irish Labour Market*, (Equality Authority/ESRI, Dublin, 2008). Available online at [http://www.esri.ie/UserFiles/publications/20080827121345/BKMNEXT119\\_ES.pdf](http://www.esri.ie/UserFiles/publications/20080827121345/BKMNEXT119_ES.pdf) [accessed 24 March 2009]

<sup>222</sup> *Supra*, note 201, *Migration Nation*, pg.47

<sup>223</sup> Source: Office of the Minister for Integration, 2009

<sup>224</sup> *Ibid.*

<sup>225</sup> *Supra*, note 201, *Migration Nation*, pg.47

<sup>226</sup> See further: Pobal – Government supporting communities. Available online at <http://www.pobal.ie> [accessed 24 March 2009]

the European Social Fund. The European Social Fund comes within the remit of the Department of Enterprise, Trade and Employment.

## ***Integration Information and Support to Refugees***

As seen from the above, support to integration in Ireland is pursued through mainstreamed services. Specific issues relating to refugee integration including how expectations in relation to integration are communicated to refugees and how they are supported outside mainstream services are outlined below.

### ***Refugee support to integration***

#### *Initial stages*

When a person receives a positive decision in relation to his or her protection application, s/he receives a letter from the Department of Justice Equality and Law Reform with information about their rights and obligations as a person with refugee status in Ireland. The letter does not give more explicit information in relation to the integration expectations outlined in the integration policy.

#### *Rights and entitlements of refugees*

The rights and entitlements of refugees in Ireland derive from the *Refugee Act 1996* section 3 (as amended) and can be summarised as follows:

- The right to seek and enter employment in the Irish State;
- The right to carry on any business, trade or profession in the Irish State;
- The right to access education and training equivalent to Irish citizens;
- The right to receive the same medical care and services and the same social welfare benefits, including housing, as an Irish citizen;
- The right to reside in the Irish State;
- The same rights of travel in, or to or from the Irish State as those to which Irish citizens are entitled [except to the country of origin];
- The same freedom to practice their religion and the same freedom as regards religious education of their children as an Irish citizen;
- The right to the same access to the courts as an Irish citizen;
- The same right to form and be a member of associations and trade unions as an Irish citizen;
- The right to acquire, hold, dispose or otherwise deal with real or personal property or an interest in such property in the same way and subject to the same obligations and limitations as an Irish citizen;
- The right to apply to the Minister for Justice, Equality & Law Reform for permission for a member of their family to enter and reside in the Irish State.

The enjoyment of these rights is through the existing mainstream services available for other citizens. As such, the authorities have taken a number of initiatives to ensure that the services are well equipped to serve a more diverse society.

In addition to these rights, refugees and asylum seekers also have the right to vote in local elections. This right covers all non-EU nationals who are resident in Ireland and

flows from the *Electoral Act 1992*<sup>227</sup>, facilitated by the *Electoral (Amendment) Regulations Act 2004*<sup>228</sup>. To qualify they must have reached eighteen years, be resident in the constituency on the qualifying date and be registered to vote.

In practice, once a person is recognised as a refugee or a beneficiary of subsidiary protection they also receive a letter from the Reception and Integration Agency informing them of the four weeks to find private accommodation, ending their stay in the reception centre. As mentioned above, refugees can access housing in the same way as Irish citizens, e.g. by means of owner occupation, renting private accommodation or applying for social housing provided by the local authorities. As asylum seekers are not allowed to work during the asylum process, the majority of newly recognised refugees will be in need of at least initial social welfare assistance and rent allowance.

Social welfare, medical issues, housing and finding work are dealt with by different service providers in Ireland. Refugees can avail of social welfare and get advice from the local social welfare officer in relation to which benefits may be available. Health is provided through the medical card scheme managed by the local health office. This is applied for while the person is in the asylum process and carries on once the person gets status. Housing is given to refugees on equal footing as Irish citizens. Refugees are mainly relying on the private rental market, but may also qualify to sign up for the waiting list for local community housing. Rental supplements are available, through the Community Welfare Officer, for those who find private rental accommodation. Community Welfare Officers are employed by the HSE and may also provide initial payments until the social welfare scheme is in place<sup>229</sup>. According to organisations working with refugees some of the difficulties faced by refugees relates to finding private rental accommodation that will accept persons with rental allowance.

Assistance to find and train for employment as mentioned above is provided by FÁS.

### *Information about services*

In the questionnaire used for this research questions were posed in relation to how participants had received information and whether there should more information be made available. 91% said that there should be more information. Those who answered in the negative mainly referred to having sufficient information from welfare and C.I.S. The participants indicated that information was welcome in relation to education, housing, employment and Irish culture. Other topics mentioned were social welfare, child care and language training.

While there is limited information about the expectations there may be for refugees or other newcomers to integrate, there are different central sources of information about some of the core integration areas such as education, health, accommodation etc<sup>230</sup>.

<sup>227</sup> S.10, *Electoral Act 1992*, No. 23/1992. Available online at <http://www.irishstatutebook.ie/1992/en/act/pub/0023/sec0010.html#zza23y1992s10> [accessed 25 March 2009]

<sup>228</sup> *Electoral (Amendment) Regulations Act 2004*, S.I. No. 175/2004. Available online at <http://www.irishstatutebook.ie/2004/en/si/0175.html> [accessed 25 March 2009]. This act amended the list of documents which a voter may be required to produce at a polling station to include a Temporary Residence card, a Garda National Immigration Bureau card or a Travel Document.

<sup>229</sup> Source: Citizen Information Service website. Available at <http://www.citizensinformation.ie/categories> [accessed 24 March 2009]

<sup>230</sup> For instance The Reception and Integration Agency website has some basic information for asylum seekers and refugees. Available at [www.ria.gov.ie/publications/](http://www.ria.gov.ie/publications/) [accessed 25 March 2009]

The provision of information about services is also mainstreamed into existing structures such as the Citizens Information Service. Here refugees can acquire information on all their rights and entitlements. The CIS can however not provide the more concrete assistance often necessary to assist with accessing the services such as filling in relevant forms, looking for accommodation and accompanying people to appointments when needed. Such assistance and support is often provided by NGOs or local partnerships. They may also provide more basic information about everyday life which is provided by from the established information providers.

An example of such an initiative is the Vincentian Refugee Centre information booklet called *Living in My Home*. This pamphlet was created in response to feedback from refugees who pointed out that they had difficulty dealing with day to day life in Ireland. The pamphlet contains information about electricity bills, gas bills, heating and plumbing, using appliances like cookers and fridges and how to dispose of waste.

The booklet is available at the link of this footnote<sup>231</sup>.

Crosscare Migrant Project also completed a booklet, *Living in Ireland, A Guide for New Residents*. The areas addressed include accommodation, finding employment, taxes and banking, employment rights and safety at work, healthcare, social welfare, pensions, education, public transport, driving in Ireland, voting in Ireland, racism and discrimination. The Crosscare project is part of the Dublin Diocese Social Care Agency and originally advised people emigrating from Ireland but in recent years has been assisting immigrants to Ireland. The booklet is available in a variety of languages including English, Polish, Russian and Chinese. Although the booklet contains quite useful information about living in Ireland, it is geared towards migrant workers and people who may return to their country of origin rather than refugees.

The booklet is available at the link of this footnote<sup>232</sup>.

For resettled refugees the government also provided an information handbook, *The Beginner's Guide to Ireland*. The handbook offers assistance to resettled refugees at the time of their initial arrival in Ireland.

### Language

As a final point it is worth mentioning access to language education for refugees, other than through the established education system. The most common and for many other European countries the most important indicator of integration is competence in the host community's language. The importance of language ability in the Irish integration strategy is evident in the *Immigration, Residence and Protection Bill, 2008*<sup>233</sup> and in the integration policy statement, *Migration Nation*.

<sup>231</sup> Vincentian Refugee Centre, *Living in my Home*, February 2007. Available online at <http://www.vincentians.ie/vrc/%20annual%20reportEnglish%20d.pdf> [last accessed 01 April 2009]

<sup>232</sup> *Living in Ireland: A new guide for residents*, Emigrant Advice: Crosscare (2006). Available online at [http://www.migrantproject.ie/Living\\_in\\_Ireland\\_IR.pdf](http://www.migrantproject.ie/Living_in_Ireland_IR.pdf) [accessed 24 March 2009]

<sup>233</sup> *Supra*, note 95, *Immigration, Residence and Protection Bill, 2008*  
<http://www.oireachtas.ie/viewdoc.asp?fn=/documents/bills28/bills/2008/0208/document1.htm>

In Ireland, language support is offered on a mainstream basis. Until recently, English language courses for refugees were provided by Integrate Ireland Language and Training (IILT). IILT was funded by the Department of Education and Science. Recently, however, English language training has been mainstreamed and services are now provided by the VECs (Vocational Education Committees) with County Dublin VEC managing this process.

Adult asylum seekers and refugees have free English language classes and free access to adult literacy which are provided by the local VEC. The availability and duration of these classes are decided by the local VEC. The English for Speakers of other Languages (ESOL) literacy project supports local VEC adult literacy schemes in their efforts to cater for non-English speakers. Students can obtain FETAC<sup>234</sup> accreditation to acknowledge their achievements.

