

INTEGRATION AS A TWO-WAY PROCESS IN THE EU?

**ASSESSING THE RELATIONSHIP BETWEEN THE
EUROPEAN INTEGRATION FUND AND THE
COMMON BASIC PRINCIPLES ON INTEGRATION**

SERGIO CARRERA AND ANAÏS FAURE ATGER

**Centre for European Policy Studies (CEPS)
Brussels**

The Centre for European Policy Studies (CEPS) is an independent policy research institute based in Brussels. Its mission is to produce sound analytical research leading to constructive solutions to the challenges facing Europe today.

This publication presents the findings of the project “Integration as a Two-Way Process in the EU? Assessing the European Integration Fund and the Common Basic Principles on Integration” undertaken from August 2010 to June 2011, for which support from the European Programme for Integration and Migration (EPIM) of the Network of European Foundations (NEF) is gratefully acknowledged.

Sergio Carrera is Senior Research Fellow and Head of the Justice and Home Affairs Programme at the Centre for European Policy Studies (CEPS). Anaïs Faure Atger is a researcher at CEPS.

The authors would like to acknowledge the invaluable input of Marnix de Witte, former stagiaire with the Justice and Home Affairs Programme, in this research. The authors would also like to thank Joanna Parkin for her support and Prof. Elspeth Guild and Prof. Kees Groenendijk for their comments. The executive summary of the report was presented at the fifth meeting of the European Integration Forum. The authors are grateful for this opportunity and for the feedback on the findings received on this occasion.

The views expressed in this report are those of the authors writing in a personal capacity and do not necessarily reflect those of CEPS or any other institution with which they are associated.

ISBN 978-94-6138-113-2

© Copyright 2011, Centre for European Policy Studies.

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system or transmitted in any form or by any means – electronic, mechanical, photocopying, recording or otherwise – without the prior permission of the Centre for European Policy Studies.

Centre for European Policy Studies
Place du Congrès 1, B-1000 Brussels
Tel: 32 (0) 2 229.39.11 Fax: 32 (0) 2 219.41.51
e-mail: info@ceps.eu
internet: <http://www.ceps.eu>


European Programme
for Integration
and Migration


Network of European Foundations

CONTENTS

1. Introduction	1
2. Setting the scene	3
2.1 Scope	3
2.1.1 The EU framework on integration: Tools and rationale	3
2.1.2 European integration fund	5
2.2 Assessing the national allocations of the EIF against the principle of the two-way process.....	9
2.3 Methodology.....	10
2.3.1 Desk research	10
2.3.2 Mainstreaming the views of key stakeholders: Survey and project partners.....	12
3. The European integration fund: Observations and obstacles.....	17
3.1 Implementation of the EIF	17
3.1.1 The responsible authorities: Role and competences	17
3.1.2 EIF programming	19
3.1.3 Complementarity of EIF support	20
3.1.4 The partnership principle.....	21
3.2 Accessing EIF grants.....	22
3.2.1 Personal scope of the EIF	23
3.2.2 The co-financing requirement.....	25
3.2.3 Publicity and provision of information	27
3.2.4 Administrative criteria.....	29
3.2.5 Evaluation of EIF project proposals	30
4. Supporting national integration strategies through the EIF: Trends and pitfalls.....	31
4.1 Nature and scope of EIF projects	31
4.1.1 Overview of the selected priorities	31
4.1.2 EIF priority 1: Putting the CBPs into practice.....	32
4.1.3 National implementing strategies	34
4.1.4 Use of the annual allocations	37
4.2 Impact of current usages of the EIF	39
4.2.1 EIF support for national authorities and existing policies.....	39
4.2.2 Civic integration tests, courses and programmes	42
4.2.3 Supporting differential treatment	47
5. Putting into practice the two-way process tenet in the EU.....	50
5.1 The European understanding of the integration of immigrants.....	51
5.1.1 Integration as a two-way process.....	51
5.1.2 Integration as mandatory, civic integration programmes, courses and tests.....	54
5.1.3 Civic integration as a two-way process?	55

5.2	Implementing the two-way process with the support of the EIF	56
5.2.1	Understanding the two-way process: Fundamentals and limitations	57
5.2.2	Support for the two-way process through the EIF	58
5.2.3	Implementing the two-way process: Concrete examples	61
6.	Conclusions and recommendations	65
6.1	Main research findings.....	65
6.2	Policy recommendations for funding the two-way process in the EU.....	66
	Abbreviations.....	70
	Bibliography.....	71
	Appendix 1. The common basic principles for immigrant integration policy	73
	Appendix 2. Responsibilities of the European Commission.....	74
	Appendix 3. Survey questionnaire	76
	Appendix 4. Obstacles to grants from the European integration fund: Selected quotes from survey respondents	78
	Appendix 5. Contact information for responsible authorities and relevant websites	80
	Appendix 6. Proposed topics for projects implementing common basic principle 1.....	83

List of Figures

Figure 1.	Geographical representation of the member states included in the desk research (darker shading)	11
Figure 2.	Profile of survey respondents	15
Figure 3.	Number of EIF projects in which survey respondents had participated.....	16
Figure 4.	Barriers to accessing the EIF	22
Figure 5.	Adequacy of the personal scope of the EIF	25
Figure 6.	Number of projects implemented per year under priority 1.....	35
Figure 7.	Match between eligible actions and integration challenges	59
Figure 8.	Intentions to submit a proposal in upcoming calls	60

List of Tables

Table 1.	Overall allocation per member state for the period 2007-13 (in € million).....	11
Table 2.	Dates of the final adopted versions of the annual programmes.....	12
Table 3.	List of the responsible authorities in selected EU member states and their main competences	18
Table 4.	Availability of EIF documentation.....	28
Table 5.	Intended distribution of the EIF among the different priorities over the seven years (in %)	32
Table 6.	CBPs referred to in the MAPs for implementing priority 1 of the EIF	33
Table 7.	MAPs not explicitly referring to CBPs	33
Table 8.	Average amount allocated to a project (in €).....	36
Table 9.	Differences between the amount intended for use under priority 1 and the amount allocated as reported on the lists of different recipients (in €).....	38
Table 10.	Intended allocation to activities related to introduction programmes (in % of total EIF annual allocation).....	43
Table 11.	Overview of integration requirements	47

1. INTRODUCTION

The Europeanization of immigration policy since 1999 has prompted the development of a common EU framework on integration for legally residing third-country nationals (TCNs), including in particular common basic principles (CBPs) and a European integration fund (EIF). The first CBP, which conceives integration as a ‘two-way process’ of mutual accommodation, is supposed to constitute the overall theoretical underpinning of the EU framework on integration. Its practical translation should be supported by the EIF financial instrument of €825 million.

The third multi-annual programme on an Area of Freedom, Security and Justice (AFSJ), the Stockholm Programme,¹ has reasserted this approach by emphasising that this two-way process of mutual interaction requires “not only efforts by national, regional and local authorities but also a greater commitment by the host community and immigrants”. On this basis, the European Commission should in 2011 define future orientations with the publication of a Commission Communication on the second phase of the EU’s agenda for integration, including the development of a coordination mechanism. In parallel, the Commission has also engaged in a budget review for the next multi-annual financial framework to be implemented in the post-2013 funding period and triggered a reflection on the future of EU funding in the area of home affairs.

So far, little information on the precise nature of the activities supported by the EIF has been available. Despite the conduct of a specific mid-term review of the EIF, the Commission has not yet published a report on the national usage of the EIF. Furthermore, there is no centralised EU source of information providing a description and comprehensive overview of all the projects funded at the member state level. It is thus difficult to obtain an adequate overview and comparative assessment of the kinds of projects funded to date across the EU with the support of the EIF.

This report falls within the scope of the project “Integration as a Two-Way Process in the EU? Assessing the European Integration Fund and the Common Basic Principles on Integration”. The project examines the nature, limits and potential of the concept of integration as a two-way process of mutual accommodation between migrants and the receiving societies. It assesses the extent to which this key principle is applied in practice by investigating how it informs the national integration programmes developed so far with the support of the EIF.

The project is intended as a first step to address current shortcomings in public information on the member states’ allocations of the EIF, by evaluating the degree to which the foundational principle of the EU framework on integration (CBP 1) is implemented in practice with EIF support and the kinds of projects sustained.

An innovative dimension of this project is the networking strategy carried out since its inception with integration actors involved in ‘making integration work’ on a daily basis, including umbrella civil-society organisations in the EU, networks of local authorities and cities, and foundations. After analysing the EIF allocations at the member state level, the main obstacles experienced in accessing the fund are assessed. The observations, trends and

¹ Council of the European Union, The Stockholm Programme: An open and secure Europe serving and protecting citizens, 5731/10, Brussels, 3 March 2010.

consequences of the current allocations of the European integration fund are identified and discussed in the present report.

The project has the following specific objectives:

- Analyse the activities funded to date at the national level through the EIF and assess the extent to which they support a two-way process of mutual accommodation.
- Propose new policy strategies and put forward recommendations for improving the next phase of the EU framework on integration.
- Actively engage with civil society organisations working on the ground, and highlight the obstacles they encounter at times of applying for funding under the EIF.
- Propose policy recommendations for ensuring that migrant organisations, civil society, and local and regional authorities are able to pursue their activities with the support of the EIF.

This report is divided into six sections. **Section 2** outlines the scope and methodology of our study. It first offers a synthesised summary of the main substantive and financial components of the EU framework on integration. The section underlines the need to consider the close connectivity between the CBPs and the EIF in determining the impact of the EU framework on integration before presenting the specifics of our assessment.

Section 3 provides some observations regarding the national implementation of the EIF, along with some of the most notable difficulties that have been identified as amounting to barriers to accessing the EIF. It is based on the outcomes of the desk research and consultation with the integration actors, which took place through a qualitative survey.

Section 4 assesses the ways in which the EIF has been used to support the integration strategies developed within the member states. Important trends in the activities funded are highlighted and the pitfalls of such usage are presented.

Section 5 is devoted to the two-way process tenet and to its possible practical translations. After an overview of the emergence of this principle in EU policy, the relevance of the EIF in supporting activities sustaining the principle is examined prior to an analysis of what, according to prominent stakeholders, constitutes a two-way process of mutual accommodation.

Section 6 concludes and puts forward a set of policy recommendations to facilitate the promotion and application of the understanding of integration as a two-way process in the EU through the EIF.

2. SETTING THE SCENE

This section presents the background of the project. It first sets the scene by outlining the main substantive and financial components of the EU framework on integration and emphasising the need to consider the close connectivity between the common basic principles on immigrant integration and the European integration fund in order to gain an understanding of its rationale and possible impacts.

Section 2.1 describes the development of the EU framework on integration and its main tools before reviewing how the EIF was established, its functioning and potential. Section 2.2 moves on to explain the objective of this report and the main grounds for an independent investigation of national allocations of EU funding. Section 2.3 presents the methodology used in the project, particularly the involvement of integration actors throughout its implementation.

