



## OPEN Summary of EMN Ad-Hoc Query No. 2018.1341

Civic integration policy in relation to refugees

26 February 2019, prepared by NL EMN NCP

### 1. KEY POINTS TO NOTE

- ★ Most Member States (**AT, BE, CZ, DE, EE, ES, FI, FR, IT, LT, LU, LV, MT, NL, NO, SK, UK**) have a civic integration policy, which encompasses specific regulations for recognised refugees, with the exception of **BE, FI, FR, LU** and **MT**.
- ★ Participation in civic integration programmes is in the majority of these Member States not a legal obligation for refugees (**BE** [Brussels], **CZ, ES, FI, FR, IT, LT, LU, LV, MT, SK, UK**).
- ★ In case recognised refugees participate in the civic integration programmes, they need to obtain a certain result, such as attendance, language level and access to social benefits, in **BE, CZ, DE, EE, ES, FI, FR, IT, LT, NL, NO, SK, UK**.
- ★ **AT, DE, NL** and **NO** impose sanctions in case of infringement of civic integration requirements. **AT** reduces the granted minimum benefits, **DE** and **NO** limit the duration of the residence permit and **NL** imposes fines.
- ★ In **MT, NL** and **NO** participation in the civic integration programme is required to obtain a long term residence permit and naturalisation.

### 2. BACKGROUND AND CONTEXT

On 16 October 2018, the Netherlands EMN NCP launched an ad-hoc query on civic integration policy in relation to refugees.

The civic integration system in the Netherlands has been a topic of extensive debate in the Netherlands for a number of years. Many organisations have voiced

their concerns on whether the system is reaching the goal of helping newcomers integrate in the Dutch society. An evaluation of the current system showed that there are several obstacles for an effective integration. The aforementioned has led the Minister of Social Affairs and Employment to announce changes to the current system. In view of these developments we would be interested in the practice of other Member States.

### 3. MAIN FINDINGS

*Question 1. Does a civic integration policy exist in your Member State? If yes, have specific regulations in relation to recognised refugees been incorporated in this policy?*

Most Member States (**AT, BE, CZ, DE, EE, ES, FI, FR, IT, LT, LU, LV, MT, NL, NO, SK, UK**) have a civic integration policy. A special notice must be paid to the **UK**, which published their Government's vision in 2018 and proposed measures for supporting integration in England, including measures related to refugee integration.<sup>1</sup> Of the mentioned Member States that do have a civic integration policy, **BE, FI, FR, LU** and **MT** do not have specific regulations in relation to recognised refugees. In **BE, FI, LU** and **MT** the civic integration policy applies to a wider public. In **FR** recognised refugees are exempted from signing the Republican Integration Contract (CIR) and have access to the common law (as French nationals). However, it is strongly recommended for recognised refugees to sign the CIR because it offers benefits and

<sup>1</sup> The contribution of the **UK** to this summary is based on these policy proposals, as the specific measures of this proposal are very detailed.

individualised support.

About the Member States that do not have a civic integration policy (**CY, EL, HR, HU, IE, PL, PT, SE**) it is worth mentioning that although in **HR** there is no general civic integration policy, there is a special integration policy for refugees. Since June 2016, there is no longer integration support in **HU** due to a change in legislation. Although there is no civic integration policy in **SE**, the Swedish language is offered to everyone who does not speak Swedish.

*Question 2. Is it legally obliged for recognised refugees to participate in a civic integration programme and is it required for them to obtain a certain result (for example passing a civic integration exam)?*

Of the 17 Member States that do have a civic integration programme, in 12 of them (**BE** [Brussels], **CZ, ES, FI, FR, IT, LT, LU, LV, MT, SK, UK**) it is not legally obliged for recognised refugees to participate in a civic integration programme. In the other Member States (**AT, BE** [Flanders, Wallonia, German Speaking Community], **DE, EE, NL, NO**) there is a legal obligation for recognised refugees to participate in a civic integration programme.

In case recognised refugees participate in the civic integration programmes, it is required to obtain certain results in **AT, BE, CZ, DE, EE, ES, FI, FR, IT, LT, NL, NO, SK, UK**. These results are connected to attendance<sup>2</sup>, language level and access to social benefits.