UNHCR's definition and recommendations in relation to integration are outlined in Chapter 2. Observations were made in relation to the impact of integration on family reunification and of the time spent in the asylum process. Below is a brief overview of these issues in relation to Ireland.

### **Family Reunification**

Refugees and persons with subsidiary protection can apply for family reunification in accordance with section 18 of the 1996 *Refugee Act* (as amended)<sup>235</sup> and *S.I. 518*<sup>236</sup>, regulation 16. Ireland has not signed up to the EU Family Reunification Directive. The Family Reunification Directive, although restrictive in its definition of the family, did promote the need for integration of family members of the refugee through the existence of a status independent to that of the sponsor<sup>237</sup>. The rationale behind this provision was that the status of spouses and family members needed to be protected in the event of marital or family breakdown. In Ireland, family members reunited with a refugee in accordance with section 18 acquire the right to work, have access to education medical care, as well as social welfare benefits equivalent to Irish citizens. The right to reside in the State is for three years initially and also entitles the family member to a travel document.

Family members of persons granted Subsidiary Protection<sup>238</sup> shall or may in accordance with regulation 16 be given a right to enter and reside in the State for three years. Family members are issued with a travel document and the family member is entitled to work, has access to education, medical care and services, as well as social welfare benefits equivalent to Irish citizens.

The main concern in relation to family reunification and integration is the processing time which can take up to 18 or 24 months. As can be seen in Chapter 6, when questioned about what might make the respondents feel more at home, 12% of those participating in

<sup>234</sup> The Further education and Training Awards Council is the national awarding body for training and further education in Ireland. See <http://www.fetac.ie> [accessed 04 April 2009]

<sup>235</sup> *Refugee Act* (as amended) 1996, no.17 of 1996. Available online at <http://www.orac.ie/PDF/PDFCustService/Law/refugee+act+1996.pdf> [accessed 04 April 2009]

<sup>236</sup> S.I no. 518 of 2006, *European Communities (Eligibility for Protection) Regulations 2006*. Available online at <http://www.inis.gov.ie/en/INIS/AsylumQual.pdf/Files/AsylumQual.pdf> [accessed 04 April 2009]

<sup>237</sup> *Supra*, note 39, Directive 2003/86/EC on family reunification <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2003:251:0012:0018:EN:PDF> [accessed 19 March 2009]

<sup>238</sup> *Supra*, note 236, *S.I no.518 of 2006*

the questionnaire survey answered that having their family with them in Ireland would allow them feel more at home. Only two other answers were given more frequently i.e. having a job, 22%, and feeling that if Irish people accepted them in society, 16%<sup>239</sup>.

### **The Asylum Process**

Persons seeking asylum and protection in Ireland are registered and accommodated initially in a reception centre. Health screening is offered and the asylum seeker has access to legal assistance and social welfare. After ten to fourteen days the asylum seekers are placed in one of the accommodation centres dispersed around Ireland. Asylum seekers can stay in the centre until a final decision is taken on their application for asylum. While some of the centres are located in towns around the country, others are located in more remote areas. Services, facilities and activities, including language education, vary from centre to centre. There are no statutory provisions regulating asylum accommodation centre and entitlements and Ireland is not part of the EU *Reception Conditions Directive*. Asylum seekers are not allowed to work while their application is being processed<sup>240</sup>.

Asylum seekers are not covered by the national integration policy, although some funding has been made available to NGO activities for asylum seekers. As such, NGOs and other support groups in the local area of an accommodation centre may arrange activities for asylum seekers, which may assist the person's integration if s/he is given permission to stay in Ireland.

### **Citizenship for Refugees**

Refugees, beneficiaries for Subsidiary Protection as well as their family members residing lawfully in the country can apply for citizenship under the *Citizenship Act 1956*<sup>241</sup> (as amended) section 15. According to this section citizenship can be granted once a person fulfils the requirements of having resided lawfully in the State for 5 years, has good standing, intends in good faith to continue to reside in the State after naturalisation and undertakes an oath of fidelity to the nation and loyalty to the State.

According to the Act non-nationals are entitled to apply for citizenship after five years of residence in Ireland, one year immediately prior to the application, and four out of the preceding eight. This period can be reduced at the Minister's discretion in the case of refugees (and stateless persons), and the *de facto* situation is that refugees can apply for citizenship after residing in Ireland for 3 years. Under a ministerial decision made in 1998, resettled refugees can also apply for naturalisation 3 years after arrival. The fees in relation to naturalisation are waived for refugees.

<sup>239</sup> This is also consistent with findings in a recent publication by the Refugee Information Service (RIS), see: Trotman, A., *Evaluation of the Family Reunification and Integration (FRIO) Pilot Project*, RIS (2008) Available online at <http://www.ris.ie/progressreport/RISFinalReport6%203%203.pdf> [accessed 24 March 2009]

<sup>240</sup> For more information about entitlements for asylum seekers see also: Citizens Information – Services and entitlements for people seeking entitlements in Ireland. Available online at [http://www.citizensinformation.ie/categories/moving-country/asylum-seekers-and-refugees/services-for-asylum-seekers-in-ireland/direct\\_provision](http://www.citizensinformation.ie/categories/moving-country/asylum-seekers-and-refugees/services-for-asylum-seekers-in-ireland/direct_provision) [accessed 25 March 2009] and also: Reception and Integration Agency - Home. Available at <http://www.ria.gov.ie> [accessed 25 March 2009]

<sup>241</sup> *Irish nationality and Citizenship Act 1956*, no.26 of 1956. Available online at <http://www.inis.gov.ie/en/INIS/consolidationINCA.pdf/Files/consolidationINCA.pdf> [accessed 04 April 2009]



Considering UNHCR's recommendations in Chapter 2 in relation to integration and legal status, Ireland has currently a favourable naturalisation scheme for refugees in comparison to other European countries.

### ***Age and Gender Consideration in the Integration Strategy***

As integration support is mainstreamed through existing services, support to special needs based on gender or age must be found within initiatives of these services. Some NGOs have targeted their support to the needs of particular groups, such as the Vincentian Refugee Centre men's groups. Other Initiatives are set up to support one group in particular such as AkiDWa, which is an organisation established to address the existing and changing needs of African women living in Ireland.

In *Integration: A Two way Process*<sup>242</sup> it was recognised that refugees can experience a sense of isolation for many reasons. This may include lack of contact with family members back home, a sense of not belonging to the community where they live and a general uncertainty about the future. Some sectors of the refugee population may be more vulnerable than others in this regard. For example, women who stay at home and single parents are faced with added difficulties as their ability to avail of language training, work or vocational training may be affected by family commitments or, perhaps, cultural factors. As a result they may not have the same opportunities to interact as those who are working. They may also be faced with the problem of availability of childcare facilities.

Within the existing services there are efforts made to meet the specific needs of certain groups. For instance, in relation to women the intercultural health strategy has specific mentioning of asylum seeker or refuge women and the impact the disruption of their life may have. It acknowledges that issues such as lone parent, head of household in unfamiliar environment can place women in creased risk of poverty, physical assault, sexual harassment, rape and violence, the strategy highlights. The intercultural health strategy also specifically mentions the mental health difficulties for asylum seeking and refugee separated children.

An example of a current initiative is a programme with the Department of Health and Children and the Irish College of General Practitioners to develop a training programme for general practitioners. This programme will be geared towards developing a greater understanding of the differing cultural and ethnic backgrounds from which asylum seekers come and the implications of this for the delivery of health services. It is intended to develop similar programmes for other health services personnel, including nurses, community pharmacists and psychologists<sup>243</sup>.

### ***Summary of Integration in Ireland***

Ireland like other countries in Europe has an integration definition acknowledging that integration is a two-way process. Anti-discrimination legislation and social inclusion are important parts of the government's integration strategy. A series of initiatives have been undertaken to ensure inclusive services which can deliver to a diverse and multi cultural society.

<sup>242</sup> Supra, note 203, *Integration: A Two Way Process*  
[http://www.ria.gov.ie/filestore/publications/INTEGRATION\\_a\\_two\\_way\\_process.pdf](http://www.ria.gov.ie/filestore/publications/INTEGRATION_a_two_way_process.pdf)

<sup>243</sup> See Reception and Integration Agency – Integration. Available online at <http://www.ria.gov.ie/integration/>  
 [Page in development]

Ireland's integration policy is as such a mainstream model and follows the pattern of other mainstreaming models. Targeted initiatives are mainly provided by NGOs and local authorities and partnerships but these initiatives vary according to geographical location and the level of demand created by the number of newcomers in a given area.

While refugees were the primary target for integration in the policy document *Integration: A Two-way Process* from 1999, the latest policy statement from the newly established Office of the Minister for Integration, *Migration Nation*, has integration of immigrants broadly as its main target.

Recently, the expectations on new communities to integrate have been formulated more clearly in policy documents such as the *Migration Nation* and in legislative proposals *i.e. Immigration, Residence and Protection Bill 2008*. The *Immigration, Residence and Protection Bill 2008* and *Migration Nation* have both highlighted expectations such as language competency and respect for the basic values of the State. However it is not clear how these expectations are communicated and whether there will be targeted support to meet the expectations.

Refugees and beneficiaries of subsidiary protection can access most services under the same conditions as Irish citizens.