2.1 Scope

2.1.1 *The EU framework on integration: Tools and rationale*

During the last nine years the EU has actively developed a common European framework of cooperation on the integration of TCNs. The framework applies a ‘quasi-open method of coordination’ standing between law and politics. It falls outside traditional EU decision-making procedures by focusing on EU-level coordination in the exchange of information on integration policies among EU member states and the use of soft law/policy instruments, networks of experts and EU-wide evaluation mechanisms.²

At the meeting of the Justice and Home Affairs (JHA) Council of October 2002 the need for coordinated EU action and greater policy coherence in member states’ integration policies was emphasised.³ The Council underlined the relevance of the exchange of information on national policies and the identification of ‘best practices’ at the EU level. The EU framework on integration now counts the substantive and financial components summarised below, which constitute the formal accomplishment of the first phase of the EU’s common agenda on integration.⁴

National Contact Points on Integration

The National Contact Points on Integration (NCPIs) are national experts identified within the ministries responsible for integration policy in each of the member states. The network aims at promoting information exchange, monitoring progress and disseminating ‘best practices’ on integration policies at the national and EU levels.⁵ Since 2003, the NCPIs have played a

² S. Carrera, *In Search of the Perfect Citizen? The Intersection between Integration, Immigration and Nationality in the EU*, Leiden: Martinus Nijhoff, 2009.

³ Council of the European Union, 2455th Meeting of the Justice and Home Affairs Council, Luxembourg, 14-15 October 2002.

⁴ European Commission, Communication on a Common Agenda for Integration – Framework for the Integration of Third-Country Nationals in the European Union, COM(2005) 389, Brussels, 1 September 2005.

⁵ The actual membership of the NCPIs is not public. The lists of ministries represented by EU member states can be found in the annexes of the *Handbooks on Integration for Policy-makers and Practitioners*.

seminal role in the provision of background information and in the elaboration of the European Commission's annual reports on immigration and integration,⁶ as well as the *Handbooks on Integration for Policy-makers and Practitioners*,⁷ produced by the Brussels-based NGO the Migration Policy Group on behalf of the European Commission.

Common basic principles on immigrants' integration

The CBPs should be considered the main substantive elements of the EU framework on integration. The 11 CBPs were adopted under the auspices of the Dutch Presidency of the EU by the Conclusions of the JHA Council meeting of 19 November 2004.⁸ The CBPs (also presented in appendix 1 of this report), list the following three objectives:

- first, to assist member states in formulating integration policies by offering them “a simple non-binding guide of basic principles against which they can judge and assess their own policies”;
- second, to serve as foundations for the member states to explore how EU, national, regional and local authorities can interact in the development and implementation of integration policies; and
- third, to assist the Council to agree on EU-level mechanisms and policies for the support of national and local-level integration policy efforts, particularly through “EU-wide learning and knowledge-sharing”.

European Integration Forum and European website on Integration

The contributions by supranational networks of integration actors in the sharing of experiences and information are a distinctive feature of the EU framework on integration. The involvement of stakeholders materialised in the setting-up of the European Integration Forum⁹ and a European website on Integration (EWSI) in 2009. Since its first meeting in April

Among the 27 member states, several characteristics can be identified. There are ten EU member states represented by experts from ministries of interior (Cyprus, the Czech Republic, Finland, France, Germany, Greece, Italy, Slovakia and Slovenia), with the UK being represented by the UK Border Agency. Six member states participate with their ministries of labour, social affairs, social solidarity and family affairs (Belgium, Bulgaria, Lithuania, Malta, Poland and Spain). Finally, there are a few EU member states where the national contact point falls into a national organ directly covering ‘integration’ (this is the case in Austria, Denmark, Ireland and Sweden).

⁶ See European Commission, Communication, *First Annual Report on Migration and Integration*, COM(2004) 508, Brussels, 16 July 2004; see also European Commission, *Second Annual Report on Migration and Integration*, Commission Staff Working Document, SEC(2006) 892, Brussels, 30 June 2006; and European Commission, Communication, *Third Annual Report on Migration and Integration*, COM(2007) 512, 11 September 2007, Brussels.

⁷ J. Niessen and T. Huddleston, *Handbook on Integration for Policy-makers and Practitioners*, 3rd edition, Luxembourg: Office for Official Publications of the European Communities, 2010; J. Niessen and Y. Schibel, *Handbook on Integration for Policy-makers and Practitioners*, Luxembourg: Office for Official Publications of the European Communities, 2004; J. Niessen and Y. Schibel, *Handbook on Integration for Policy-makers and Practitioners*, 2nd edition, Luxembourg: Office for Official Publications of the European Communities, 2007.

⁸ Council of the European Union, 2618th Meeting of the Justice and Home Affairs Council, Common Basic Principles on Immigrants Integration, 14615/04, Brussels, 19 November 2004. Please refer to annex 1.

⁹ European Economic and Social Committee, Opinion on the elements for the structure, organization and functioning of a platform for the greater involvement of civil society in the EU-level promotion of policies for the integration of third-country nationals, SOC/281, CES1208/2008, Brussels, 9 July 2008.

2009, the plenary of the Forum has become a European platform for dialogue and the representation of civil society and migrants' organisations.¹⁰ The tasks attributed to the Forum are those of consultation, exchange of expertise (technical know-how and good practices) and identification of policy recommendations.

The CBPs are the core thematic guide of the Forum's activities, but the Forum can also address other relevant issues falling within the scope of the EU framework on integration. The Forum's agenda is decided by a bureau composed of the Commission, the European Economic and Social Committee (EESC) and two members of the Forum, representing national and EU-level civil society organisations (at present these are Caritas Europa and the Council of Ethnic Minorities in Denmark).

The first meeting of the European Integration Forum coincided with the official launch of the EWSI, on which the Forum's activities and reports are publicly available.¹¹ The website has been developed by the Migration Policy Group together with UNISYS, Social Change Online and EUROCITIES. The goal of the EWSI is to offer a better and more solid structure for the exchange of information and good practices on integration between practitioners and policy-makers at the EU level.

European integration fund

The EU framework on integration (and the actual relevance and impact of the CBPs) cannot be understood without paying attention to its accompanying financial framework – i.e. Council Decision 2007/435/EC establishing the European Fund for the Integration of TCNs (hereinafter the 'EIF Decision').¹² The character and actual policy outputs of the EU framework have been said to be soft law or mere policy (not legally binding or enforceable upon EU member states). Yet its linkage with a financial framework primarily seeking to encourage EU member states to put these policy tools and principles into practice represents a mechanism for progressive (alternative) Europeanization of this sensitive policy domain and supports the development and implementation of actions in the member states (policies, programmes and projects).

2.1.2 *European integration fund*

The EIF has a total budget of €825 million for the period 2007–13. The full amount of the EIF is divided as follows:

- 1) At least 93% of the total amount of the fund (€768 million) is dedicated to national programmes. This share is distributed among the member states and implemented at the national level, and is subject to shared management between responsible authorities at the national level and the European Commission.

¹⁰ The Forum is composed of 100 members representing EU umbrella organisations, consultative bodies and platforms established at the national level, with each member state sending between one and four representatives (ibid., paragraph 3.6.5). The NCPIs and the main EU institutions and agencies as well as external experts (academics and researchers) working on integration issues are also invited to participate (refer to the Press Release, "European Integration Forum and European Website on Integration", <http://ec.europa.eu/ewsi/en/policy/legal.cfm#>).

¹¹ The EWSI website address is www.integration.eu.

¹² Council of the European Union, Decision 2007/435/EC of 25 June 2007 establishing the European Fund for the Integration of Third-Country Nationals for the Period 2007 to 2013 as part of the General Programme "Solidarity and Management of Migration Flows", OJ L 168/18, 28.6.2007.

- 2) Up to 7% of the EIF (€57 million) may be used to finance “Community actions”.¹³ These are directly managed by the European Commission, assisted by a management committee composed of the representatives of the member states and chaired by the representative of the Commission.¹⁴ The European Commission adopts an annual work programme and invites bids for tenders. The annual work programmes for Community actions are defined by a set of “priorities” and “specific objectives” identified annually by the European Commission.¹⁵

This 7% share of the EIF should serve to implement transnational projects and those of Community interest. It can be allocated through grants (the largest share), service-level agreements (which for instance served to fund the *Handbooks on Integration for Policy-makers and Practitioners*) and procurement (funding the main EU tools on integration, i.e. the EWSI, the upcoming common European modules for migrants’ integration and the European Integration Forum).¹⁶

Activities eligible for grants under Community actions include comparative studies,¹⁷ transnational information campaigns, training programmes, and European networks for exchange of information and practices.¹⁸ Public or private bodies with expertise in immigration or integration that are registered in any of the 26 member states participating in the EIF (all but Denmark) may apply, provided that proposals include partners from at least 5 member states, so as to ensure the transnational nature of funded actions. The list of grants awarded under the Community allocations of the EIF is available on the website of the European Commission.¹⁹

The 93% allocated to national programmes is distributed annually among member states. Each EU member state receives a total (fixed) amount of €500,000 per year.²⁰ The

¹³ In contrast, Community actions are allocated 10% of the European refugee fund (€62 million) and 6% of the external borders fund (€109 million).

¹⁴ Art. 5 of the EIF Decision.

¹⁵ By way of example, the 2009 Community actions set three priorities: *priority 1*, gather public and migrant perceptions and develop a more comprehensive understanding of the integration processes; *priority 2*, promote integration measures targeting the young population and addressing specific gender issues; *priority 3*, promote the role of civil society organisations and the local authorities in shaping integration strategies. See the European Commission document, “European Fund for the Integration of Third-country Nationals 2007–2013, 2009 Community Actions, Call for Proposals”, DG Home Affairs, Brussels, 2009.

¹⁶ See European Commission, “Annex, European Fund for the Integration of Third-country Nationals 2007–2013, Community Actions, Annual Work Programme 2009, including Budgetary Implications and Selection Criteria”, Brussels, 2009.

¹⁷ Among these are the “INTEC project: Integration and naturalisation tests, the new way to European citizenship” led by the Radboud University Nijmegen. This 12-month project proposes a first evaluation of the recent paradigmatic change in policy concepts concerning integration in certain member states. It thereby seeks to provide detailed and reliable information on the content and the impact of compulsory elements in national integration policies.

¹⁸ See Art. 5(2) of the EIF Decision; refer for instance to the INTI-cities and DIVE projects, which consist of peer review processes to assess integration policies, diversity management and equal opportunities in European cities (<http://www.euocities.eu/main.php>) and (<http://www.integratingcities.eu>).

¹⁹ See the DG Home Affairs website on the European fund for the integration of third-country nationals (http://ec.europa.eu/home-affairs/funding/integration/funding_integration_en.htm).

