



Ad-Hoc Query on provisions and acts on integration of foreigners

Requested by AT EMN NCP on 24th April 2015

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Responses from Austria, Belgium, Croatia, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Slovak Republic, Slovenia, Spain, Sweden, plus Norway (21 in Total)

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1. Background Information

Aware that several ad hoc queries have already dealt with integration and language courses, Austria would like to ask the following questions:

1 Do your immigration rules contain provisions regarding integration (language requirements and more) or do you have a separate Act on Integration (e.g. Finnish Act on Integration of Immigrations and Reception of Asylum Seekers)? Yes/No

If yes

- a) Can you provide a copy/link of the Act in English?
- b) If no copy is available in English, please list the main topics of this act (in particular topics beyond language integration).

We would very much appreciate your responses by 20 May 2015.

2. Responses ¹

Δ 11		Dissemination? ²	
Aus	ıstria	163	Austria does not currently have a separate Act dealing with these topics. There are some provisions on integration in the Residence and Settlement Act (Niederlassungs- und Aufenthaltsgesetz), which is not available in English, covering language requirements, testing and financial assistance for language courses. Source: Federal Ministry of the Interior
Bel	elgium		The Belgian Immigration Act does not contain provisions regarding integration. Regarding integration: In Belgium, the integration policy falls within the competences of the regions and the communities. The Flemish Community, the Brussels Capital Region and the Walloon Region, each of them, define their vision and projects based on the experiences and perceptions of migratory flows as well as reception and social/cultural cohesion related issues. As a consequence, legal aspects, practices and budgets attributed to integration differ from one region to the other. Hence developments presented below are distinguished accordingly. Note: legislation in Belgium is available in French and Dutch. Flanders The (civic) integration sector in Flanders is subject to a structural reform since 2013 (laid down in the Integration Decree of 7 June 2013)

¹ If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

² A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP.

different target groups. Persons who received an international protection status (recognised refugees) are part of the obligatory target group.

Since 2012, there is no longer an obligation for applicants of international protection (asylum seekers) to follow the civic integration programme. However, they preserve their right to follow one or more components of the civil integration process, as from four months in the asylum procedure.

The individual in question signs a contract regarding his or her integration program. The primary civic integration programme consists of a training programme that is underpinned by individual coaching and guidance efforts tailored to the individual needs of the persons integrating. The training programme consists of **social orientation** (**standard 60 hours**) to get acquainted with Flemish and Belgian **society**, **Dutch language lessons** and a **career orientation**. Persons integrating who have a civic integration obligation and fail to comply with it, as well as persons integrating who are entitled to integrate and fail to comply with the terms of their civic integration contract, can be subjected to an administrative fine of \in 50 to \in 5000. The civic integration obligation does not apply in Brussels, neither does the system of administrative fines apply in the Brussels Capital Region.

Organisation & duration:

Social orientation: organised by the 'welcome offices' (under the authority of the Agency for integration and civic integration), standard 60 hours

Dutch language lessons: Low-skilled or 'slow learners' are referred to the centres for basic-education, a standard course consist of 240 teaching hours. Higher educated or 'fast learners' are referred to centres for adult education where the can follow a standard course of 120 hours. Persons integrating who want to follow higher education can link up to a course of max. 90 hours if the fulfil the admission requirements for higher education. These courses are organised by university language centres. For illiterate or very low-skilled persons integrating the Dutch language lessons consists of 600 hours organised by the centres of basic education.

After successful completion of the first civic integration programme a certificate is awarded, and the person can move up to the secondary integration programme. During this programme the persons integrating can further shape the choice they made during the primary civic integration, whether it is to enter the labour market or to continue their education through the mainstream services

Next to adults, foreign-speaking minor newcomers also belong to the target group of civic integration. Their civic integration takes place not by means of a civic integration programme but mainly by attending school. It concerns the same target group of children and youngsters who are eligible for welcome classes.

On 28 February 2014 the Flemish Government approved the article of the Civic Integration Decree of 7 June 2013 which raises the level of the language course "Dutch as a second language" which is a part of the civic integration program, from level A1 to level A2. This decision entered into force on 1 September 2014.