Implementation of accommodation for asylum seekers, provision of secure legal status, and ensuring family reunification for refugees are not raised as particular integration issues in *Migration Nation*. However, there is a favourable practice in operation for the granting of citizenship for refugees and beneficiaries of subsidiary protection.



## Chapter 6 – Refugee Survey

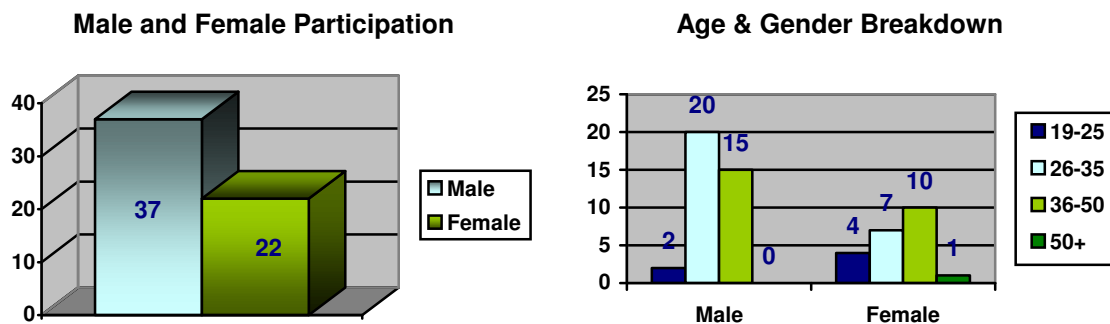
In this part the results from the 66 completed questionnaires are analysed. The results information and findings are based on quantitative statistics from the questionnaires, but also include comments on qualitative trends and some illustrative quotes<sup>244</sup>. As not all questionnaires were filled with the assistance of one of the researchers, not all questionnaires were fully completed and some answers and comments made by participants do not directly relate or reply to a question. There are therefore not always full 59 answers from the adult group to each question. Some questions also had possibility of more than one answer. The questionnaire is included as an annex (see Annex 4).

Below the results of each of the eight question groups of the questionnaire will be outlined and discussed. The answers are analysed for men and women separately. A total number of 59 refugee questionnaires are analysed in this part. The aim was to include refugees of different age groups, countries of origin, place of residence and both men and women. A separate group of 7 youth, who had all come to Ireland as separated children, also participated in the questionnaire. The results for this group are outlined separately at the end of each question group.

### General Information on the population surveyed

#### Demographic information on the population in the survey.

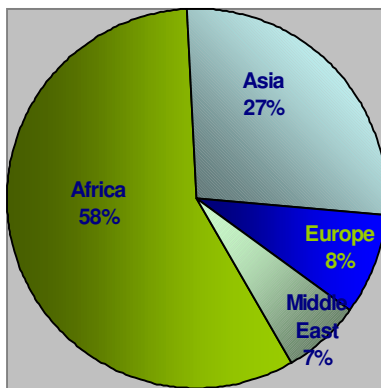
Of the 59 interviews, 22 or 37% were women, and 37 or 63% men. The majority, 46% or 27 persons were between 26 and 35 years. And 25 persons or 42% were between 36-50 years, only 10% were between 19 and 25 years and only 1 person was above 50 years. Based on this we will not be able to make any particular findings in relation to elderly refugees.



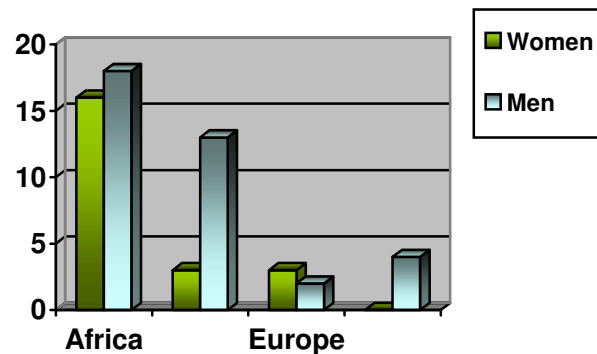
The majority, or 34 persons, 58% of applicants were from Africa followed by 16 persons or 27% from Asia. Countries like Iran, Iraq and Afghanistan are included under Asia. There were 5 persons or 8% from European countries and 4 or 7% from the Middle East. In all there were participants from 26 countries- 15 African countries, 4 in Asia, 5 in Europe and 2 in the Middle East.

<sup>244</sup> Quotes are not attributed to individual participants to ensure confidentiality of answers.

Participants' Place of Origin



Participant's Place of Origin & Gender



As services provided for refugee integration may vary from county to county within Ireland; depending on the presence of support groups, voluntary organisations and initiatives of the local partnerships, it was an aim to ensure inclusion of participants from as many parts of Ireland as possible to achieve a diverse and balanced input. The 59 participants live in 11 counties of Ireland. While the majority live in Dublin, 28 persons or 49%, there were also participants from Clare, Cork, Ennis, Galway, Kildare, Limerick, Longford, Louth, Sligo and Westmeath.

Country of Origin	No. of Participants
Somalia	7
Iran	6
Nigeria	5
Iraq	5
Afghanistan	4
Angola	3
Cameroon	3
Guinea	3
Eritrea	2
Kenya	2
Togo	2
Palestinian	2
Syria	2
DRC	1
Ethiopia	1
Malawi	1
Rwanda	1
Sudan	1
Uganda	1
Zimbabwe	1
Nepal	1

Country of Origin	No. of Participants
Albania	1
Chechnya	1
Georgia	1
Romania	1
Ukraine	1

County of Residence	No. of Participants
Clare	4
Cork	7
Dublin	28
Ennis	1
Galway	2
Kildare	2
Limerick	3
Longford	4
Louth	2
Sligo	2
Westmeath	1

In addition, 7 youth participated, aged between 15 and 21 years. While not all were children (below 18 years) at the time of filling the questionnaire; they had all entered

Ireland as separated children. Of the 7, 5 are girls and 2 boys. All of the youth live in Dublin, however they had come from all parts of the world as follows: 4 from Africa, 1 from Asia, 1 from Europe and 1 from the Middle East.

Current Age	Male	Female	Total
18-21	2	3	5
15-17	0	2	2
<15	0	0	0
<b>Total</b>	<b>2</b>	<b>5</b>	<b>7</b>

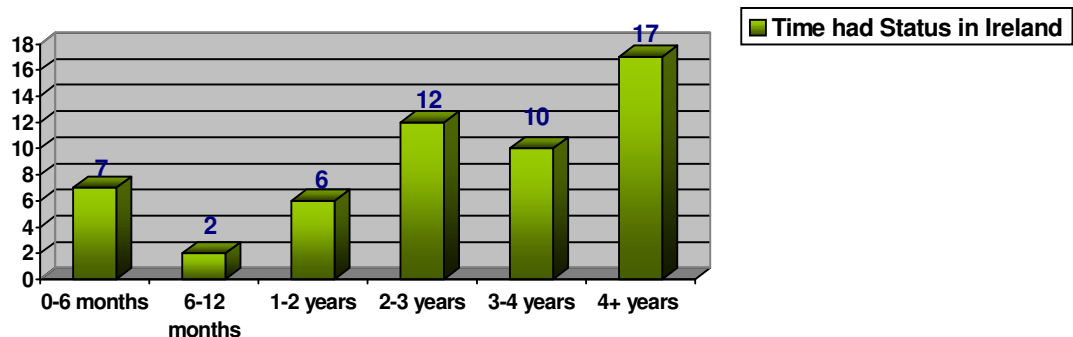
Origin	Male	Female	Total
Asia		1	1
Africa	0	4	4
Europe	1	0	1
Middle East	1	0	1
<b>Total</b>	<b>2</b>	<b>5</b>	<b>7</b>

Based on the above, and with the exception of persons above 50 years of age, we consider that we have reached our aim of having a representative and diverse group of participants.

### ***The asylum process and number of years with refugee status.***

In Chapter 2, UNHCR's considerations in relation to time spent in the accommodation centres and its impact on integration was outlined. As part of question 1 we asked participants when they came to Ireland and when they received protection status, as well as what type of status. The values in relation to this are estimates. Many participants only indicated the year and not the month or full date of when they arrived or when they got status. It is therefore not possible to have fully accurate information.

54 questionnaires had information about when the participant obtained a protection status in Ireland. Out of these 31% have had status more than 4 years. 16% had status less than 6 months, 4% had status between 6 months and one year, 11%, had status for between 1 and 2 years, 22% had status for between 2 and 3 years and 19% had status for between 3 and 4 years. In all, 72% had status for more than 2 years while 28% had had status less than 2 years. The vast majority of participants have enjoyed an opportunity to integrate and many have obtained citizenship since they received refugee status.



All 7 youths had arrived between 2005 and 2007. The ages at the time of arrival were between 15 and 17 years. Only 1 of the participants had status more than 2 years. The situation for the youth is therefore quite different from that of the adults, where most of the participants have been longer in Ireland.