With regard to attendance, recognised refugees are obliged to participate in the offered courses in **AT, BE, DE** and **EE**. In **AT**, recognised refugees are obliged to full participation and completion of the offered courses. In **BE** [Flanders, Wallonia, German Speaking Community] recognised refugees need to participate in a minimum percentage of lessons in the integration programme. In **DE**, attendance to the integration course is obligatory. In **EE**, the only specific requirement recognised refugees need to fulfil is participation.

In **CZ, FI, FR, IT, LT, NL** and **UK** obtaining certain results is connected to language levels. In **CZ**,

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<sup>2</sup> Answers of Member States to this question have been widely interpreted in the summary. Attendance is therefore seen as a 'certain result'.

recognised refugees need to pass the language exam on level A1 – A2 in order to get a certificate. In **FI**, recognised refugees need to participate in Finnish or Swedish language education and possible other measures agreed upon in the individual integration plan. In **FR**, recognised refugees need to reach language A1 level as required for all participants. In **IT**, with regard to the reception system which includes integration measures and services, if recognised refugees sign the Reception Agreement, they need to attend Italian language courses. In **LT**, recognised refugees need to learn the state language and attend state introductory courses. In **NL**, all newcomers need to pass the six different integration exams on language skills and knowledge of Dutch society. They also need to attend a workshop on Dutch core values. In **UK**, unemployed recognised refugees are tied to undertaking activities in order to find work, which may include participation in language training.

In **ES, NO** and **SK** obtaining certain results is connected to access to social benefits. In **ES**, access to services and benefits from the national system is tied to participation in the civic integration system. In **NO**, full participation in the civic integration programme is tied to benefits of national insurance. Also, from 1 January 2017, those who apply for Norwegian citizenship must have passed an oral Norwegian test at minimum level A2 and a test in social studies in Norwegian – though this can be learned through other avenues than a civic integration program. In **SK**, if recognised refugees join an integration project they are required to attend Slovak language courses and job counselling otherwise their financial support is cut down.

*Question 3. Is the access to a suitable civic integration programme for recognised refugees provided and financed by the government? If yes, in what way?*

In most Member States (**AT, BE, CY, CZ, DE, EE, ES, FI, FR, HR, IT, LT, LU, LV, MT, NL, NO, SK** and **UK**) the government provides and finances access to a suitable civic integration programme for recognised refugees. Recognised refugees have access to welfare benefits and mainstream services, such as health care, language tuition, (individual) guidance to employment and wider integration. The ways of funding and implementing these programmes differ. **BE, ES, FR, HR, NL** and **UK** mention co-founded implementation of programmes by the government and other organisations, such as NGOs. **CZ, CY, ES, FR** and **SK**

mention European co-funding of integration services, such as AMIF. For instance, although **CY** has no civic integration policy, some ad-hoc measures regarding civic integration have been implemented and are co-funded by AMIF.

Although in **FR** the CIR (Republican Integration Contract) is not focused on recognised refugees, the state recognises and tries to deal with difficulties faced by this group. Integration services are co-founded by governmental associations and private parties, aimed at employment and accommodation for newly arrived foreigners.

With the Vulnerable Persons Resettlement Scheme, the **UK** government recognises that local authorities, NGOs, faith organisations and businesses have important roles to play in refugee integration and seeks to support their involvement by sharing and learning best practices. In relation to the Vulnerable Persons Resettlement Scheme, the **UK** government funded piloting a tailored approach to support refugees into work.

In **NL** all newcomers who are obliged to obtain the civic integration diploma are granted a social loan. Six months after satisfying the civic integration requirement, the newcomer must pay off the loan within a period of ten years. For recognised refugees the loan is cancelled if civic integration requirements are timely satisfied. As soon as the refugee is housed, social guidance is funded by the government to the municipality. Social guidance is mostly executed by welfare organisations.

*Question 4. Are certain time periods set in which recognised refugees have to satisfy the civic integration requirement? If yes, what time period?*

Only in four Member States (**BE** [Wallonia and the German Speaking Community] **ES**, **LU**, **NL**) there are certain time periods set in which recognised refugees have to satisfy the civic integration requirement. In Wallonia, newly arrivals need to obtain their certificate of attendance no later than 18 months after the order of the residence permit. In the German Speaking Community, the integration programme has to be finished within two years. In **ES**, to be able to access services and benefits from the national system, recognised refugees have to satisfy the civic integration requirements between 18 to 24 months (depending on the degree of acquired autonomy by the

participant). Although participation in the integration programme is not mandatory, in **LU**, requirements have to be fulfilled within two years. In **NL**, the participation statements have to be signed within one year from granting the residence permit and housing in the municipality. All other exams must be passed within three years.