Brussels

A decree on the reception and integration pathways for newcomers in the Brussels Capital Region was approved on 18 July 2013 (published on 18 September 2013 in the Belgian Official Gazette).

The new integration pathway should allow better meeting newcomers' basic needs (accommodation, healthcare, education, etc.) and enable them to participate in social, cultural and community life. It should result in better knowledge of and compliance with social norms and common rules of life. The primary component of the integration pathway consists of a welcome session, social evaluation and linguistic assessment. The secondary component of the integration pathway consists of an individualized project translated into an agreement, determining objectives to be achieved as well as rights and obligations of parties. Based on needs identified, beneficiaries are provided with administrative support and follow-up as regards housing, livelihood, healthcare, socio-professional integration and oriented towards training providers. Individualized training comprises language training (French language and literacy) and citizenship training. The implementation of the integration pathway is entrusted to welcome offices. The participation in the integration programme is optional. Only one implementing decree has been adopted, on the 24 of April 2014. The date of the entry into force is not yet determined, but is foreseen in the beginning of 2015 with the start-up of the first welcoming office for newcomers ("bureau d'accueil des primo-arrivants").

Wallonia

The **Decree on the integration pathway for newcomers in the Walloon region was approved on 27 March 2014** (the implementation resolution was adopted on 15 May 2014).

The new 'welcome path for newcomers' aims to guide newcomers during the first steps in their host society, to help them to obtain the basic knowledge on the functioning of the society and the social relations in Belgium. It also has the objective to get to know their level of French, to facilitate their enrollment for a training course and to assess their professional skills to facilitate their integration in the labour market.

The pathway is composed of two phases: the reception (introduction) module (compulsory phase) and the hosting agreement (non-compulsory phase).

When a newcomer registers at his municipality, he is informed on the reception program and orientated towards a welcome office. These offices, which provide the reception module, are organized by the Regional Integration Centers (8 in total). The introduction module consists of information on the rights and obligations of every person residing in Belgium, a social evaluation (a conversation to assess the achievements and needs of the newcomer and administrative support. The reception module is personalized for newcomers and free of charge. It is compulsory for newcomers.

The newcomer must present himself at the Regional Integration Center within a period of three months from the date of his first registration in the municipality. An administrative fine can be imposed if the newcomer does not respect the obligation to participate in the reception module.

After this module the newcomer is proposed to conclude a hosting agreement with the integration center on a voluntary basis. These agreement guarantees an individualized and free of charge follow-up and offers a **French language course**, a **training for active**

		citizenship (the functioning of the society, social relations, information on the operation of state institutions to be able to fully participate in the social, cultural and a community life) and a vocational orientation that matches the social evaluation held during the first module. Through this second phase, accredited Local Integration Initiatives for foreigners and people of foreign origin (ILI) support the participation in the social and community life and help exercising the rights and obligation of foreigners and people of foreign origin. In 2014 the missions of the ILI have been tightened around 4 axes: 1° French language education; 2° training for active citizenship; 3° social and vocational integration; 4° legal assistance in Immigration Law.
Bulgaria	Yes	
Croatia	Yes	Croatia does not currently have a separate Act dealing with integration of foreigners. However, the applicable Croatian Asylum Act prescribes that an asylee and a foreigner under subsidiary protection is entitled to assistance with his/her integration into society. Croatian Asylum Act stipulates that learning of Croatian language, history and culture, for the purpose of facilitating integration into the Croatian society, shall be provided for an asylee and a foreigner under subsidiary protection. According to the legal provisions, an asylee and a foreigner under subsidiary protection is obliged to attend a course of learning Croatian language, history and culture, which he/she has enrolled to. If he/she is not fulfilling this obligation, he/she is obliged to reimburse costs of the course. Proposed draft of the International and Temporary Protection Act (that will replace current Asylum Act), that will probably be adopted by July 2015, contains provisions concerning integration of asylees and foreigners under subsidiary protection as well as provisions regarding their obligation to learn Croatian language. It defines scope and duration of the right to assistance with integration into Croatian society as well as determines body entitled to coordinate work of other competent state bodies, non-governmental organization and other institutions for integration of asylees and foreigners under subsidiary protection. Also, valid Foreigners Act prescribes some measures for foreigners integration, for example right to work without a residence and work permit or a work registration certificate, if they were granted: permanent residence, asylum, subsidiary or temporary protection, temporary residence for the purpose of family reunification with a Croatian national, a foreigner on permanent residence, an asylee and a foreigner who was granted subsidiary or temporary protection, temporary residence for the purpose of scientific research. Also, standards relating to the foreigners rights on temporary and permanent residence

minimal duration of a paid annual leave, minimal salary, including an increased salary for over-time, health protection and safety at work, protection measures for work of pregnant women, women with recently born babies and who breast-feed them and of minor workers, prohibition of discrimination.