Only 46 questionnaires indicated had clear dates concerning arrival in Ireland and acquisition of status allowing for a calculation of time spent in the asylum system. Most of the uncertainty comes from a lack of information about when status was acquired. Others came on family reunification and did not spend any time in accommodation centres. The majority of the 46 answers, 44%, indicated time spent in the asylum system before they got their status to be between 6 and 12 months. 24% spent more than 2 years and 9% spent more than 4 years. The values of each category are not significant enough in numbers to allow for an analysis of any impact of the length of stay in the asylum process may have had on the participant's ability to integrate. Where the time spent in the asylum process has been mentioned in the questionnaire as having impacted on integration this will be mentioned below.

### ***Information about Integration***

*"I never heard about Ireland before I came. I just wanted to go to safety in a European country and then I found myself here".*

#### ***Information about Ireland before arriving – choice of country***

Unlike many immigrants, refugees often do not have a choice of where they can find safety. Many want to get away from a situation of persecution and sometimes war to a place where they believe they will find safety, human rights and security as well as opportunities for a better life for themselves and their families. The choice may therefore be to leave their insecure situation for a European country, but few have the possibility of choosing which country they go to.

Our research showed that among those who applied to this question (92%) 62% had not chosen Ireland. Most replied that they had no choice, that they did not know Ireland, but had asked someone to take them to a European country or had thought that they were going somewhere else. Among the 36% who answered that they had chosen Ireland the prevailing reason given was that they had family in Ireland or had chosen the country because of it being an English speaking country<sup>245</sup>. There was a slight disparity between men and women as 69% of men said they had not chosen Ireland versus 52% women.

Of the 20 persons (36%) who answered that they had chosen Ireland 85% answered that this was not based on any specific knowledge about Ireland. There was a slight difference between men and women as 75% of women answered that they had not chosen Ireland based on knowledge compared with 92% of men.

Of the 7 youths, 71% said they had had no choice. Only 2 indicated that they had chosen Ireland. However, they both indicated that this was not based on any prior knowledge about the country.

In relation to integration this indicates that few arrive in Ireland with knowledge about the country, its history, culture, values, religion and political structure. These are all factors,

<sup>245</sup> The remaining 2%, between 62% saying they have not chosen and 36% saying they have chosen, cover those who answered the question, but where it could not be made out whether they had chosen or not.

however, identified in the *EU Common Basic Principles* and in most of the selected countries as key factors for integration.

### **Information about Irish society, integration, rights and obligations**

*"I got some information from Justice about rights and entitlements when I got status and I learned about Irish society from observing others and from refugee support organisations. I did not get much information about integration. If I had, I would have had more skills and qualifications than I have now".*

As identified in Chapter 2, knowledge about a host society is important for integration. UNHCR specifically highlighted that awareness of integration expectations can be an advantage. We found that alongside an anti-discrimination framework, integration is often understood to include a number of expectations for the newcomer. In this section of the questionnaire we asked the participants whether that have received information about Irish society after arriving and also whether they have received any information about integration. Once refugees get recognition in Ireland they receive a letter setting out the main rights and obligations. To distinguish this information from integration specific information we included a question on this as well.

In total 95% answered the question on **information received about Ireland generally**. 55% answered that they had not received any information since they were granted status. 57% of men answered in the negative versus 52% of women. In other words, about half of the refugees who participated answered that they had not received information about Irish society.

Those who feel they had information about Irish society indicated a varied range of sources. Some said that they knew about Ireland from their education in their home country, others from education in Ireland, however, the majority said that they had such information from volunteering with or participating in courses offered by non-governmental organisations such as Cois Tine, SPIRASI and NASC. Others again indicated source of information was through participation in sports clubs, information from the Citizens Information Service and from reading news and watching TV.

95% also answered the question on **information received about integration specifically**, however, here 80% answered that they had **not** received any information about integration, expectations regarding integration, or how to integrate. There was no difference between the answers of men and women. Those who answered that they had received information about integration referred to courses run by NGOs, such as an integration course on travellers and Irish culture organised by Integrating Ireland, or they mentioned that they learned through volunteering with organisation.

*"I got a brief letter, but it was not enough"*

*"I got a letter, but I could not read English at that time"*

*"It is very complicated system; it should be easier to understand"*

*"I got information from the Citizens information Centre"*

95% answered the question whether they had received **information received about their rights and obligation in Ireland**. To this 68% answered yes. There was an acknowledgement that while about 50% felt they had received information about society;

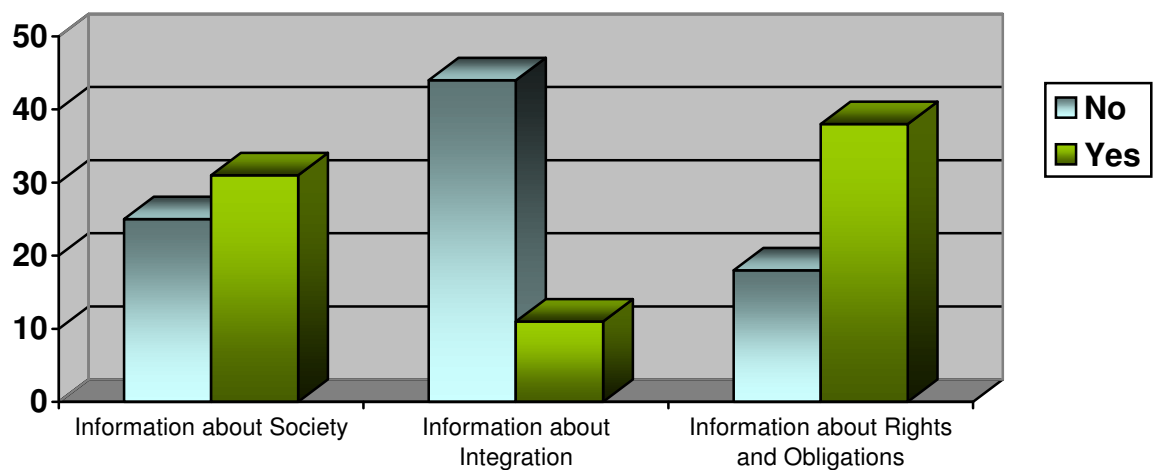


only 20% felt they had information about how to integrate. The majority 68% felt they had been informed about their rights and obligations. 71% of men answered 'yes' to this as compared with 64% women.

Of those who answered that they had received information about their rights and obligations 83% answered that they had received this from the Department of Justice, Equality & Law Reform in the form of a letter when they were granted status. 17% answered that they had this information from NGOs. It was possible for participants to indicate both government and NGOs.

There was a significant difference between men and women in answering the last question. 94% of men answered that they had received information from the Department of Justice, Equality & Law Reform as opposed to 67% of women.

**Answers to Information about Society, Integration and Rights and Obligations**



For youths, the picture is a different. 57% answered that they had received information both in relation to society and about rights and obligations. This is somewhat higher than for the adult group. Also, 43% answered that they had some information about integration. For questions related to where they had received the information the answers were not clear, as some answered in relation to the actual information they received and others as to where they received the information. It is, however, not surprising that this group indicate that they have received more information than the adult group, as some in this group have been to school and all have regular contact with social worker staff from the Separated Children Unit.

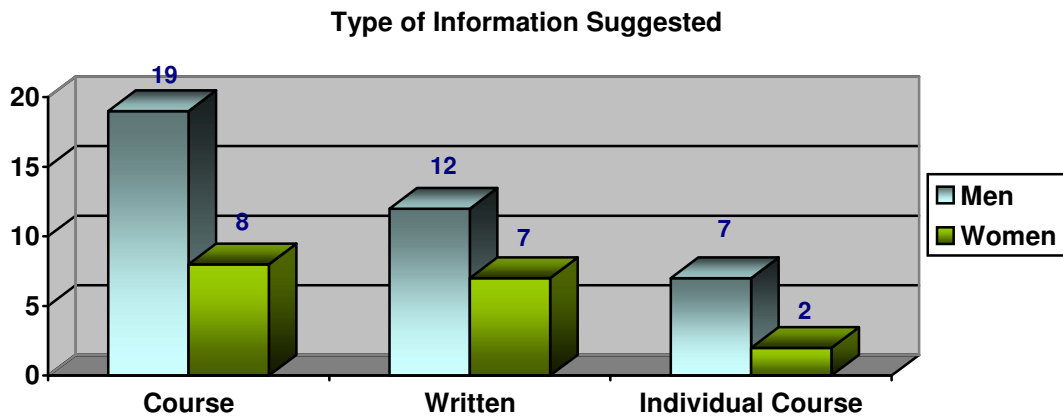
### ***Views on available integration information***

96% gave an answer to the question on whether there should be more information about society and how such information should be delivered. 91% of those who answered said that there should be more information. 97% of men answered affirmative as compared with 82% women. Those who answered in the negative mainly referred to having sufficient information from welfare and the Citizen Information Service. The women who answered that more information was welcome most often mentioned information about education, housing, employment and Irish culture. Other topics mentioned were social welfare, child care and English. These themes were echoed by the answers given by men.

The options given in the questionnaire on how the information should be delivered were as a course or written information. It was possible to include both options. 43% thought a course would be useful and 35% ticked written material as suitable. However in addition 16% added that information was best given in the form of a personalised, one-to-one type situation.