²⁰ Art. 12(1) of the EIF Decision.

remainder of the available annual resources is distributed among EU member states as follows: 40% in relation to the total number of TCNs legally staying in member states over the previous three years and 60% depending on the total new admissions of TCNs (authorisations of stay) over the same period.²¹

The European Commission (Directorate-General for Home Affairs) has adopted strategic guidelines establishing a framework for intervention, which gives priority to the implementation of the CBPs.²² On the basis of the guidelines, member states present a draft multi-annual programme, which is then implemented by annual programmes after approval by the Commission. Two units within Directorate B for Immigration, Asylum and Borders are in charge of oversight, with one focusing on policy aspects (B.1) and the other on financial aspects (B.4). When preparing their draft multi-annual programmes, member states are requested to target at least three of the priorities identified by the Commission. Among these priorities is the implementation of actions designed to put the CBPs into practice (priority 1). The European Commission has also adopted a Commission Decision laying down rules for the implementation of the EIF Decision regarding the management and control structures in the member states, the rules for administrative and financial management and the eligibility of expenditures (hereinafter referred to as 'implementing rules').²³

The direct management mode of the European Commission applicable to the Community actions implies that this institution is directly accountable for the choice of priorities to be supported and for the selection of projects. This centralised process contributes to the procedures surrounding the allocation of funding for the Community actions being relatively open and transparent. In contrast, the management of national actions, representing the biggest proportion of the EIF funds, is largely entrusted to the member states with limited supervision by the European Commission.

Apart from issues related to financial and administrative management, and beyond the approval of the multi-annual and annual programmes prepared by EU member states, the EIF Decision does not confer to the Commission effective evaluation competences to guarantee that national actions duly meet the content and goals of the CBPs. EU member states retain wide room for manoeuvre regarding the actual content of the actions developed and implemented at the national level.²⁴ This undermines their accountability to the European public. The procedures for the allocation of the EIF are subject to the rules enshrined in the financial regulations applicable to the general budget of the European

²¹ Ibid., Art. 12.2. The following categories will not be included in the calculation: seasonal TCN workers, TCNs falling within the personal scope of the students and researchers Directives (respectively 2004/114/EC and 2005/71/EC), as well as TCNs having received a renewal of authorisation or who have changed status, and TCNs who are long-term residents as envisaged in Directive 2003/109/EC, Art. 12.3.

²² European Commission, Decision of 21/VIII/2007 Implementing Council Decision 2007/435/EC as regards the adoption of strategic guidelines for 2007 to 2013, C(2007) 3926 final, Brussels, 2007.

²³ European Commission, Decision 2011/151/EU of 3 March 2011 amending Decision 2008/457/EC of 5 March 2008 laying down rules for the implementation of Council Decision 2007/435/EC establishing the European Fund for the Integration of Third-country Nationals for the period 2007 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, OJ L 62, 9.3.2011, p. 32.

²⁴ Refer to Art. 29 of the EIF Decision on "Responsibilities of the Member States".

Communities.²⁵ The shared management mode applied in this context implies in particular that the Commission should be satisfied that the member states are using the EIF in a lawful and correct manner in accordance with the principle of sound financial management.²⁶ This principle refers to aspects of economy, efficiency and effectiveness and is further underpinned by obligations of transparency and equal treatment.²⁷

Art. 31 of the EIF Decision gives the Commission the possibility to conduct “on-the-spot checks to verify the effective functioning of the management and control systems, which may involve audits on actions included in the annual programmes”.²⁸ The Commission is also responsible for ensuring that appropriate information, publicity and follow-up are provided for those actions supported by the EIF and for guaranteeing that these actions are consistent and complementary to other relevant EU policies, instruments and initiatives. In the last instance, the Commission is empowered to “make financial corrections” – i.e. cancel all or some of the Community contributions to an annual programme, which in effect is a powerful instrument in the hands of the Commission for taking action.²⁹

Despite the conduct of a specific mid-term review of the strategic guidelines, foreseen by 31 March 2010, to date the Commission has not published a report on national usage of the EIF. Furthermore, unlike the case of the European social fund,³⁰ there is no centralised EU database providing a description and overview of all the projects funded at the national level.

It is thus difficult to obtain an adequate overview and comparative assessment of the nature of the projects funded so far across the EU with the support of the EIF. This project is intended as a first step to address this shortcoming.

²⁵ Council Regulation No. 1605/2002 of 25 June 2002 on the financial regulation applicable to the general budget of the European Communities (OJ L 248, 16.9.2002) and Commission Regulation No. 2342/2002 of 23 December 2002, laying down detailed rules for the implementation of Council Regulation No. 1605/2002 (OJ L 537, 31.12.2002).

²⁶ See Recital 18 of the EIF Decision, which refers to Art. 48(2) of Council Regulation No. 1605/2002 of 25 June 2002 on the financial regulation applicable to the general budget of the European Communities (OJ L 248, 16.9.2002) and Commission Regulation No. 2342/2002 of 23 December 2002, laying down detailed rules for the implementation of Council Regulation No. 1605/2002 (OJ L 537, 31.12.2002): “The Member States shall cooperate with the Commission so that the appropriations are used in accordance with the principle of sound financial management.” It also refers to Art. 27, describing the principle of sound financial management. Sound financial management is achieved when the principles of economy, efficiency and effectiveness are complied with. It foresees that specific, measurable, achievable, relevant and timed objectives shall be set for all sectors of activity covered by the budget and that institutions shall undertake both *ex ante* and *ex post* evaluations in line with guidance provided by the Commission.

²⁷ See Recital 28 of Council Regulation No. 1605/2002 of 25 June 2002 on the financial regulation applicable to the general budget of the European Communities, *op. cit.*

²⁸ Art. 31(2) of the EIF Decision.

²⁹ *Ibid.*, Art. 44 (see appendix 2 of this report for an overview of the responsibilities of the Commission).

³⁰ See in particular the “Who is funded” webpage of the European social fund (<http://ec.europa.eu/esf/main.jsp?catId=31&langId=en>).

2.2 Assessing the national allocations of the EIF against the principle of the two-way process

The general objective of the EIF is “to support the efforts made by the Member States in enabling third-country nationals of different economic, social, cultural, religious, linguistic and ethnic backgrounds to fulfil the conditions of residence and to facilitate their integration into the European societies”.³¹ To do so, the EIF shall support the development and implementation of integration policies “taking into account the principle that integration is a two-way process of mutual accommodation by all immigrants and residents of Member States”.³²

To further this objective of the EIF, member states are called upon to use it for promoting the development of national integration strategies in all aspects of society, in particular “taking into account the principle that integration is a two-way dynamic process of mutual accommodation by all immigrants and residents of the Member States”.³³

The two-way process is framed as a principle underpinning any action implemented with the support of the EIF.

The specific objectives of the EIF are also identified. The first of these is to facilitate the development and implementation of admission procedures relevant to and supportive of integration. Here the EIF aims at supporting actions to establish “more effective and accessible” admission procedures for TCNs, which include the use of “user-friendly Communication and Information Technology” in information campaigns and selection procedures.³⁴ It also envisages pre-departure integration measures destined to enable TCNs “to acquire knowledge and skills necessary for their integration, such as vocational training, information packages, comprehensive civic orientation courses and language tuition in the country of origin”.³⁵

A second objective is to develop the integration process of “newly-arrived third-country nationals” in the member states. In this respect the EIF supports the setting-up of integration programmes, with specific reference to “civic orientation”, for “[i]ntroducing newly arrived third-country nationals to the host society and enabling them to acquire basic knowledge about the host society’s language, history, institutions, socio-economic features, cultural life and the fundamental norms and values, as well as complement such existing programmes and activities”.³⁶

The other specific objectives intend to increase member states’ capacities to develop, implement, monitor and evaluate policies and measures, notably by exchanging information and best practices.³⁷

Eligible actions are described for the purpose of providing an indication of possible practical translations of these specific objectives.³⁸ Among those listed, it is specifically stated

³¹ Art. 2.1 of the EIF Decision.

³² Ibid., Art. 2.2.

³³ Ibid., Art. 2.2.

³⁴ Ibid., Art. 4(1)(b).

³⁵ Ibid., Art. 4(1)(c).

³⁶ Ibid., Art. 4(2)(a).

³⁷ Ibid., Art. 3.

³⁸ Ibid., Art. 4.

that the EIF shall support actions that “contribute to the two-way process underlying integration policies by developing platforms for consultation of third-country nationals, exchange of information between stakeholders and intercultural, inter-faith and religious dialogue platforms between communities and/or between communities and policy and decision-making authorities”.³⁹

In the strategic guidelines, the first mandatory priority relates to implementing actions designed to put the CBPs into practice. While they stress that all CBPs shall be given equal importance, the strategic guidelines intend to provide an incentive for the development of specific approaches in the implementation of EIF actions. This is done by increasing the amount of available Community contributions when pre-identified horizontal priorities are mainstreamed.⁴⁰ These include favouring the participation of TCNs in the formulation and implementation of integration policies, addressing the needs of certain target groups, developing innovative introduction programmes and activities, promoting actions to encourage mutual interaction and involving the host society in the integration process.

The framework for intervention of the EIF should be read as a set of non-legally binding guidelines issued by the European Commission for interpreting the EIF Decision. It puts special emphasis on the two-way process by encouraging the participation of both TCNs and the host society in the integration process.

2.3 Methodology

The methodology used in this research has involved analysing the projects funded to date at the national level through desk research looking at all available EIF-related information in a selection of 12 EU member states. It has also entailed interactive consultation for receiving feedback on previous experiences with the EIF and views on the effectiveness of the EIF to meet the needs on the ground.

2.3.1 Desk research

The assessment of the national allocations of the EIF and their relation to CBP 1 was initially carried out through desk research. This exercise involved obtaining all the available information relating to the EIF in different member states. The analysis took into account the multi-annual programmes (MAPs), the annual programmes, the calls for proposals and the lists of funded projects. These were gathered through electronic and written requests for documents to the national authorities responsible for the EIF contributions. It should be stressed that the evaluation has deliberately not included the actual impacts and outcomes of the specific projects financed with the support of the EIF. This was not the focus of our assessment, which has rather aimed at presenting the rationale and functioning of the EIF in member states.

The EIF-related documentation provided by a majority of the EU member states fails to be comprehensive. Details on the structure and coverage of the funded projects, as well as the content lists of these projects vary significantly from one member state to the other.

³⁹ Ibid., Art. 4(3)(g).

⁴⁰ Ibid., Art. 13(4).

The geographical scope of the desk research covered a total of 14 member states: Austria, Belgium, Estonia, France, Germany, Greece, Hungary, Ireland, Italy, Poland, the Netherlands, Spain, Sweden and the UK (Figure 1). The selection intended to provide a representative balance taking into consideration variables including geographical location, date of accession to the EU, immigration traditions (countries traditionally of emigration as well as of destination) and experiences in integration policies, use of civic integration programmes and tests (within and abroad), and political systems (federalist or centralist states). As illustrated in Table 1, the principal (EU member state) recipients of the EIF were also included (i.e. the UK, Germany, Italy, Spain and France).

Figure 1. Geographical representation of the member states included in the desk research (darker shading)



Table 1. Overall allocation per member state for the period 2007–13 (in € million)

AT	BE	DE	EE	EL	ES	FR	HU	IE	IT	NL	PL	SE	UK
17	15	125	8	20	123	68	13	14	96	18	16	13	129

Source: Information obtained from the member state MAPs.