Foreigner issued with the residence and work permit and foreigners who can, pursuant to the provisions of the Foreigners Act, work without residence and work permit or a work registration certificate, are also entitled to an occupational training, education and student scholarships, social welfare, the rights arising from pension, health insurance and the right to child allowance, as well as to mother and parents allowance, tax benefits, access to the market of goods and services, freedom of making association and connection and to become a member of organizations representing employees or employers or of organizations whose members perform a special occupation, including the remuneration provided by such organizations to their members. These rights a foreigner shall exercise in accordance with the regulations of the Republic of Croatia that regulate the referred fields. They are also entitled to recognition of diplomas and professional qualifications, as well as to counseling services provided by employment institutes in conformity with special regulations.

Working conditions shall also be guaranteed to an assigned worker, who is by a foreign employer, assigned to work for a limited period of time, namely prescribed maximal working hours and minimal rest-time, minimal duration of a paid annual leave, minimal salary, including an increased salary for over-time, health protection and safety at work, protection measures for work of pregnant women, women with recently born babies and who breast-feed them and of minor workers, prohibition of discrimination. Working conditions shall be guaranteed at the level of rights stipulated by the laws of the Republic of Croatia and by collective agreements, implementation of which is, by a special regulation, expanded to include all employers and workers at a specific territory, branch or working area.

Furthermore, one of the conditions for granting permanent residence is that a foreigner knows the Croatian language and the Latin script, and who has knowledge of the Croatian culture and the social system,

A foreigner granted permanent residence is entitled to: work and self-employment, occupational training, education and student scholarships, social welfare, the rights arising from pension, health insurance and the right to child allowance, as well as to mother and parents allowance, tax benefits, access to the market of goods and services, freedom of making association and connection and to become a member of organizations representing employees or employers or of organizations whose members perform a special occupation, including the remuneration provided by such organizations to their members.

A foreigner shall exercise the rights in accordance with the regulations of the Republic of Croatia that regulate the referred fields.

Furthermore, the Decision on foundation of Commission for creation of the Migration policy 2016-2018 was brought, and members of Commission were appointed from government bodies which are important for successful integration of foreigners in the Republic of Croatia.

Source: Ministry of the Interior

	Cyprus	Yes	
	Czech Republic	Yes	The Czech Republic does not have a separate Act on Integration of Immigrants. Requirement to pass the language test for permanent
			residence permit (required A1 level of the Common European Framework of Reference for Languages) was introduced in 2009 as part of
			Act on the Residence of Foreign Nationals in the Czech Republic. Immigrant applying for citizenship has to pass, based on
			Citizenship Act which took effect on 1st January 2014, language tests at B1 level and The Czech Life and Institutions Exam (tests
			knowledge in the following fields: Life and Institutions, Basic Geographical Information and Basic Historical and Cultural Information).
			Dual citizenship is allowed.
			Integration measures are based on The Policy for the Integration of Foreigners which was adopted by Czech Government in the year 2000.
			It was based on the Principles of Policy for the Integration of Foreigners within the Territory of the Czech Republic adopted by in 1999 on
			the intrastate legal arrangement regarding the position of foreigners in particular areas of their integration and on international documents
			applicable in the given area. This Policy for the Integration of Foreigners was updated in the year 2006 and 2011. Information about its
			fulfillment and budget is prepared for approval by the Government of the Czech Republic every year. The last "Updated Policy for
			Integration of Immigrants - Living Together" was adopted by Czech Government in the year 2011. Document highlights mainly
			provision of information for immigrants before departure, welcome courses after arrival and integration on regional and local level.
	Denmark	Yes	
	Estonia	Yes	In Estonia, we do not have a separate act regulating integration of foreigners. Aliens Act and Act on Granting International Protection to Aliens cover integration matters.
+	Finland	Yes	1. Yes, as you already mentioned Finland has a separate act on Immigrant Integration. The act that you mention: Act on Integration of Immigrations and Reception of Asylum Seekers (493/1999) has been repealed by the Act on the Promotion of Immigrant Integration (1386/2010), which entered into force on 1 st of September 2011.
			b) Link to the unofficial (note!) translation: http://www.finlex.fi/en/laki/kaannokset/2010/en20101386.pdf
	France	Yes	The Code of Entry and Residence of Foreigners and the Right for Asylum (CESEDA) which governs the law applicable to foreign nationals in France stipulates that foreign people admitted to stay in France, or who legally enter France for the first time between the age of sixteen and eighteen, and who wish to reside here, must prepare for their integration into the French society. The foreign national will sign a Reception and Integration Contract (<i>Contrat d'accueil et d'intégration</i> - CAI) with the Government. This contract includes civic training, information session about life in France and language learning/training.