*“There should be obligatory English classes, which teach you about society as well at the right level”*  
*“There should be an office who gives you good advice on what to do and where to go”*  
*“Good language course with written material about jobs, language classes, how to get a good start”*  
*“A Course on history and culture – obligatory as all should learn”*

57% of those who preferred a course said it should be obligatory. Those in favour of obligatory courses mentioned that the information was for everyone and therefore everyone should learn. Others mentioned that it can be difficult to be motivated on “one’s own” and that it was better if there were obligatory courses. Others, however, commented that not every refugee needed a course, so it should not be obligatory. For instance, some can read English or find the information on the internet.



All the youth participants said they would like more information about Ireland and Irish society. Among the topics most frequently suggested were: housing, schools, language and employment. Other topics were relationships and integration.

The suggestions for how the information should be provided were as shown above, with the majority, 57%, preferring a course or a mix of a courses and written materials. Also suggested was to have a DVD.

### ***Permanent or Temporary Stay***

In the third question set participants were asked to reflect on whether they considered themselves as temporary or permanent in Ireland as well as whether people in general thought of them as temporary or permanent and how this impacted their integration potential.

98% answered the question on whether they consider that they are permanent or temporary in Ireland. 88% of the participants answered that they consider that they are

here permanently. 9% said they are not sure and only 3% said that they consider themselves temporarily residing in Ireland. None of the men consider that they are here temporarily and 94% said they are here permanently. Among the women more women consider that they are here temporarily - 9% and another 14% are not sure. Only 77% said they are in Ireland permanently.

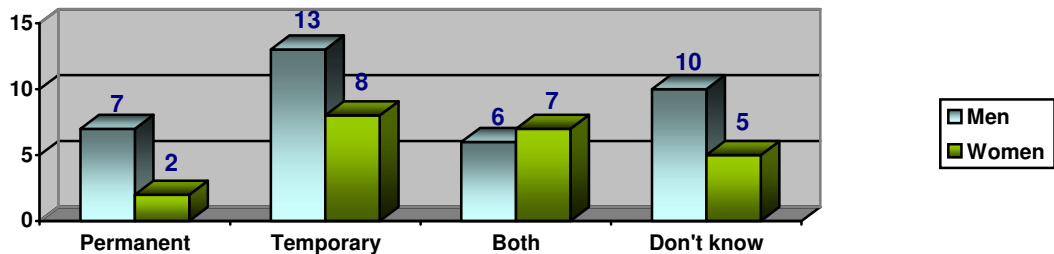
The reasons given for considering Ireland as the new permanent home were both relating to the situation in the home country and to the situation in Ireland. Most participants said that they were here permanently as they had nowhere else to go because of the situation in their home country.

*"I have nowhere else to go, my country is at war and I am safe here"*

*"If Irish think of me as permanent or temporary in Ireland? It depends who, but most people think of me as temporarily in Ireland. They don't know about refugees and first they ask me when I will go home, then I have to explain my situation and they understand that I am here long term"*

98% answered the question whether they thought Irish people think of them as temporary or permanent in Ireland, but as many as 26% answered that they did not know. 36% answered temporary, 22% answered both and 16% answered permanent.

**Do Irish People see you as Permanently or Temporarily in Ireland?**



Only 64% answered the question whether they felt that their own feeling of being temporary or permanently in Ireland as well as the views of Irish people on the length of their stay had a negative or positive impact on their integration prospects. The majority - 46% - felt it had a negative effect, while 39% felt it had no effect. The rest said it had a positive effect. Among the women, 50% said it had a negative effect and 50% that it had no effect. Compared with the men where 38% said negative effect, 31% said no effect, 19% said positive affect and the rest that they did not know. Those who said it had a positive effect mainly referred to their own feeling of being permanently in Ireland. Some of the answers were:

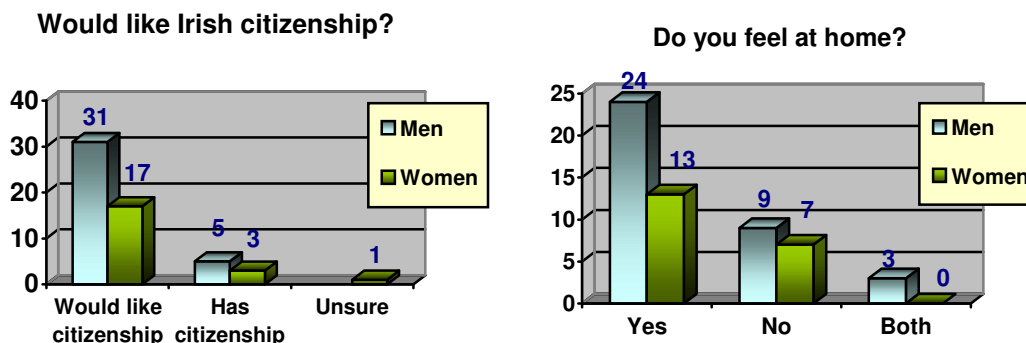
*"You have to accept you are here permanently before you can integrate properly"*  
*"When you are viewed as someone leaving it is limited how deep integration can go"*  
*"When applying for a job the employer sees you as temporary and only offers temporary work"*

Among the youth group the picture was a bit different. Here 2 out of the 7 i.e. 29% saw themselves as temporarily in Ireland, but none of the youth felt that people in Ireland saw them as permanently in Ireland. 3 youths thought that the Irish viewed them as temporarily in Ireland while 4 or 57% said they did not have know. 3 of the youths answered that their own views and those of the Irish in relation to staying temporarily or permanently impacted negatively on their integration. 1 thought it was positive and the rest were not sure.

**Citizenship and feeling at home**

95% answered the question of whether they felt at home. Amongst men, 67%, 24 respondents said that they felt like they were at home in Ireland whilst only 25% said they did not, with just 8% stating that they felt a combination of both. A total of 20 women responded to the question, with 35% stating that they do not feel at home in Ireland, but the majority, 65% or 13 women said the opposite, that they did feel at home. No woman had mixed emotions about feeling at home in Ireland.

57 of the 59 respondents answered the question of whether they would like Irish citizenship, and the overwhelming majority were positive about such a development, with 84% or 48 people stating that they would like citizenship, and 14% or 8 people stating that they already had citizenship, and only one person was unsure if they wanted citizenship. All men, of whom there were 36, answered positively. 86% or 31 men were in favour of some day receiving citizenship, while 14% already had gained Irish citizenship. Of the 21 women respondents, one person was unsure, 14% had obtained citizenship and 81% wanted to attain citizenship.



When questioned about what might make the respondents feel more at home, a variety of answers were provided. 22% of all people indicated that having a job would help in this respect, whilst a sense that if Irish people were accepting them into society also figured prominently with 16% of people answering identifying this as key. Furthermore, 12% of those questioned answered that having their family with them in Ireland would allow them feel more at home. The men conformed to overall trends, 17% saying employment added to a sense of home, while the same figure indicated that having their family would make Ireland more like home. 14% added that if Irish society were more accepting then Ireland would be more like home. Women responded in much the same manner, although over a quarter, 28% believed that having a job was the most important factor, 17% believed that Irish acceptance was the best way to make them feel at home, while just 7% indicated that having their family was the most important issue.

What would make you feel at home or integrated in Ireland?	Men answers	Women answers	Total answers
Having a job.	5	8	13
Being accepted by people.	4	5	9
Having family here	5	2	7
Having a house	2	3	5
Getting citizenship	1	2	3
Getting education	3	0	3
Recognition of qualifications	0	2	2
Paying tax	1	1	2
Having Irish friends	1	1	2
Participating in society	0	2	2
Having good health	1	1	2
Speaking the language	2	0	2
Meeting people	0	1	1
Having a good income	0	1	1
Better weather	1	0	1
Better TV	1	0	1
More foreigners	1	0	1

The answers in relation to wanting citizenship and feeling at home for the youth group followed that of the adults with 84% answers. A large majority, 6 out of 7, answering that they would like citizenship (86%). When the question was whether the youth felt at home the pattern was again similar, however, in the youth group more felt they were not at home compared with adults. 43% said they felt at home, 43% said they did not feel at home and 14% replying a mix of both. There was no consistent gathering of information in relation to what would make the youth group feel more at home. However, where the question was asked the answers given were: to have family here, to have more friends and to have food from home as well as be better accepted by the community.

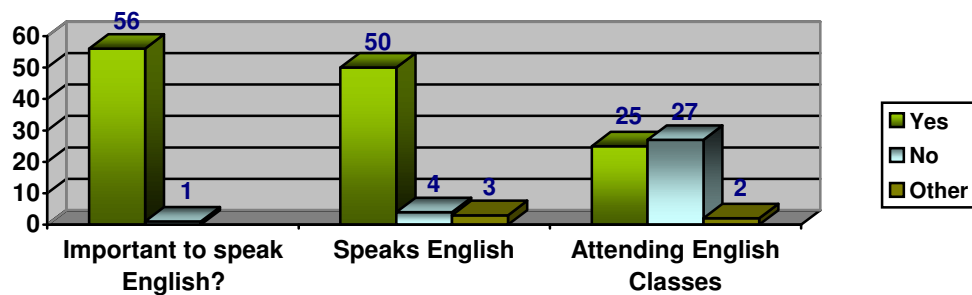
## ***The Integration Elements***

### ***Language and integration***

The overwhelming majority of participants, 98% felt that being able to speak English was an important factor in integration. Of this, 100% of women agreed, while amongst men only one respondent believed that speaking English was not a necessity. This can be compared with the finding that 88% of the participants spoke English; only 7% did not and 5% claimed that they had some competency in the language but were not fluent. Among men 89% claimed to speak English and the figure for women is just a little lower at 85%.