At the time of writing, the EIF had been in operation for three years. The 2007, 2008 and 2009 implementations of the EIF could therefore be examined. The project took into account that the activities funded through the 2009 and 2010 allocations were still underway, as member states may use their annual allocations of the EIF for supporting actions of up to three years.⁴¹ According to the EIF Decision, member states shall submit their draft annual programme to the Commission by 1 November of the preceding year. The Commission then has one month to examine it and to request a revision where appropriate. The annual programme must be approved by the Commission by no later than March of the relevant year.⁴² Derogations to the 2007 and 2008 annual programmes were foreseen as a consequence

⁴¹ Ibid., Art. 13(6).

⁴² Ibid., Art. 19(4).

of the belated adoptions of the EIF Decision and implementing rules.⁴³ Table 2 presents the dates of the final adoption of the national annual programmes.

Table 2. Dates of the final adopted versions of the annual programmes

Member state	Annual programme	Final version adopted
France	2007	23.09.2008
	2008	26.09.2008
	2009	12.02.2009
Belgium	2007	24.11.2008
	2008	26.11.2008
	2009	05.08.2009
Austria	2007	13.11.2008
	2008	18.11.2008
	2009	10.03.2009
Sweden	2007	10.07.2008
	2008	10.07.2008
	2009	03.10.2009
	2010	02.09.2010
Poland	2007	10.10.2008
	2008	10.10.2008
	2009	13.05.2009
Germany	2007	25.09.2008
	2008	21.04.2009
	2009	13.01.2009

Source: Information obtained from the annual programmes.

The first years of operation of the EIF have been characterised by substantial delays, thus further blurring the visibility of the EIF framework at the national level and complicating access to it.

2.3.2 Mainstreaming the views of key stakeholders: Survey and project partners

The necessity of developing cooperation between national, regional and local governments and civil society organisations (including migrant organisations and foundations) for the purpose of developing integration strategies has long been stressed by different EU institutions.⁴⁴ The conclusions of the 2002 stakeholder conference on “Immigration: The role

⁴³ *Ibid.*, Art. 51.

⁴⁴ See the Own-Initiative Opinion of the Committee of the Regions, Local and regional authorities at the forefront of integration policies, 78th Plenary Session, CONST-IV-019, Brussels, 13 February 2009.

of civil society in integration” can be considered one of the starting points for the development of an EU-level financial instrument primarily for supporting their integration-related activities.⁴⁵ The EESC, the EU’s consultative body of employers, employees and civil society representatives of all sectors, has published several opinions on the valuable role of civil society and local and regional authorities in promoting integration policies.⁴⁶

In a similar fashion, in its Communication on a Common Agenda for Integration: Framework for the Integration of Third-Country Nationals in the European Union of September 2005,⁴⁷ the European Commission affirmed that a comprehensive approach, involving stakeholders at all levels (including migrant organisations, human rights organisations and social partners), was essential for the success of integration policies. And more recently, the Declaration adopted at the European Ministerial Conference on Integration in Zaragoza contained the recommendation “to involve civil society, by recognising its active role within the two-way process of mutual interaction by all immigrants and citizens of the Member States. The establishment of networks, and of dialogue and exchange involving civil society organisations should be promoted.”⁴⁸

The involvement of civil society, local and regional authorities, and social partners in the development of integration policies is recognised as central, not least in view of their daily engagement in making integration work. Their engagement may translate into making more visible the needs and exclusionary obstacles faced by vulnerable groups, then in addressing these directly, fighting against discrimination and xenophobia, fostering better attitudes among European societies on diversity and interculturalism as well as informing TCNs about their rights and responsibilities in the receiving societies. Their role in the implementation and oversight of the effects of related policies positions them as privileged witnesses in identifying the needs and gaps to be addressed. Yet their role as bridges across ethnic and cultural divisions and in addressing the challenges to open and diverse societies is more important than is generally recognised by decision-makers in Europe.⁴⁹ Migrant organisations as organised structures capable of mainstreaming migrants’ views and perceptions are crucial from this viewpoint.

At the EU level, acknowledgement of the role of civil society and local and regional authorities has contributed to the development of the European Integration Forum, which, as stated in section 2.1.1 above, aspires to be such a platform for exchange and mutual learning on integration policies. Indeed, the European Integration Forum may be considered a European platform of national networks of organisations involved in integration activities at

⁴⁵ European Economic and Social Committee, Opinion on immigration, integration and the role of civil society organisations, SOC/075, CES 365/2002, Brussels, 21 March 2002.

⁴⁶ See in particular the following Opinions of the European Economic and Social Committee concerning immigration: The new integration challenges (SOC/376, Information report adopted by the Section on 16 June 2010), Promotion of integration policies of third-country nationals at EU level (SOC/281, Committee Opinion adopted on 9 July 2008), Immigration in the EU and integration policies: Cooperation between regional and local governments and civil society organisations (SOC/219, Committee Opinion adopted on 13 September 2006).

⁴⁷ See European Commission (2005), Communication COM(2005) 389 final, *op. cit.*

⁴⁸ See the Declaration of the European Ministerial Conference on Integration, Zaragoza, 15 and 16 April 2010.

⁴⁹ Council of Europe, *Living together – Combining diversity and freedom in 21st-century Europe*, Report of the Group of Eminent Persons, May 2011, p. 41.

the local level. At the second meeting of the European Integration Forum of November 2009, the progress to date and future developments of the EIF were addressed.⁵⁰

At the second Forum meeting, representatives underlined a number of difficulties in accessing the EIF:

- **the absence of adequate information on funding possibilities and application requirements;**
- **the importance of taking into account the specific needs of small organisations;**
- **timing aspects linked to the EIF applications and to eligibility criteria on costs;**
- **the constraints linked to the targeting of a very specific group; and**
- **the co-financing requirement, which implies the search for matching funds.**

This report seeks to help address civil society concerns relating to the EIF by providing an independent assessment of its implementation in a selection of member states and by investigating the nature of these reported difficulties. As highlighted above, the consultation of integration actors and stakeholders is an essential factor for developing adequate integration strategies. The project has therefore developed a process for actively engaging them throughout its implementation and for gathering their perspectives on the issues examined in this report. An executive summary and key findings of the survey were presented during the fifth meeting of the European Integration Forum, which took place on 23-24 May 2011. The comments and feedback provided by the participants at the Forum have been included in the report.

A consultation strategy was set for identifying the main obstacles faced by civil society, local and regional authorities, and migrant organisations at times of applying and accessing the EIF at the member state level. The intention was also to convey their understandings of CBP 1 on integration as a two-way process of mutual accommodation in light of their practical experiences and knowledge. This was achieved through the development of a partnership with key European networks and platforms:

- EUROCITIES (a network of over 130 major European cities);
- the European Network of Migrant Women (a European network bringing together more than 100 NGOs from 16 EU countries to democratically represent the concerns, needs and interests of migrant women at the EU level);
- the European Women's Lobby (the largest umbrella organisation of women's associations in the EU working to promote women's rights and equality between men and women);
- the European Foundation Centre (through its Diversity, Migration and Integration Interest Group);
- the European Network Against Racism (gathering 700 organisations working to combat racism);

⁵⁰ See the European Integration Forum summary report of the second meeting on 12-13 November 2009 (http://ec.europa.eu/ewsi/UDRW/images/items/static_38_33133771.pdf). For more information, see also <http://www.europeanintegration.eu/>.

- the European Council for Refugees and Exiles (the pan-European network of NGOs, concerned with the needs of all individuals seeking refuge and protection within Europe); and
- ERLAI (the network of European Regional and Local Authorities on Asylum and Immigration).

The partners' contributions to the project consisted of commenting upon and disseminating a survey to their respective networks. They additionally took part in focus groups for discussion and feedback on the preliminary version of the final report.

A public survey, using a questionnaire included in appendix 3 of this report, was conducted for gathering input from the widest possible range of actors across the EU on their experiences with the EIF. This qualitative stakeholder questionnaire covered the following general aspects: details of the responding organisation, feedback on previous experiences with the EIF, accounts of difficulties in accessing and implementing the EIF, understandings of the two-way process and views on the effectiveness of the EIF in meeting the needs on the ground. It was open for feedback between September 2010 and January 2011.

The survey was disseminated through websites (including the EWSI) and newsletters, and was specifically sent to the EIF recipients and national authorities in charge of the EIF. In all, 47 different organisations responded to the survey. Their profiles and the number of projects in which they have participated are shown in Figures 2 and 3. Among the respondents, 64% were NGOs, 11% were LRAs and 9% came from academia (research centres and universities). The majority had previous experience with the EIF. More than half of them (59%) had participated in at least one EIF-funded project, while the remainder had attempted to submit proposals but were unsuccessful.

Figure 2. Profile of survey respondents

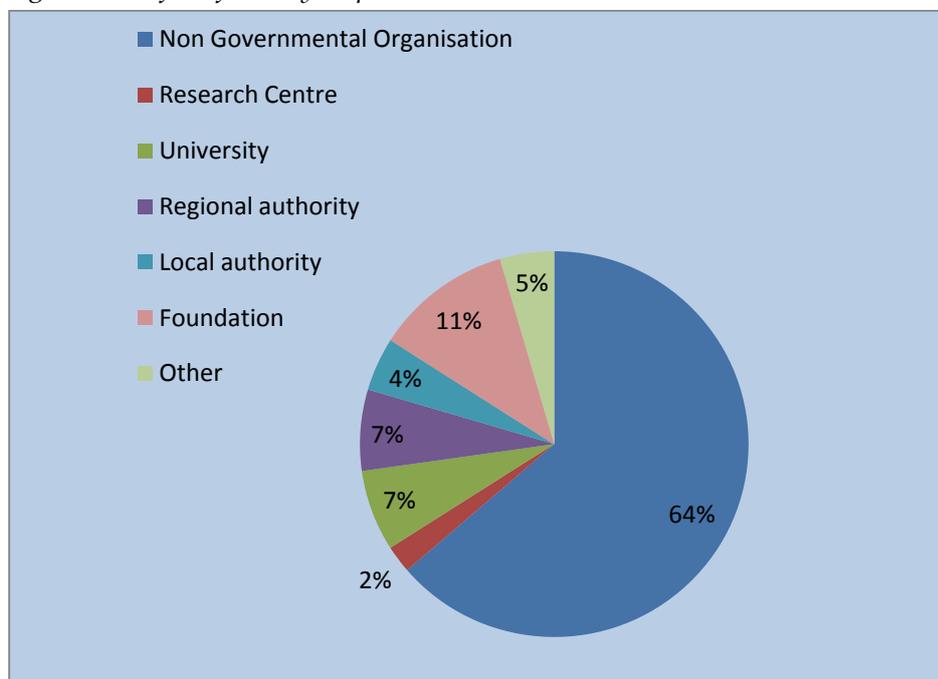
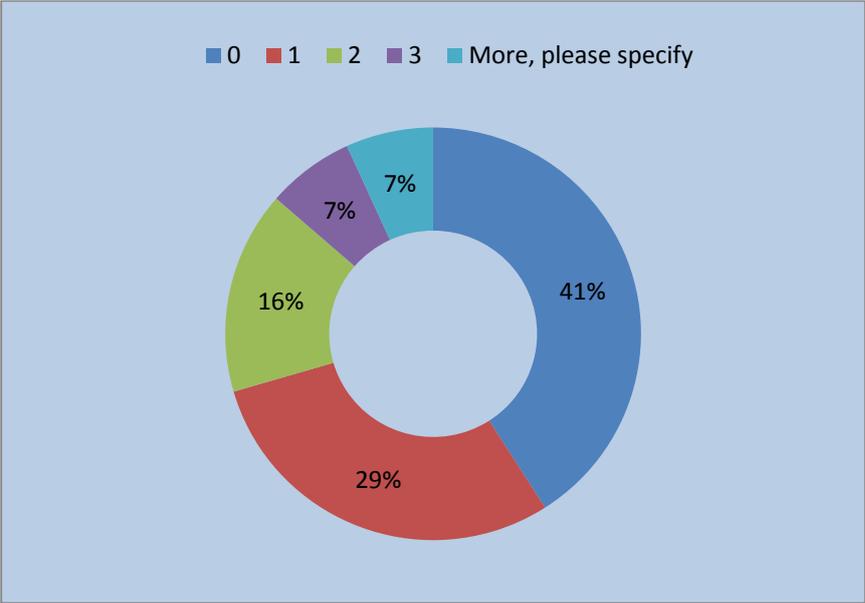