		You can find more information on this contract on the web site of the French office for Immigration and Integration (OFII) in charge of organizing the sessions under this contract (http://www.ofii.fr/s integrer en france 47/all you need to know about the cai 458.html) with links to the reference texts (all texts are in French).
Germany	Yes	Germany does not have a separate act dealing with integration. There are some provisions in the Residence Act –available in English-concerning esp. the Integration Courses, Migration Counselling and the National Integration Program. Besides the Residence Act integration is dealt with in a cross-sectoral manner (f.e. National Action Plan Integration from 2012) mainstreaming integration in other policy areas on the different levels of the state (federal, federal states, municipalities).
Greece	Yes	Greece's immigration rules do not contain special provisions regarding targeted integration measures, apart from the integration requirement (knowledge of Greek language and elements of Hellenic history and civilization) provided by law for the purpose of acquiring long term resident status. Additionally, currently there is no separate Act in force, dealing with these topics.
Hungary	Yes	Hungary does not have a separate Act dealing with these topics. Language knowledge as a requirement exists only in relation to naturalisation. The social integration of refugees and beneficiaries of subsidiary protection is facilitated by the refugee authority in cooperation with the family support centre in the framework of integration contracts. Language learning can be part of this contract. There are special courses focusing on migrants managed by civil organizations, partly financed from relevant funds.
Ireland	Yes	Question 1 - No.
Italy		In Italy, the <i>Consolidated Act on Immigration</i> (Legislative Decree 25 July 1998, No 286) covers the general aspects relating to the integration of immigrants (Articles 4-bis and 42 in particular). Article 4-bis, concerning 'Integration <i>Agreements'</i> , was added in 2009 by Law No 94 (<i>Provisions on Public Security</i>). This article was amended twice (by Legislative Decree No 12/2014, implementing Directive 2011/51/EU and by Legislative Decree No 40/2014, implementing Directive 2011/98/EU). The content of integration agreements was then specified in the Decree of the President of the Republic No 179/2011. An Integration Agreement provides for a system of credits; it has a duration of two years and can be extended for one additional year. This is an agreement between the Italian State and a foreign national, whereby the State undertakes to support the integration process of the foreigner, who, in turn, is committed to achieving specific integration objectives. When an agreement is signed, 16 initial credits are assigned. A total of 30 credits must be reached within two years. Credits may be obtained by attending free civics classes, and in other ways proving that progress is being made in the integration process. For instance, simply choosing a general practitioner entails 4 credits. Moreover, Article 42 of the <i>Consolidated Act on Immigration</i> , as amended by Legislative Decree No 113/1999, provides for some measures aimed at favouring social integration. These include, but are not limited to, the following: dissemination of information concerning the rights and duties of foreign nationals; knowledge and enhancement of cultural, recreational, economic and religious expressions; and organization of training courses for operators. As regard specific integration activities and initiatives, in Italy these responsibilities lie with the 19 Regions and 2 Autonomous Provinces, which implement these initiatives in accordance with the indications given by the Central Government, adapting them to local needs.