Of the Member States that do have a civic integration programme, in **AT**, **BE** [Flanders and Brussels], **CZ**, **DE**, **EE**, **IT**, **FI**, **FR**, **LT**, **LV**, **MT**, **NO**, **SK**, **UK** there are no certain time periods set in which recognised refugees have to satisfy the civic integration requirement.

In **CZ** and **DE**, access to the integration course expires after twelve months. In **FR**, only newly arrived foreign nationals, and not recognised refugees, have certain time periods in which they have to satisfy the civic integration requirement. In **IT**, migrants who signed the integration agreement, and not recognised refugees, have to obtain at least 30 credits, as part of the credit allocation system, within two years. These credits can be achieved through e.g. attendance in courses and the achievement of particular knowledge. If the migrants has obtained at least 40 credits, the Ministry of Labour finances training and cultural activities as a reward. In **NO**, recognised refugees have to start participation in the 2-3 year civic integration program within a very short period of time after settling, but extensions to this period are allowed for certain reasons.

*Question 5. Are sanctions imposed when recognised refugees do not satisfy the civic integration requirement (in time)? If yes, what sanctions apply?*

Most Member States do not impose sanctions to recognised refugees in case civic integration requirements are not satisfied. In a number of Member States (**EE**, **ES**, **FI**, **FR**, **IT**, **LT**, **NO**, **SK**, **UK**) integration requirements are tied to the reception of welfare benefits, employment guidance, etc.

Three Member States (**AT**, **DE** and **NL**) impose sanctions in case of an infringement of integration requirements. In **AT** the federal provinces' authorities responsible for granting social welfare or minimum benefits are obliged to sanction its beneficiaries in case of an infringement of the integration obligations, e.g. German courses, courses in values and orientation. Sanctions are according to the provinces' provisions that apply for insufficient willingness to use of workforce and comprise, in most provinces, a

progressive reduction of minimum benefits up to 50 per cent. In cases of continued persistent refusal, some provinces allow for a complete suspension.

In **DE** residence permits are extended only once for another 6 months in case of not meeting the integration course obligation. Sanctions may be imposed by either the municipal branches of the Federal Agency for Employment or municipal social authorities as they provide state subsidies.

The **NL** sanctions are imposed on newcomers, including refugees, when the time period is exceeded. An announcement letter is sent giving the newcomer the possibility to explain the exceedance. Then it is decided whether the period will be extended. In case of no extension, fines will be imposed. For not signing the participation statement the sanction encompasses a fine of 340 euro, exclusion from the social loan and a new year to still sign the statement. Each year the participation statement is not signed the fine of 340 will be imposed. For not satisfying the civic integration requirement within the set period of time a new period of two years is set and a fine is imposed between 250 and 1250 euro in accordance with participation and attempts of exams. The fine will be imposed every new period of two years as long as the civic integration requirement is not met. In addition, recognised refugees lose their right to the cancellation of debt. Furthermore, not satisfying the civic integration requirement can also have negative consequences for obtaining a residence permit.

*Question 6. Is for recognised refugees satisfying the civic integration requirement a provision for (a) a permanent residence permit or for (b) naturalisation?*

In order to obtain a permanent residence permit in **LU**, **MT**, **NL** and **NO**<sup>3</sup> the civic integration requirements, as referred to in section Q1 of this summary, have to be fulfilled. This also applies to naturalisation, except in **MT**. In **AT**, **DE**, **EE**, **FI**, **FR** and **UK** requirements encompass *other* language skills and/or integration activities than those within the integration programme.

In **BE** following or succeeding the civic integration programme may show the integration efforts in order to preserve the residence permit and naturalisation. Although **HR**'s integration policy only applies to refugees, all applicants must prove knowledge of

Croatian language and Latin script and pass an exam of Croatian culture and social organisation for naturalisation.

**EMN NCPs participating:** Responses from Austria, Belgium, Croatia, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Slovak Republic, Spain, Sweden, Switzerland, United Kingdom and Norway (25 in total).

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<sup>3</sup> In order to be granted a permanent residence permit and to apply for citizenship in **NO**, an adult applicant must normally complete tuition in the Norwegian language and social studies and pass tests.