Figure 3. Number of EIF projects in which survey respondents had participated



The majority of survey respondents had participated in at least one EIF-supported project. They mainly represented NGOs and were based in 19 different member states.

3. THE EUROPEAN INTEGRATION FUND: OBSERVATIONS AND OBSTACLES

This section provides a general overview of the implementation of the EIF in different member states. It presents the main findings of the desk-based research and analysis of official EIF-related documents pertaining to the member states under study as well as the feedback of integration actors received from the survey.

This exercise has given rise to key observations on how activities are specified and planned at the member state level, and how grants are ultimately transferred to final EIF recipients. It is structured in two subsections: section 3.1 provides an analysis of the framework for intervention by the EIF at the national level and section 3.2 presents the obstacles identified as central to accessing and implementing EIF grants.

3.1 Implementation of the EIF

3.1.1 *The responsible authorities: Role and competences*

The management of the EIF at the national level is entrusted to a responsible authority. The latter is designated by the member state and must have a public service mission.⁵¹ It has competence for the management of the MAPs, the annual programmes and all communications with the Commission.⁵² Among other tasks, responsible authorities are given the following ones:⁵³

- submitting the MAPs and annual programmes to the European Commission;
- cooperating with the authorities in charge of other EU funds, specifically the European social fund and the European refugee fund;
- organising and advertising calls for tenders;
- selecting projects;
- receiving and distributing national allocations of the EIF;
- ensuring consistency and complementarity of the EIF;
- overseeing audits;
- ensuring information and dissemination of actions and results;
- verifying the implementation and reporting of activities; and
- ensuring information and publicity concerning EIF documents.⁵⁴

The responsible authority may act as an awarding body or an executing body (implementing projects directly). But it cannot respond to the calls for proposals issued in relation to the implementation of the EIF.⁵⁵ The responsible authority can only act as an executing body when the characteristics of the project leave no other choice for its

⁵¹ Arts. 23(1)(a) and 24 of the EIF Decision.

⁵² Ibid., Art. 23(1)(a).

⁵³ Ibid., Art. 25.

⁵⁴ Ibid., Arts. 31-33.

⁵⁵ Art. 7(2) of the implementing rules.

implementation – such as a *de jure* monopoly situation or for security reasons.⁵⁶ In such cases, the responsible authority shall ensure that it respects the principle of value for money and prevents potential conflicts of interest.⁵⁷ An explicit justification must be submitted to the European Commission in the annual programming document.⁵⁸ Table 3 offers a list of the responsible authorities in the EU member states covered in this research.

Table 3. List of the responsible authorities in selected EU member states and their main competences

Country	Name of the responsible authority	Competence	NCPI
Austria	Internal Ministry	Interior	X
Belgium	Service Public de Programmation Intégration Sociale	Social inclusion	
Estonia	Ministry of Culture	Culture	X
France	Ministère de l’immigration, de l’intégration, de l’identité nationale et du développement solidaire (since 2011, Ministère de l’intérieur)	Interior	X
Germany	Federal Office for Migration and Refugees	Immigration	X
Greece	Hellenic Ministry of Interior, Social Integration Division	Interior	X
Hungary	Ministry of Justice and Law Enforcement	Interior	X
Ireland	Office of the Minister for Integration	Integration	X
Italy	Interior Ministry, Department of Civil Liberties and Immigration	Interior	X
Netherlands	Ministry of Security and Justice	Interior	
Poland	Ministry of Labour and Social Policy	Social inclusion	X
Spain	Ministerio de trabajo e inmigracion	Labour and immigration	X
Sweden	Swedish ESF Council	Social inclusion	
UK	Home Office, Border and Immigration Agency	Interior	X

Source: Authors’ compilation.

Among the member states under study in this project, the responsible authorities are generally located within the ministries of interior or ministries overseeing immigration, rather than those in charge of social inclusion.⁵⁹ The NCPIs and the responsible authorities are mostly situated within the same ministries.

⁵⁶ Ibid., Art. 7(3).

⁵⁷ Ibid., Art. 8(2).

⁵⁸ Ibid., Art. 8(1).

⁵⁹ The contact details of all responsible authorities are provided in appendix 5 of this report.

3.1.2 EIF programming

According to the EIF Decision, member states are required to draft and publicise a MAP, annual programmes and lists of funded projects.⁶⁰

MAPs

On the basis of the strategic guidelines adopted by the Commission, each member state must prepare a draft multi-annual programming document for the period 2007–13.⁶¹ Member states therein set out the development strategy for the implementation of actions to be specified in the annual programmes and describe the intended allocation of the EIF among the different priorities. The following elements are to be included in the MAP:⁶²

- a) the description of national integration strategies and requirements,
- b) the strategy and priorities to achieve integration objectives and the actions envisaged to implement these,
- c) the compatibility of the strategy with other regional, national and community instruments,
- d) the priorities and targets identified,
- e) the approach chosen for the implementation of the partnership principle (see section 3.1.4 below),
- f) a draft financing plan for each priority and for the annual programmes,
- g) the measures taken to ensure the complementarity of actions with those financed under the European social fund, and
- h) the way in which the MAP will be made public.

The content of the MAP is meant to be approved by the European Commission before its publication.⁶³ It is worthwhile noting that during the funding period, the MAP may be re-examined and revised to take greater or different account of the EU's priorities. This can be done at the initiative of the Commission or the member state on the basis of evaluations or following implementation difficulties.⁶⁴

Annual programmes

After approval by the European Commission, the final version of the MAP is implemented by means of annual programmes.⁶⁵ These are specific programmes established in accordance with the MAP in view of the EIF amount allocated for the corresponding year. As they are drafted on a yearly basis, they are expected to accurately reflect the realities and needs on the ground. They must include the following three elements:⁶⁶

- a) the general rules for the selection of projects to be financed,
- b) a description of the actions to be supported, and
- c) the proposed financial breakdown of the EIF among the various actions envisaged.

⁶⁰ Arts. 31(1) and 33(2)(b) of the implementing rules.

⁶¹ Art. 17 of the EIF Decision.

⁶² *Ibid.*, Art. 17(1).

⁶³ *Ibid.*, Art. 7(2).

⁶⁴ *Ibid.*, Art. 18.

⁶⁵ *Ibid.*, Art. 19(1).

⁶⁶ *Ibid.*, Art. 19(3).

If the Commission considers that the annual programme is consistent with the MAP, it will adopt the financial decision indicating the amount allocated to the member state concerned on the basis of this document.⁶⁷

The MAP and annual programmes provide an overview of the strategy and actions to be implemented through the EIF. They are indicative plans, subject to national interpretation during the implementation phase. They may be subsequently revised upon request by the Commission or the member state.

3.1.3 Complementarity of EIF support

As stipulated in the EIF Decision, “[t]he Fund shall provide assistance which complements national, regional and local actions, integrating into them the priorities of the Community”.⁶⁸ For the purpose of consistency, actions financed under the EIF should be specific and complementary to actions financed under the European social fund (ESF)⁶⁹ and the European refugee fund (ERF).⁷⁰

Like the EIF, the European refugee fund is intended to finance actions targeted at TCNs. The personal scope differs from that of the EIF, however, as the ERF supports actions towards persons with the status of refugee or persons benefiting from another form of international protection, displaced persons benefiting from temporary protection and (depending on the nature of the measures) persons applying for such status or protection.

The European social fund was set up as part of the structural funds for strengthening economic and social cohesion across EU member states. It is designed to finance activities for improving employment opportunities, preventing social exclusion and combating discrimination by contributing to the inclusion of ‘disadvantaged workers’. While participation of TCNs in employment corresponds to CBP 3, increasing migrants’ participation in employment is also identified as a priority area of the ESF.

The legal (immigration) status of the individual is the decisive factor for determining which financial framework may be used for supporting national measures. EIF support for employment activities should be complementary to ESF-funded actions supporting TCNs in enhancing their abilities to access the labour market, rather than directly assisting their search for work.

The MAPs should include an indication of the compatibility of the chosen strategy with other regional, national and EU instruments. In particular, the measures taken to ensure the complementarity of actions with those financed under the ESF should be detailed.⁷¹ Member states have applied this requirement by establishing various cooperation and

⁶⁷ Ibid., Art. 19(4).

⁶⁸ Ibid., Art. 6(1).

⁶⁹ Regulation (EC) No. 1081/2006 of the European Parliament and of the Council of 5 July 2006 on the European Social Fund and repealing Regulation (EC) No. 1784/1999, OJ L 2010, 31.7.2006.

⁷⁰ 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, OJ L 17, 10.1.2008.

⁷¹ Art. 17(1)(d) and (h) of the EIF Decision.

coordination mechanisms. In some, a single authority is responsible for the relevant European funds that are subject to joint management.⁷² In others, no specific step has been taken beyond annual consultations with the various responsible authorities. Certain member states shift the burden to the applicant by specifically requesting the latter to guarantee that they will not receive other European sources of funding for the same activity.⁷³

The complementarity and consistency of EIF support with the priorities of the EU is mostly ensured by ascertaining that EIF-funded activities do not receive other sources of Community funding.

3.1.4 *The partnership principle*

The contribution of civil society and local and regional authorities in the implementation of integration policies is seminal. Their role as an interface between immigrants and their local community positions these actors as critical partners in the development of integration policies. *They play a central role as advocates on behalf of migrants and contribute to ensuring cooperation and understanding between the implementing service providers and the service recipients.*⁷⁴ A determining element for ensuring the proper functioning of CBP 1 is thus enhancing the role of civil society and local authorities.