It is interesting to note that half of those interviewed have attended English classes at some stage during their time in Ireland. Presently 46% of all respondents are currently in language class, and 4% are no longer taking lessons. Of the men interviewed, currently 54% are taking language instruction, but among women that figure drops to just 32%. A sizable 57% of the women have not undertaken English lessons, while the remaining 11% were taking classes but are no longer.

## Answers on Importance of Speaking English



For those people who were not taking instruction in English, we posed the question of why and received an array of answers, varying from feeling too old to learn to feeling the level of instruction was too low. In total just 53% of the original 59 persons asked responded to this question. 20% of all those interviewed felt that the level of teaching was not high enough and a further 24% felt that instruction was not necessary. Amongst men this was the dominant reason with 26% stating it as their reason for not attending classes, while a further 16% believed that class was not necessary. A total of 11% of men indicated that they had difficulty learning, hence they abandoned classes.

Amongst women the most frequent answer was that they felt classes were not necessary, with 34% of the sample group submitting this as their principle reason. A further 18% were not attending classes because they felt they lacked the time to partake in classes. Just 8% felt that they could not attend due to a lack of childcare and a further 8% of women felt they were too old to begin learning English.

If you attended English classes in the past, what was the reason for now no longer attending?	Men answers	Women answers	Total answers
Available level is too Low	6	1	7
Speaking English	3	4	7
Lacking time (work/study)	2	2	4
Quality not sufficiently high	3	0	3
Reconsidering	1	1	2
Difficulty learning	2	0	2
Personal reasons given	1	1	2
Feeling too old	0	1	1
Lacking Child Care	0	1	1
The course closed	0	1	1
No referral from FAS	1	0	1

All 7 in the youth group said they found it important to speak English to integrate and they all indicated that they spoke English. 4 or 57% also attend English classes.

**Work and integration**

When asked whether they felt having a job was an important element of successful integration, 88% of the participants answered and 98% of those felt that it was. When

divided by gender, 100% of women felt that a job was an important to integrate and only 2% of men felt otherwise.

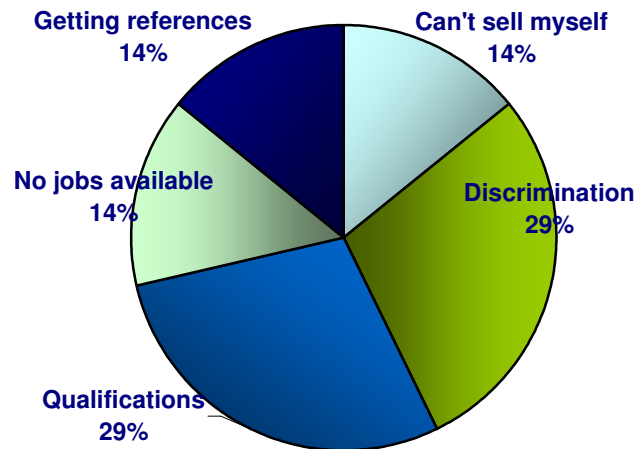
With regard to the best way to find employment only 27% gave an answer. The most frequent answers were through regular applications and through friends, which accounted for 32% and 31% of the responses respectively. It should be noted that only male participants indicated that getting employment through a friend was the best way to get a job. The most popular response among women was by regular application, with 45% indicating that they had found employment in this manner. Other responses included through FÁS, with 14% of men indicating this route. While none of the male participant stated they are self-employed, 11% of women indicated self-employment.

The responses relating to the difficulties refugees have experienced whilst looking for a job varied greatly, ranging from having no problems to feeling that employers didn't understand refugees. The most prevalent response between both men and women was that they felt they had been discriminated against when applying for jobs, with 22% of respondents citing it as a reason. The second most prevalent response was regarding not having appropriate experience for the job with 15% of all respondents mentioning it. While 10% of both men and women believed that language was a hindrance to gaining employment. Amongst men other responses included a lack of employment opportunities, 12%, and difficulty having their qualification recognised in Ireland, 8%. This was also a common response amongst women, 16%, as was not having the knowledge of where to look for a job, 9%. Just 1% of all respondents said that they had no problems finding employment.

In the youth group all 7 participants agreed that having employment was important for integration, although none of them worked.

<b>What are the main difficulties when trying to find a job?</b>	<b>Men answers</b>	<b>Women answers</b>	<b>Total answers</b>
<b>Discrimination</b>	11	7	18
<b>Lacking relevant experience</b>	8	4	12
<b>Recognition of qualifications</b>	4	5	9
<b>Lacking language skills</b>	5	3	8
<b>Low job availability</b>	6	0	6
<b>Other personal reasons</b>	4	2	6
<b>Knowing how to get a job</b>	0	3	3
<b>Only jobs below qualifications available</b>	2	1	3
<b>Lacks feedback</b>	3	0	3
<b>Lacking communication skills</b>	1	1	2
<b>No problems</b>	0	1	1
<b>Currently Working</b>	0	1	1
<b>Competing with others</b>	0	1	1
<b>Lacking child care</b>	0	1	1
<b>Disabled</b>	0	1	1
<b>Lacking information</b>	1	0	1
<b>Lacking connections</b>	1	0	1
<b>Lacks incentive</b>	1	0	1
<b>Employers do not understand refugee status</b>	1	0	1

### Difficulties for Youth in finding employment



### ***Democratic processes/interaction with Irish society and integration***

The vast majority of both men and women feel that participation in democratic processes is an integral part of their integration. 96% of those interviewed responded to that effect, amongst women that figure was 100% and amongst men only 6% felt that it was not a necessity. The majority of people were aware of their right to vote, 70%. Amongst men that figure rose to 73% and amongst women it fell slightly, to 67%. Despite being aware of their right to vote, very few people had actually utilised the right, only 26% in fact. This fell to just 21% amongst men and rose to 33% amongst women.

The participants were also asked whether they had participated in any groups or organisations which had helped in their integration into Irish society. While the majority, 61%, had participated in some form of group, 39% have never been part of a social group during their time in Ireland. The most popular type of group was a sports team, 26%, and significant number, 23%, were involved with immigration and refugee specific groups. Among men, sports remained the most common social grouping, accounting for 37% followed by immigration groups at 16%. 42% of the men interviewed did not participate in any type of social group. Among women, refugee groups were the most popular, with 31% of respondents taking part in these, and 13% taking part in both sports groups and women's groups. Again a significant number of women do not partake in any form of group, 37% in fact.

For the youth group it was interesting that of the 71% answering it was important to participate in democratic process, all were girls. In fact, all the girls answered that they found it important and all the boys answered that they did not find it important. In contrast only 1 out of the 7 was aware of any right to vote and had used that right, while 5 are currently above 18 years.

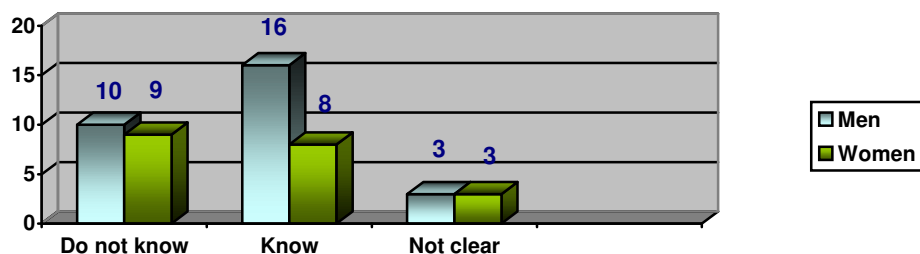


## Knowledge of Values and Integration

The *EU Common Basic Principles* refers to the importance of respect for EU values<sup>246</sup>. Many countries have included reference to national values also in their integration policies. Participants were asked whether they felt they knew what the basic values of the Irish State and the EU were? How they have learned about these if they felt they knew? And whether they agreed that they must respect such values? They were also asked to give examples.

83% answered the question on whether they felt they knew Irish or EU values. Out of these only 43% answered that they did feel they knew. 33% answered that they did not know and 12% that it was not clear what they were. Only 79% of the men answered the question, among them 56% felt they knew and 34% said they did not know Irish or EU values. While 91% of the women answered the question, more than half, 45%, said that they did not know and 12% said it was not clear what they were. Only 40% answered that they felt they knew Irish or EU values.

**Knowledge of Irish or EU values**



Democracy stood out as the most frequent example given of an Irish or EU value. 13 participants or 22% mentioned this. The second most frequent answer was that citizens had rights followed by freedom, welfare state or having money or work as other core values. Other examples mentioned by one or two participants included: secular, peaceful, organised, with rule of law, respectful of each other and transparent. Among the women the top five answers were: democracy, freedom, security, welfare and equality. Democracy was also the most frequent answer by the men followed by: citizens' rights, freedom, welfare, having money and having work.