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Latvia		Yes	Latvia does not have a separate act on provisions regarding integration of immigrants and asylum seekers.
			The main documents on Latvia's policy for the integration of immigrants and refugees are:
			 "Asylum Law" (adopted 15 June 2009, http://www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Asylum_Law.doc) and regulations deriving from Law:
			- Cabinet Regulation No.174 "Procedures for the Provision of a Minor Asylum Seeker with Opportunities for Acquiring Education" (adopted 23 February 2010, http://www.vvc.gov.lv/export/sites/default/docs/LRTA/MK_Noteikumi/CabRegNo174Provision_of_Minor_Asylum_Seekers_with_Opportunities_for_Acquiring_Education.doc);
			- Cabinet Regulation No.210 "Regulations Regarding Allowances for a Refugee and a Person who has been Granted Alternative Status" (adopted 22 April 2014.);
			"Guidelines on National Identity, Civil Society and Integration Policy (2012–2018)" (adopted in October 2011, http://www.vvc.gov.lv/export/sites/default/docs/LRTA/Citi/Guidelines_on_National_Identityx_Civil_Society_and_Integration_Policy.doc).
Lithua	nnia	Yes	The Law on the Legal Status of Aliens is the main law regulating all aspects pertaining to the legal status of aliens in the Republic of Lithuania. It has a special section on integration which defines the organization of integration and areas of support. Article 53 states that third country nationals who apply for a permanent residence permit or citizenship are obligated to take examination on national language and fundamentals of the Constitution. Other legal documents on integration: Order of Minister for social protection and labour on state assistance and integration to foreigners who received asylum in Lithuania (adopted in 2004); Order of Minister for social protection and labour on implementation of the state programme for integration of foreigners (adopted in 2014). These documents are available only in Lithuanian language.
Luxem	nbourg	Yes	Luxembourg has a separate law which regulates integration: the Law of 16 December 2008 on the reception and integration of foreigners in the Grand-Duchy of Luxembourg. This law establishes the Welcome and Integration Contract (articles 8 to 13) which is proposed to any foreigner of at least 16 years of age who resides legally on the territory of Luxembourg and wishes to remain on a permanent basis (not included the international protection applicants). It is optional and aimed as much at EU and EEA citizens as at third country nationals, to new arrivals as well as to people who have been living in Luxembourg for many years. It is not mandatory in any way. The services offered within the framework of this contract are: • A language training course • A citizenship training course • An orientation day.

			covering different provisions on language programs, financial assistances, etc. Regulation is not available in English version.
<u>#.</u>	Spain	Yes	The Spanish Immigration Act: Organic Law 4/2000, January 11 (modified by O. Law 2/2009, December 11, concerning integration provisions) contains several provisions concerning integration of migrants.
			The main topics this Act encompasses concerning integration are the following: -Integration will be promoted by public authorities in a framework for living together between diverse cultures and identities, with no more limits that the respect to Constitution and Law. -Mainstreaming the integration objective in all the policies and public services fostering economic, social, cultural and political participation according to the Law. -Equal treatment. -Training activities will be provided in order to know and respect: -Constitutional and statutory values of Spain, UE values, human rights, public liberties, democracy, tolerance and equality between men and women. -Special measures will be implemented to facilitate access to the education system, guaranteeing mandatory schooling and the learning of official languages as well as access to employment, as essential elements for integration. -Cooperation of the national government with regional and local governments in the framework of a multiannual strategic plan of
			Immigration with the aim of coordinating actions in order to achieve integration of immigrants. -Programs agreed between national government and autonomous communities may be funded by a national fund which may include co financing formulas from the receiving public administrations.
	Sweden	Yes	1. NO, Sweden has no integration requirements. 2
	United Kingdom	Yes	
	Norway	Yes	1. Yes. 2. An unofficial translation of the act, from before 2012, can be found on http://www.ub.uio.no/ujur/ulovdata/lov-20030704-080-eng.pdf
			In 2012 some additions and minor changes were made to the Act. One addition consisted of giving the Norwegian county governors the authority to supervise the municipalities' implementation of the introduction programmes and the Norwegian language training. The other addition referred to the obligation for the municipality to conduct internal affairs controls.