Art. 10 of the EIF Decision refers to the partnership principle, according to which member states shall work together with other bodies and authorities involved in the implementation of the national strategy on integration. These include the following entities:

- the competent regional, local, urban and other public authorities;
- international organisations;
- bodies representing civil society, such as NGOs (including migrant organisations) and social partners, and
- bodies involved in the oversight of the ESF and of the ERF.

The EIF Decision further identifies, among the tasks of the responsible authorities, consultation with those partners specified in Art. 10.⁷⁵ In its report to the 2010 Zaragoza ministerial conference on integration, the European Commission stressed that it would

⁷² See for instance the Greek MAP, which contains this statement:

Finally, taking into account that the EIF, the European Refugee Fund and the European Social Fund are subject to joint management and in order to ensure consistency and synergy in the implementation of their eligible actions, cooperation and coordination mechanisms have been set up among the authorities assigned for their management to ensure that actions in the framework of EIF will be specific and complementary to those financed in the framework of the European Social Fund and the European Refugee Fund.

⁷³ The UK MAP puts this as follows:

So as to ensure that there is no risk of projects receiving funding from more than one EU source, the project application pack includes a declaration from potential beneficiaries to the effect that they will not utilise any other source of EU funding for projects being supported through the EIF and there is a specific requirement for auditors to confirm that this is the case.

⁷⁴ European Commission (2003), Communication COM(2003) 336, op. cit.

⁷⁵ Art. 25(1)(a) of the EIF Decision.

continue to ensure that the partnership principle is respected and implemented in practice in every project financed by the EIF.⁷⁶

In their MAPs, member states were requested to refer to the ways they applied the partnership principle. These documents indicate how member states planned to engage with integration actors, including local and regional actors, civil society and researchers. Several member states merely referred to consultation with the various authorities in charge of the allocation of different funds, while others stressed the organisation of inter-ministerial consultations among migration and integration departments, social affairs ministries, health and housing authorities, etc. Most member states seem to have taken this obligation as a one of consultation, which should only be considered during the drafting of the MAP. For those that have referred to an open consultation procedure, it remains unclear whether the intentions as detailed in the MAPs have indeed been realised or whether suggestions made in the context of the partnership were followed.

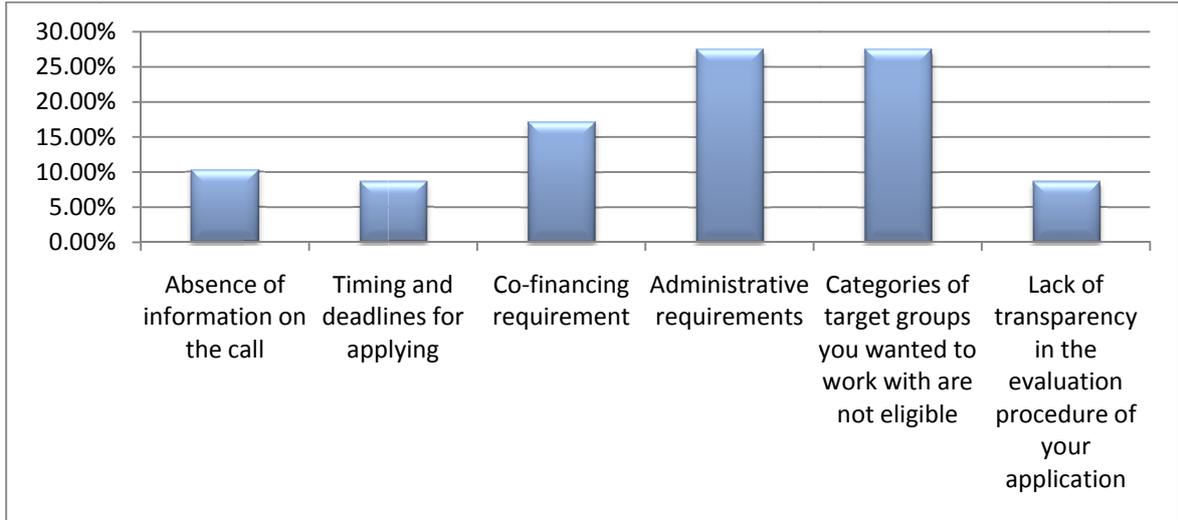
Few member states have interpreted the partnership principle as an open, multi-stakeholder, continual process of consultation and collaboration in implementing the EIF.

3.2 Accessing EIF grants

This section highlights aspects characterising the implementation of the EIF by member states that may be considered shortcomings in its practical application. The following main obstacles were identified by the survey: the personal scope of the activities, the co-financing requirement, the adequacy of information and publicity measures, administrative criteria and the lack of transparency in the evaluation of project proposals.

As shown in Figure 4, more than 25% of the survey respondents identified administrative requirements and the limitations applicable to the eligible target group as the main barriers to accessing the EIF, followed by the co-financing requirement (over 15% of responses).

Figure 4. Barriers to accessing the EIF



Source: Results of the project survey.

⁷⁶ European Commission, *The consolidation of the EU framework on integration: Report to the 2010 Ministerial Conference on Integration*, Commission Staff Working Document, SEC(2010) 357 final, Brussels, 19 March 2010.

3.2.1 *Personal scope of the EIF*

Eligible expenditure under the EIF must be linked to the target groups referred to in the framework of the basic act.⁷⁷ In the EIF Decision, it is specified that EIF funding shall “primarily focus on actions relating to the integration of newly arrived third-country nationals”.⁷⁸ According to Recital 13 of the same Decision, these *could* be identified by reference to the status of TCNs who are long-term residents. This status can be obtained after five years of legal residence in light of Council Directive 2003/109/EC.⁷⁹ Furthermore, actions targeting TCNs who have not yet arrived in the EU and are still on the territory of a third country may also be eligible if they comply with specific pre-departure measures/conditions set out in national law.⁸⁰

Certain legal categories are specifically deemed to fall outside the scope of the EIF on the basis of the principle of complementarity, whereby those excluded from the scope of the EIF are covered by the European refugee fund:

- TCNs who qualify as refugees or have applied for asylum and are pending a final decision,
- TCNs who are eligible for subsidiary protection in accordance with Council Directive 2004/83/EC,⁸¹
- stateless persons, and
- persons in need of international protection.⁸²

The EIF Decision does not explicitly exclude European citizens or the host society from the scope of activities. Indeed, as national integration strategies shall take into account CBP 1 (i.e. the two-way process of mutual accommodation by all immigrants and residents of member states),⁸³ it could be implied that the receiving society (including EU citizens) could be also targeted by some EIF activities. In this context, the EIF explicitly encourages initiatives involving the receiving society by identifying as specific priorities actions promoting mutual interaction and exchange (priority 4) as well as active involvement and awareness raising of the host society (priority 5).

The identification of a category of ‘newly arrived migrants’ suggests that there is a common understanding across all EU member states of who should be regarded as such. The interpretation by member states of the personal scope of the EIF nonetheless varies to a large extent:

- some member states explicitly exclude undocumented migrants and individuals who have been in the territory for more than five years (i.e. long-term residents);

⁷⁷ See Annex XI, “Rules on the eligibility of expenditure – Integration fund” of the implementing rules.

⁷⁸ Art. 2(1) of the EIF Decision.

⁷⁹ 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, OJ L 16, 23.1.2004.

⁸⁰ Art. 1(2) of the EIF Decision.

⁸¹ 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 otherwise need international protection and the content of the protection granted, OJ L 304, 30.9.2004.

⁸² Art. 1(3) of the EIF Decision.

⁸³ *Ibid.*, Art. 2(2).

- other member states disregard the length of residence if the actions target vulnerable groups;⁸⁴ and
- still other member states exclude those TCNs who are not taken into account in the calculations for the distribution of resources among member states⁸⁵ (such as seasonal workers, TCNs admitted for the purpose of scientific research, long-term residents and students).

Member states have interpreted the personal scope of the European integration fund in a highly diverse fashion. Furthermore, some member states have modified their interpretation of the target group from one year to the next. Interpretations by the responsible authorities of the personal scope of the EIF may vary according to the kinds of actions to be implemented.

Should the personal scope requirement not be respected, certain responsible authorities threaten organisations with sanctions. In a majority of member states, applicants should, upon application, demonstrate the extent to which they will ensure that their actions will only cover the target group identified by the responsible authorities. After the activity has been carried out, recipients of the EIF are also expected to provide evidence that the personal scope of the activities was effectively applied. Failure to do so may lead to a withdrawal of the EIF grant.⁸⁶ This often constitutes an administrative burden on grant recipients for preparing adequate evidence of the selection process in order to participate in an EIF-eligible project.

As Figure 5 demonstrates, the focus of eligible actions under the EIF on newly arrived migrants is considered too restrictive by 62% of the survey respondents. This may prevent them from applying for the EIF, as the activities they usually undertake include broader groups in practice. Those defining their activities by ‘needs’ rather than administrative immigration status have said they are not in a position to enter into a process of verification and selection of participants on the basis of legal status or entry date, which according to some respondents would even amount to policing as it implies verifying the legal status of participants.⁸⁷

⁸⁴ According to the 2009 annual programme for France, among those covered by the funding are recently arrived TCNs (those who have been in France for less than five years), along with women, elderly and disabled persons irrespective of their arrival date in France.

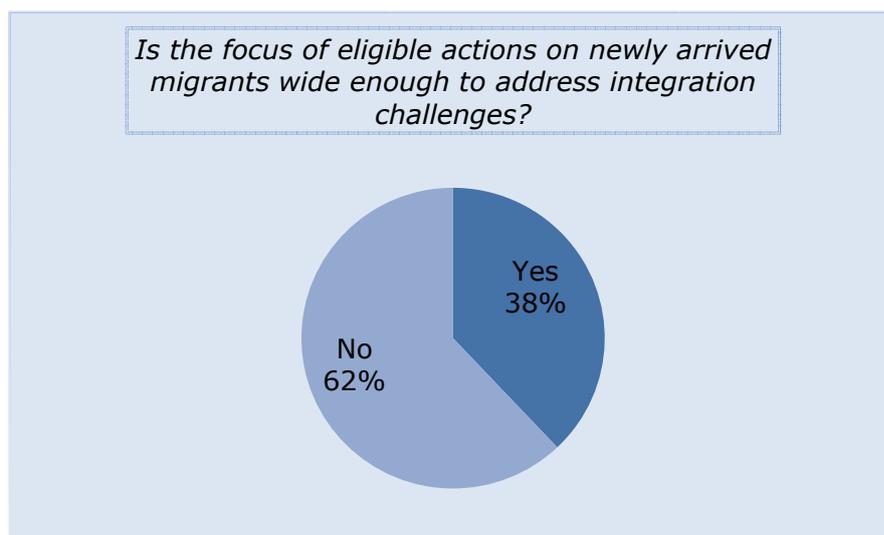
⁸⁵ Art. 12(3) of the EIF Decision.