Asked where participants had learned about Irish and EU values the most frequent answer was from TV and from "looking around" (8 and 7 participants respectively). Other frequent answers included from education, courses, the internet, newspapers and the political debate. While the men gave many different answers, around 50% of the women answered that they learned about the values from TV and looking around.

Only 80% gave an answer to the question of whether they agreed that they have to respect the Irish and EU values. However, almost everyone, 94% of those who answered said that they felt they had to respect the Irish and EU values. Those not agreeing were all women of whom one replied that she did not know the values, another that she did not agree and one that she only partially agreed.

Of the 7 youths, 57% answered that they did not know the Irish or EU values. 43% answered that they knew. Significantly 100% of the boys said they felt they knew, while

<sup>246</sup> See Chapter 3 for more explanation on the EU Common Basic Principles and Annex 1 for an outline.

only 20% of the girls felt they knew. Family, education and having employment were all mentioned as important values, each by two participants. Protection, freedom and law-abiding were also mentioned, each of the values were mentioned once. The three participants who indicated that they knew said they had learned from the news, from peers and from Irish people, respectively.

***Irish history and institutions***

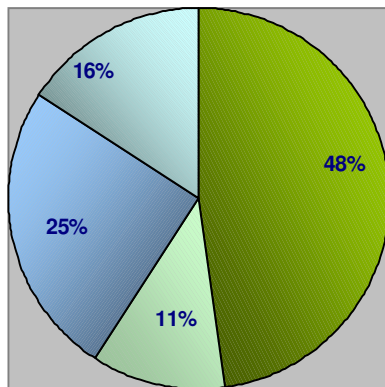
A series of questions were included to explore how participants viewed the link between knowledge of Irish history and institutions and their ability to integrate. Participants were also asked whether they felt they knew something about Irish history and institutions and where they had learned.

76% of participants answered the question of whether it was important to know Irish history and institutions to integrate. 83% answered that they felt it was important. However, only 41% answered that they felt they knew. 53% said they did not know, 2% that they did not know enough and 4% that they were not sure. For this question there was considerable difference between the men and the women. Only 33% of the women felt they knew compared with 46% of the men. When the question related only to Irish history and not also Irish institutions the positive answers were higher with 58% saying they felt they did know some Irish history and only 28% saying they did not know any.

The most frequent answer given as an example of knowledge about Irish history was British occupation (21), followed by War of Independence (12) and sectarian violence (9). Other frequently given examples were St. Patrick, the Famine and past emigration. Answers given by one or two participants also included: the Vikings, the Celtic Tiger, the Easter Rising and Guinness.

The six most frequent answers in relation to where the participants had learned about Irish history were: through friends (11), from books, from TV or from school (each 8), from the Internet or news (each 6). While the most frequent answer from men was “from friends (10). Only one woman included this answer. For the women the top five answers were: TV, books, school, self-study and university.

When participants were asked which TV they usually watched the majority replied Irish, followed by a mix of channels. No one answered that they only watched TV from their home country.



**Type of TV usually watched?**



In the youth group 6 out of 7 felt that it was important to know something about Irish history or Irish institutions to integrate. 1 felt divided about the issues. However, only 43% or 3 of the youth participants felt that they knew something about these topics and only 2 felt that they knew Irish history. The examples given were the Famine and the Black Death. Those who had some knowledge said they had learned from a number of sources including school, books, the internet and other media sources. On the question of whether they watched mainly Irish or other TV, 43% answered mainly Irish, 23% answered any English speaking channel, 14% that they watched TV from home and another 14% not clear.

### ***Access to institutions***

Participants were then asked whether they agreed that having access to Irish institutions and services on an equal basis as nationals is important for integration and whether they felt that they had equal access.

Only the 42% of participants answered the question whether it was important to have equal access to institutions and services. However, 100% of those who answered said that they thought it was important. 64% felt that they have equal access; however 28% felt they do not have equal access and 8% felt they only have partially equal access. It was mainly the women who felt that they do not have equal access, with only 50% answering that they have equal access, compared with 73% of the men.

86%, or 6 out of 7, of the youths felt it was important to have equal access, while 1 (14%) was divided about the issue. However, importantly 43% felt they did not have such equal access, while another 43% felt they had. 1 (14%) was not sure. The obstacles in gaining equal access were mentioned as language, education and importantly college fees.

### ***Own Religion and Cultural Tradition***

In part 6 of the questionnaire, participants were asked about the preservation of their own cultural traditions and their religion while they are in Ireland. Firstly, participants were asked whether or not practicing their own religion and culture were important for integration in Ireland. 90% of all participants answered this question, 70% of participants thought that this was important, while 26% did not find it important. The percentage of men (72%) who thought it was important was somewhat higher than that of women (61%).

Next participants were asked if they thought they were able to freely practice their own religion and cultural traditions in Ireland. Of this 83% who answered the question, the overwhelming majority, 96% answered that they thought they were able to practice their culture and traditions freely in Ireland. Only 4% thought that they had encountered problems practicing their own culture and religion in Ireland. However, 16% answered that some of their cultural traditions were not welcome in Ireland. Out of the 7 participants who found that some of their cultural traditions were not welcome, 6 understood the reasons for this.

All the youths felt that being able to practice their own religion and cultural traditions are important for integration. They also all felt that they could. However 2 participants, 1 boy and 1 girl, found that some of their cultural traditions were not welcome. Both understood the reasons for this.

### ***Interaction with the Irish Population***

The *EU Common Basic Principles* highlights that “frequent interaction between immigrants and Member State citizens is a fundamental mechanism for integration.” Participants were asked if they agreed that frequent interaction with Irish people is important for their own integration. 85% of participants answered this question of which 90% answered that it was important. It was mainly women who did not answer this question or answered that they did not find it important. Only 75% of women in fact answered that frequent interaction was important for their integration.

While overall 90% answered that it was important, only 74% felt that they had frequent interaction. 22% felt they had not and 4% felt they did not have enough. Interestingly, while many women had said it was not important, there were also more women who said that they did not have frequent interaction. In fact, while 80% of the men felt they had frequent interaction, only 63% of the women answered this in the positive.

In relation to the question of where participants were most likely to have contact with Irish people the answers varied significantly between women and men. The three most frequent answers were: at work, at school and in the pub. The five most frequent answers for men and women varied as can be seen from the below charts.

<b>Most likely to meet Irish people?</b>	<b>Men answers</b>	<b>Women answers</b>	<b>Total answers</b>
<b>In an immigration or refugee organisation</b>	3	5	8
<b>In faith based organisation</b>	0	1	1
<b>In a sports team</b>	7	2	9
<b>Women's groups</b>		2	2
<b>No where</b>	8	6	14

100% of the youth participants felt that frequent interaction with Irish people is important for integration, however only 28% felt they had such frequent interaction.

The places where youths felt most likely to meet Irish people were in school, mentioned by 5 participants. This was followed by the pubs/cafes (3), church (1), shopping (1), friends (1) and sport (1).

### ***Support and Responsibility for Integration***

The last question set explored how participants viewed the two-way process or in other words whether participants felt they were responsible for their own integration, but also if other actors had responsibilities.

83% answered the question on whether they felt they were responsible for their own integration. 82% of those responding said that they felt they had responsibility for their own integration, while the remaining 18% felt that they were not responsible for their integration. Only 68% of the women answered the question and of those 80% felt that they were responsible. While 92% of the men answered the question, the percentage of positive answers was similar to that of the women, with 82% of the men saying that they were responsible for their integration.

Participants were also asked if they thought others were responsible for their integration. The most frequent answer to this was the government is also responsible (28) and that the host population is responsible (22). All other answers were only mentioned once or twice. They were: organisations, media, employers, FÁS, NGOs and joint efforts.

Looking at the answers from men and women separately the answers follow the same trend. However, all women answered the government or host population, with only one mentioning FÁS.

The final question, before a broad question about recommendations to the government, was whether participants felt that those identified as having a role and responsibility in the integration process had in fact assisted. To this, of the 73% who answered the question, 70% answered in the affirmative, while 16% felt that others were not assisting as much as expected and 2% were not clear.

In the youth group all the participants felt that they were responsible for their own integration, and 6 out of 7 also felt that others were responsible. The answers to who were also responsible were quite different from those of the adult group with the two groups mentioned most frequently were teachers and friends. Others mentioned were the police, the Minister for Integration, and Irish people. Only one participant felt that those responsible for integration had not assisted, while 4 or 57% said that they felt they had assisted.

### ***Recommendations for Better Integration***

As a final question, participants were asked which recommendations they would make to the Irish government which could allow them to integrate into Irish society more easily.

There was quite a difference in answers between the women and the men asked. For the men the three main answers were: improved access to work (10 persons), no recommendations (8 persons) and facilitation of interaction between the Irish population and foreigners (5 persons). Other suggestions which were mentioned by 3 to 4 of the participants were: better knowledge in society about refugees, improved family reunification and better English classes. Other suggestions were: better opportunities for asylum seekers, better information about the policy from government, integration programmes, personal guidance, ID cards to refugees, more powers to the Office of the Minister for Integration, speed up asylum decisions and tackle discrimination.

The women's answers were more dispersed. Among the answers that 3 or 4 persons mentioned were: clear information about integration policy from government, more English classes, improved public knowledge about refugees and no particular recommendations. Other recommendations given by one or two persons were: improved access to employment and education, family reunification, improved ability to

communicate with government, integration programmes, personal guidance and facilitation of interaction between the Irish population and foreigners.