⁸⁶ The 2007 German call for proposals states that

[f]or actions where mixed participation is foreseen, only those project costs attributed to TCNs are eligible. The application should detail the expected share of TCNs targeted by the action on the basis of identifiable and verifiable indicators (e.g. list of participants). Moreover, appropriate documentation (passport, official certificate, etc...) shall be requested to prove that the EIF will only affect authorized groups.

⁸⁷ “The requirement to photocopy passports of participants is discriminating and may be frightening for some participants” (survey respondent).

Figure 5. Adequacy of the personal scope of the EIF



Source: Results of the project survey.

3.2.2 The co-financing requirement

The EIF is a co-financing instrument. It aims at contributing to national integration policies by complementing public or private sources allocated to their implementation. Projects supported by the EIF shall not be supported by other funding sources covered by the EU budget.⁸⁸ According to the EIF Decision, “fund appropriations shall be complementary to public or equivalent expenditure allocated by Member States to the measures covered by this Decision”.⁸⁹ The availability of public match funding, however, can often constitute an expression of political priorities, which may ultimately prevent certain national organisations from engaging in independent and (at times) critical (integration-related) activities or projects. Moreover, funding has further decreased in the context of the financial crisis.

In light of the information provided by the MAPs, member state practices in the provision of match funding vary widely across the EU:

- some commit to providing the funds in full;
- others commit to providing the funds in full, but when assessing project proposals, give priority to projects that have secured a private source of co-financing;
- still others provide support for only some actions; and
- some member states rely entirely on the availability of private sources.

Public funding is allocated for match funding in Estonia, Spain, Sweden, Hungary, Belgium, Greece and Italy. Meanwhile, France, Ireland, the Netherlands, Poland, Slovenia and the UK expect applicants to explore private sources of match funding.

According to the results of the survey, the co-funding requirement was considered a problem in the following countries: Poland, Finland, Ireland, the Netherlands, the UK and Slovenia.

⁸⁸ Art. 13(2) of the EIF Decision.

⁸⁹ Ibid., Art. 13(4).

The general rule is that the EIF can support 50% of the eligible costs of an activity.⁹⁰ This share can be increased to cover up to 75% of the overall amount of an activity when it takes place in a country benefiting from cohesion funds, or when a specific priority (as specified in the Commission's strategic guidelines) is being implemented. For the period 2007–13, the cohesion fund pertains to Bulgaria, Cyprus, the Czech Republic, Estonia, Greece, Hungary, Latvia, Lithuania, Malta, Poland, Portugal, Romania, Slovakia and Slovenia. The following specific priorities have been identified in this regard:⁹¹

- 1) participation as a means of promoting the integration of third-country nationals in society;
- 2) specific target groups (women, youth and children, the elderly, illiterate persons and persons with disabilities);
- 3) innovative introduction programmes and activities;
- 4) intercultural dialogue; and
- 5) involvement of the host society in the integration process.

The procedure for assessing whether a project relates to one of these specific priorities is different from one member state to another:

- Applicants seeking up to 75% of EIF funding may need to prove the connection of their proposed project to a specific priority. Assessing whether this is indeed the case is subject to the discretion of the responsible authority.
- Some member states expressly request that any proposals submitted implement at least one specific priority among the existing five.
- Alternatively, in their annual programmes and corresponding calls for proposals, some member states identify one or more specific priorities to be necessarily addressed in the project proposals for funding.

The room for manoeuvre by member states with respect to the level of Community funding that an applicant may be seeking under the EIF is particularly visible under specific priority 3, which relates to the development of “innovative introduction programmes and activities”.⁹²

The precise understanding of what constitutes an innovative activity or programme is expected to be highly dependent upon the national context, as well as upon the subjective interpretation of the programme evaluator. The implementing rules of the EIF provide limited guidance in this regard, something that leads to legal uncertainty.⁹³

⁹⁰ Ibid., Art. 13(4).

⁹¹ European Commission, Decision of 21/VIII/2007 Implementing Council Decision 2007/435/EC as regards the adoption of strategic guidelines for 2007 to 2013, op. cit.

⁹² By way of example, the 2010 annual programme of the Netherlands related this to language learning courses developed in full cooperation with firms that are geared towards the use of the Dutch language in the workplace. In Greece's 2007 annual programme, activities were considered innovative when allowing immigrant women to work and in their spare time to attend such courses, with their children being supervised by educators.

⁹³ They merely specify that “enabling TCN[s] to work and study at the same time, e.g. part-time courses, fast-track modules, distance or e-learning systems” is considered such an innovation.

In a majority of member states under study in this report, co-financing must be arranged at the same time as the application for the EIF. This implies that when submitting project proposals to the EIF, applicants must provide evidence that the remaining sources of funding (50% or 25% of the overall cost of an initiative) have been secured from a third party. This forces EIF applicants to present proposals to other potential sources of funding, each with different requirements and deadlines. The need to identify extra available sources of co-funding is challenging for actors from civil society that depend structurally on external funding, particularly small organisations.⁹⁴

A similar conclusion has been reached by European local and regional assemblies, which have regarded the co-financing requirement as a main obstacle to accessing EU funding.⁹⁵ Non-governmental organisations have also reported that finding match funding has become increasingly difficult with the budget cuts in the social sector and NGO funding owing to the financial crisis. Finding an external source of match funding has been particularly hard in the 2004 and 2007 accession countries, where the integration of TCNs is a relatively recent concern of public policy. The same holds true for young organisations, such as migrant organisations, which may not have the necessary track record for being identified as reliable grantees.

Potential EIF beneficiaries do not stand equally in the co-financing requirement, as they are not all well positioned to benefit from private sources of match funding. This places the co-financing condition in a difficult relationship with the principles of equal treatment and proportionality.

3.2.3 *Publicity and provision of information*

Responsible authorities are bound by information and publicity requirements regarding the dissemination and availability of information about the European integration fund.⁹⁶ These should be aimed at potential beneficiaries as well as at all interested parties.⁹⁷ Annual activities to disseminate information, such as training and seminars, must be organised at the national level with the goal of presenting the MAP and the annual programmes in the scope of the EIF.⁹⁸

Table 4 recapitulates the elements and information that could be obtained from the Internet websites of the responsible authorities, as well as from explicit information requests sent to the responsible authorities.

⁹⁴ L. Thomson and J. Caulier-Grice, *Improving small scale grant funding for local voluntary and community organisations*, The Young Foundation, London, 2007.

⁹⁵ Assemblée des régions d'Europe (AER), *European Regions and European Funding: Improving access, efficiency, and value for money*, AER, Strasbourg, January 2011.

⁹⁶ This is referred to in particular in chapter 5 of the implementing rules.

⁹⁷ Art. 31 of the EIF Decision.

⁹⁸ Art. 33(2)(a) of the implementing rules.

Table 4. Availability of EIF documentation

Member States	Multi-annual programming strategy	Annual Programmes				Call for proposals				Beneficiaries			
		2007	2008	2009	2010	2007	2008	2009	2010	2007	2008	2009	2010
Austria	OK (AT)	OK (AT)	OK (AT)	OK (AT)	NA	NA	NA	NA	OK (AT)	OK (AT)	OK (AT)	OK (AT)	NA
Belgium (Flanders)	OK (FR)	OK (FR)	OK (FR)	OK (FR)	NA	NA	NA	OK (NL)	OK (NL)	OK (NL)	OK (NL)	OK (NL)	NA
Belgium (Wallonia)	OK (FR)	OK (FR)	OK (FR)	OK (FR)	NA	OK (FR)	OK (FR)	OK (FR)	OK (FR)	OK (FR)	OK (FR)	NA	NA
Estonia	OK (EN)	OK (EN)	OK (EN)	OK (EN)	OK (EN)	NA	NA	NA	NA	OK (EN)	OK (EN)	OK (EN)	NA
France	OK (FR)	OK (FR)	OK (FR)	OK (FR)	OK (FR)	NA	NA	NA	NA	OK (FR)	OK (FR)	OK (FR)	NA
Germany	OK (DE)	OK (DE)	OK (DE)	OK (DE)	OK (DE)	OK (DE)	NA	OK (DE)	OK (DE)	OK (DE)	OK (DE)	OK (DE)	NA
Greece	OK (EN)	OK (EN)	OK (EN)	OK (EN)	NA	OK (GR)	OK (GR)	OK (GR)	NA	OK (EN)	OK (EN)	OK (GR)	NA
Hungary	OK (EN)	OK (EN)	OK (EN)	OK (EN)	OK (EN)	OK (HU)	OK (HU)	NA	OK (HU)	OK (HU)	OK (HU)	OK (HU)	OK (HU)
Ireland	OK (EN)	OK (EN)	OK (EN)	OK (EN)	OK (EN)	NA	NA	OK (EN)	NA	OK (EN)	OK (EN)	NA	NA
Italy	OK (IT)	OK (IT)	OK (IT)	OK (IT)	OK (IT)	OK (IT)	OK (IT)	NA	NA	OK (IT)	OK (IT)	OK (IT)	NA
Poland	OK (EN)	OK (EN)	OK (EN)	OK (PL)	OK (EN)	NA	NA	OK (PL)	NA	OK (PL)	OK (PL)	OK (PL)	OK
Spain	OK (ES)	OK (ES)	OK (ES)	OK (ES)	NA	NA	NA	OK (ES)	OK (ES)	OK (ES)	NA	OK (ES)	NA
Sweden	OK (EN)	OK (EN)	OK (EN)	OK (EN)	OK (EN)	NA	NA	OK (SE)	NA	OK (SV)	OK (SV)	NA	NA
the Netherlands	OK (EN/NL)	OK (NL)	OK (EN)	OK (EN)	OK (EN)	OK (NL)	OK (NL)	OK (NL)	OK (NL)	OK (NL)	OK (NL)	OK (NL)	OK (NL)
UK	OK (EN)	OK (EN)	NA	NA	NA	NA	NA	OK (EN)	NA	OK (EN)	OK (EN)	NA	NA

NA: Not available

OK: Obtained in French (FR), English (EN), German (DE), Italian (IT), Dutch (NL), Hungarian (HU), Greek (GR), Spanish (ES) and Swedish (SE)

Source: Authors' compilation.

A majority of member states have not consistently applied the information and publicity requirements as regards the multi-annual programming, calls for proposals and lists of EIF beneficiaries. The range of available EIF documentation is indeed limited, sometimes only available in the national language and in other cases not publicised.

After approval by the Commission of a member state's draft financial plan for a given year, the responsible authority must organise and advertise calls for tenders and for proposals.⁹⁹ The calls should reflect the priorities and actions listed in the annual programmes and specify the objectives, the selection criteria, arrangements for Community and national financing, and the deadline for submission.¹⁰⁰ The calls for proposals must be distributed and publicised by the responsible authority in a way that ensures maximum publicity among potential beneficiaries.¹⁰¹ Responsible authorities are requested to ensure that "information and publicity measures are implemented with the aim of the widest possible media coverage using various forms and methods of communication at the appropriate territorial level".¹⁰² Responsible authorities are also under the obligation to ensure that applicants are aware of the following aspects:¹⁰³

- application procedures,
- selection criteria,
- eligibility rules for the expenditure,

⁹⁹ Ibid., Art. 25 (1)(d).