Recommendations from the youth group included: having an integration buddy system with someone like a friend to show them around; encourage foreigners to integrate by showing them the advantages; have a legal process, which is not so long and stressful; having access to cheaper food from the host country and the same access to third level education as Irish citizens.

Some participants also said that they had no recommendations, but wanted to thank the government for letting them stay and assisting them with a place to live and education.

## Annexes

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### ***Annex 1 – Common Basic Principles for Immigrant Integration Policy in the European Union***

- CBP 1 “Integration is a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States”
- CBP 2 “Integration implies respect for the basic values of the European Union”
- CBP 3 “Employment is a key part of the integration process and is central to the participation of immigrants, to the contributions immigrants make to the host society, and to making such contributions visible”
- CBP 4 “Basic knowledge of the host society’s language, history, and institutions is indispensable to integration; enabling immigrants to acquire this basic knowledge is essential to successful integration”
- CBP 5 “Efforts in education are critical to preparing immigrants, and particularly their descendants, to be more successful and more active participants in society”
- CBP 6 “Access for immigrants to institutions, as well as to public and private goods and services, on a basis equal to national citizens and in a non-discriminatory way is a critical foundation for better integration”
- CBP 7 “Frequent interaction between immigrants and Member State citizens is a fundamental mechanism for integration. Shared forums, intercultural dialogue, education about immigrants and immigrant cultures, and stimulating living conditions in urban environments enhance the interactions between immigrants and Member State citizens”
- CBP 8 “The practice of diverse cultures and religions is guaranteed under the Charter of Fundamental Rights and must be safeguarded, unless practices conflict with other inviolable European rights or with national law”
- CBP 9 “The participation of immigrants in the democratic process and in the formulation of integration policies and measures, especially at the local level, supports their integration”
- CBP 10 “Mainstreaming integration policies and measures in all relevant policy portfolios and levels of government and public services is an important consideration in public-policy formation and implementation”
- CBP 11 “Developing clear goals, indicators and evaluation mechanisms are necessary to adjust policy, evaluate progress on integration and to make the exchange of information more effective”

## Annex 2 – Sample Questionnaire

### 1. General Information

- 1.1 When were you born (age)?
- 1.2 What is your home country/country of origin?
- 1.3 What is your sex? Male / Female
- 1.4 Which county do you live in Ireland (Dublin, Cork, etc)?
- 1.5 When did you come to Ireland (which year)?
- 1.6 How long have you had protection status in Ireland? (Please indicate if you have refugee status, programme refugee status under the UNHCR/Irish resettlement program, subsidiary protection status or family reunification status to a person with refugee or other protection status)

### 2. Information about integration

- 2.2 Was Ireland your first choice destination (above all other countries including EU states)? Yes / No
- 2.3 If yes, was this based on a specific knowledge about Irish culture and society? Yes / No  
*Explain*
- 2.4 Have you received any *information about Irish society* since you arrived in Ireland? Yes / No  
If yes, please give examples
- 2.5 Have you received any *information about integration* since you arrived in Ireland? Yes / No  
If yes, please give examples
- 2.6 Have you received any information about your rights and obligations as a person with residence rights in Ireland? Yes / No  
If yes, please give examples
- 2.7 In your opinion should there be more information given about Ireland and Irish society when you get residency permission in Ireland? Yes / No
- 2.10 If yes, please give examples of information you feel is or was lacking?
- 2.11 If yes, should it be in the form of a course or written material?
- 2.12 If in the form of a course, should participation be obligatory? Yes / No. Please give reasons for your answer?

### 3. Stay in Ireland

- 3.1 Do you think of yourself as a permanent or temporary resident in Ireland? (Please give reasons if possible)
- 3.2 Do you think people in Ireland in general think of you as someone who is permanent or temporary? (Please give reasons if possible).
- 3.3 How do you think the views above (in 3.1 and 3.2) impact on your ability to integrate in Ireland positively or negatively? (Please give some examples if possible).
- 3.4 Would you like to become a citizen of Ireland? Yes / No  
*Why/ Why not?*
- 3.5 Do you feel at home in the place where you live? Yes / No (Please give some examples if possible).
- 3.6 If you had a problem or question about living in Ireland, who would you go to for help?

### 4. Means of integration

- 4.1 What do you think would make you feel at home or integrated in Ireland?



- 4.2 Do you agree that speaking English is essential for you to integrate in Ireland? Yes / No (*Circle yes or no as appropriate*)
- 4.3 If yes are you able to effectively communicate in English? Yes / No (*Circle yes or no as appropriate*)
- 4.4 Do you attend English language classes? Yes / No (*Circle yes or no as appropriate*)
- 4.5 If you attended English classes in the past, what was the reason for now no longer attending?
- 4.6 Do you agree that having a job, being employed is key to your integration in Ireland? Yes / No (*Circle yes or no as appropriate*)
- 4.7 If you have a job/employment how did you get it?
- 4.8 What do you think are the main difficulties when trying to find a job?
- 4.9 Do you agree that participation in democratic processes, such as voting in local elections, participating in residence meetings, belong to civil society organisations etc. is important for your integration? Yes / No (*Circle yes or no as appropriate*)
- 4.10 Are you aware of your rights to vote in Ireland? Yes / No (*Circle yes or no as appropriate*)
- 4.11 Have you ever used this right and participated in democratic processes such as voting, or participating in? Yes / No (*Circle yes or no as appropriate*)  
(Please give examples if you can)
- 4.12 Have you ever participated in any groups, for example sports groups, lobby groups or women's groups?
- 4.13 If not, then why not?

## **5. Irish values**

- 5.1 Do you know what the basic values of the Irish State and the EU are? Yes / No (*Circle yes or no as appropriate*) (Please give examples if you can)  
(When considering these values, bear in mind the values that existed when you were growing up)
- 5.2 If you know what the basic values of the Irish State and the EU are, where and how did you learn? (Please give examples if you can)
- 5.3 Do you agree that you must respect the basic values of the Irish State and the EU in order to integrate in Ireland? Yes / No (*Circle yes or no as appropriate*)
- 5.4 Do you agree that you must know something about the history and the institutions of Ireland to integrate? Yes / No (*Circle yes or no as appropriate*)
- 5.5 Do you feel that you know the Irish history and/or the Irish institutions, such as the Oireachtas, the Dail and the courts? Yes / No (*Circle yes or no as appropriate*)  
(Please give examples if you can)
- 5.6 Are you familiar with any Irish history? Yes / No (*Circle yes or no as appropriate*)  
(Please give examples if you can)
- 5.7 Where did you learn about this? (School, friendships, reading books, media - newspapers, TV, radio, internet, formal education, your children's education, other)
- 5.8 Do you mainly watch Irish TV channels or TV channels from your home country or region?
- 5.9 Do you agree that access to the Irish institutions and services on an equal basis as nationals is important for integration? Yes / No
- 5.10 Do you feel you have equal access to Irish institutions and services such as civil association, health services, courts, social services, education? Yes / No (*Circle yes or no as appropriate*)

5.11 If not, can you give examples and indicate what you think are the obstacles?

**6. Your values**

6.1 Do you agree that practicing your religion and own cultural traditions is key for your integration? Yes / No (*Circle yes or no as appropriate*)

6.2 Can you freely practice your religion and cultural traditions? Yes / No (*Circle yes or no as appropriate*)

6.3 If not, can you give examples and indicate what you see as the obstacles?

6.4 Have you found that some of your cultural traditions are not allowed or welcome in Ireland? Yes / No (*Circle yes or no as appropriate*)  
(*Please give examples if possible*)

6.5 If they are not allowed/welcome do you understand why? Yes / No (*Circle yes or no as appropriate*) (*Please give examples if possible*)

**7. Interaction**

7.1 Do you agree that frequent interaction with Irish people is important for your integration? Yes / No (*Circle yes or no as appropriate*)

7.2 Do you feel you have frequent interaction with Irish people? Yes / No (*Circle yes or no as appropriate*) (*Please give examples if possible*)

7.3 Where would you be most likely to meet Irish people?  
(e.g.: your children's school, public spaces – parks, libraries, work, own education, support groups, places of worship, pubs or cafes, neighbours, in your local community, other?)

**8. Assistance with integration**

8.1 Do you agree that you are responsible for your integration into the Irish society? Yes / No (*Circle yes or no as appropriate*)

8.2 If you do not agree who is responsible in your mind for your integration?

8.3 If you agree that you are responsible for your integration, do you think that others in society are also responsible? Yes / No (*Circle yes or no as appropriate*)  
(*Please give examples if possible*)

8.4 Do you feel that those you mentioned have helped you integrate? Yes / No (*Circle yes or no as appropriate*) (*Please give examples if possible*)

8.5 Are there any recommendations that you would make to government to make integration into Irish society easier for you?

UNHCR would like to underline the importance placed on the anonymity of respondents and the confidentiality of their responses. Furthermore, UNHCR stresses that completed questionnaires have no bearing on any decision regarding the respondent's legal status or services provided to them in Ireland. The purpose of the questionnaire is simply to explore general trends in relation to integration among various groups with protection status in Ireland.