¹⁰⁰ Ibid., Art. 9(1).

¹⁰¹ Ibid.

¹⁰² Ibid., Art. 33(1).

¹⁰³ Ibid., Art. 9.

- time limits for implementation of the project, and
- contacts for information.

In their annual programmes, several member states have emphasised the low response rates to previous calls for proposals. This could stem from the inadequate implementation of the information and publicity requirements. This could also be linked to timing. Given the timeframe applicable to the EIF as detailed in section 2.3.1, both the 2007 and 2008 calls for proposals were published almost simultaneously towards the end of 2008. The deadlines provided for submitting calls were conditioned by this timeframe. It can be assumed that the 2009 calls for proposals reflected the standard practices of responsible authorities regarding deadlines. Scrutiny of the 2009 annual programmes indicates that calls for proposals were on average published four to eight weeks before the selection procedure started.

Preparing a project proposal requires sufficient time, particularly when it entails putting forward separate submissions to the responsible authority and to the source of match funding. The time limits imposed should take into account the complexity and the time required for preparing tenders and should under no circumstances be less than 22 days.¹⁰⁴ Sufficient time after the publication of the annual programme and the related call should be provided before the deadline for applications, to allow a maximum of potential applicants to become aware of the call, outline a project proposal, identify and contact project partners, and secure match funding.

As the EIF can still be considered a relatively recent instrument, potential beneficiaries might not be fully aware of the availability of Community funding for supporting their activities. Hence it is important to accompany the launch of calls for proposals with appropriate information campaigns to address all potential beneficiaries.

3.2.4 *Administrative criteria*

More than 25% of the survey respondents believed a key barrier to accessing the EIF is posed by the administrative requirements for submitting and implementing projects, which are characterised by a high level of bureaucracy and a lack of flexibility. This is particularly so concerning the obligation to provide economic justifications and the financial reporting procedures.¹⁰⁵ These are viewed as too extensive, especially when referring to the need to send large amounts of documents. These procedures are regarded as time and resource consuming. An element of these administrative burdens concerns the reporting requirements for the transfer of successive proportions of the grant, which are found to be over-burdensome.

Despite the obligation of ensuring that the contributions of public funds are received as quickly as possible,¹⁰⁶ significant delays in the transfers have been reported, putting in jeopardy the functioning of small organisations.

Another administrative condition hindering access to EIF grants is the imposition of a condition relating to the minimal expenditure of proposed projects. In their calls for

¹⁰⁴ Art. 38 of Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public work contracts, public supply contracts and public service contracts, OJ L 134, 30.04.2004.

¹⁰⁵ Art. 48(3) of the EIF Decision.

¹⁰⁶ Ibid., Art. 34.

proposals, some member states request that project proposals be of a certain minimal size in terms of cost.¹⁰⁷ The justification for such criteria remains unclear, notably in light of its consequences in effectively preventing a number of organisations from engaging in projects of such scales.

Requirements for projects to be a minimal size in terms of expenditure may have an exclusionary effect, particularly for small organisations. Imposing such conditions must be objectively justified in view of the nature and characteristics of the activity.

3.2.5 Evaluation of EIF project proposals

The Commission Decision implementing the EIF stipulates that each applicant for the EIF shall receive written information regarding the results of the selection process as well as an explanation of the selection criteria.¹⁰⁸ The following basic considerations apply to the selection of projects:

- the situation and requirements in the member state;
- the cost-effectiveness of expenditure;
- the experience, expertise, reliability and financial contributions of the organisation and project partners; and
- the complementarity of the action proposed with other EU and national actions.¹⁰⁹

The calls for proposals shall contain an explanation of the selection criteria.¹¹⁰ As a minimum, the grant requested by the applicant should not cover structural costs and should match the eligible costs as specified in the EIF Decision and the relevant national call for proposals.

The functioning, rationale and outcomes of the proposal assessments are rarely communicated to the applicants or publicly available. Among those member states under study in this report, Italy, Hungary and Poland are the only ones that have publicised lists of submitted as well as selected projects.

The reasoning and justification for negative assessments of a project proposal are crucial to applicants. Together with the evaluation of projects once these have been implemented, these aspects are essential elements for guaranteeing information on possible funding opportunities and transparency about use of the fund.¹¹¹ Furthermore, Recital 24 of the EIF Decision specifies that the effectiveness and impact of the EIF depend on the evaluation of its actions and dissemination of their results.

¹⁰⁷ Several examples show differing practices according to the member state and to the activity. For instance, in the UK, the minimum grant per year for activities for acquiring basic knowledge of the UK was €50,000 (£40,000) in the UK call for proposals of 2009, rising to €115,000 (£100,000) per year per project in the UK call for proposals of 2011. In the Netherlands, the amount was €100,000 in the Dutch call for proposals of 2009, rising to a minimal eligible grant of €200,000 in the call for proposals of 2010. For linguistic training for non-newly arrived migrants, the minimal eligible grant was €100,000 in France's call for proposals of 2011.

¹⁰⁸ Art. 9(6) of the implementing rules.

¹⁰⁹ Art. 13(5) of the EIF Decision.

¹¹⁰ Art. 9(1)(b) of the implementing rules.

¹¹¹ Recital 10 of the implementing rules.

4. SUPPORTING NATIONAL INTEGRATION STRATEGIES THROUGH THE EIF: TRENDS AND PITFALLS

This section provides an assessment of the relevance, effectiveness and impact of the national actions supported by the EIF to meet the EIF's objectives. It also considers the compatibility and complementarity of the actions with other EU policies and legislative frameworks, including those on non-discrimination.

Section 4.1 presents the nature and scope of the EIF projects that have been carried out to date for the purpose of putting the CBPs into practice (priority 1). Section 4.2 then highlights three main trends characterising the national use of the EIF and their consequences. This evaluation is central for the later discussion in section 5.1, which examines the relation between the EIF and the understanding of integration as a two-way process of mutual accommodation.

4.1 Nature and scope of EIF projects

The actions identified in the national programmes (as discussed in section 3.1) are achieved through projects selected by member states.¹¹² This subsection offers an overview of the national strategies as detailed in the lists of beneficiaries published by the responsible authorities. It gives an indication of the different ways the EIF has been used, as illustrated by the amounts reserved and provided to the various actions under priority 1.

4.1.1 Overview of the selected priorities

The strategic guidelines setting the framework for intervention by the EIF adopted by the Commission identify four priorities to be targeted by the member states during the full timeframe of the EIF. At least three of the four priorities shall be targeted by the member states. Among these, priorities 1 and 2 are mandatory.¹¹³ The priorities are as follows:

Priority 1: Implementation of actions designed to put into practice the 'Common Basic Principles' for immigrant integration policy in the European Union

Priority 2: Development of indicators and evaluation methods to assess progress, adjust policies and measures and to facilitate co-ordination of comparative learning

Priority 3: Policy capacity building, co-ordination and intercultural competence building in the Member States across the different levels and departments of government

Priority 4: Exchange of experience, good practices and information between the Member States on integration issues.

The draft financing plans included in the MAPs illustrate the importance the member states attribute to each priority. As Table 5 shows, the focus on priority 1 is different from one member state to another. Countries such as the UK, Estonia and the Netherlands intend

¹¹² Art. 13(5) of the EIF Decision.

¹¹³ Commission Decision of 21/VIII/2007 Implementing Council Decision 2007/435/EC as regards the adoption of strategic guidelines for 2007 to 2013, op. cit., p. 4.

to allocate *more than 80%* of the EIF to actions implementing priority 1. Germany and Poland intend to use *less than 50%* of the EIF for this purpose.¹¹⁴

Table 5. Intended distribution of the EIF among the different priorities over the seven years (in %)

	Priority 1	Priority 2	Priority 3	Priority 4
AU	67	10	12	4
BE	70	6	18	0
DE	47	24	14	9
EE	83	2	6	2
EL	55	12	13	13
ES	71	16	5	2
FR	73	11	8	4
HU	65	12	13	3
IE	71	7	12	13
IT	78	11	5	1
NL	83	3	5	3
PL	45	19	23	6
SE	56	19	0	19
UK	88	0.3	3	3
Average	70	12	8	5

Source: Information obtained from the draft financial plan 2007–13 as reflected in the respective MAPs of the member states.

Member states reserve the largest share of the EIF for priority 1, the implementation of measures to put into practice the common basic principles for immigrant integration policy in the EU. The average allocation towards this priority is more than two-thirds of the total Community contribution received.

4.1.2 EIF priority 1: Putting the CBPs into practice

The EIF rules do not provide strict instructions as to the specific ways the 11 CBPs need to be put into practice under priority 1. The strategic guidelines indicate that all CBPs are equally important for the common EU framework on integration. At the same time, they also mention that actions under this priority should primarily be targeted at ‘newly-arrived TCNs’.

When describing activities under this priority, as Table 6 demonstrates, some member states explicitly refer to the CBPs in their MAPs, while others interpret them through the actions specified without explicitly mentioning which CBP the actions will help put into practice. Table 7 identifies those EU member states where no express reference is made to CBPs in their MAPs, notably the MAPs drafted by France, Germany, Ireland, Italy and the UK.

¹¹⁴ Because the development of indicators (priority 2) was identified as a key priority in Germany, 25% of the EIF is allocated to priority 2.

Table 6. CBPs referred to in the MAPs for implementing priority 1 of the EIF

	CBP 1	CBP 2	CBP 3	CBP 4	CBP 5	CBP 6	CBP 7	CBP 8	CBP 9	CBP 10	CBP 11	Total
AU		X		X								2
BE*	X			X								2
DE	X		X	X	X	X				X		6
EE	X	X	X	X	X	X	X	X	X			9
EL	X	X		X	X	X	X	X	X			8
ES	X			X					X			3
FR	X	X	X	X	X	X	X					7
HU	X			X	X		X		X			5
IE		X		X			X					3
IT	X	X	X	X	X		X	X				6
NL	X			X			X					3
PL	X			X			X					3
SE	X	X	X	X	X	X	X	X	X	X		10
UK				X								1
Total	11	7	5	14	7	5	9	4	5	2	0**	

* The Belgian MAP also refers to CBPs 2, 4, 6 and 10, but not under priority 1.

** CBP 11 corresponds to the development of goals, indicators and evaluation mechanisms to adjust policy, evaluate progress on integration and to make the exchange of information more effective, which is also the focus of priority 2. For this reason, member states do not refer to any related action under priority 1.

Note: The dark crosses reflect those CBPs explicitly referred to in the MAPs. The light ones indicate those cases where these have been inferred from the description of the activities to be developed throughout the funding period (see Table 7 below).

Source: Information obtained from the member state MAPS.

Table 7. MAPs not explicitly referring to CBPs

Member state	MAP
France	Actions listed under priority 1 involve measures to promote language training, including pre-entry courses in the French language and values, in the country of origin (corresponding to CBPs 2 and 4). In addition are measures to facilitate entry into the labour market, the educational achievement of migrant children and access to housing and accommodation for labour migrants (CBPs 3, 5 and 6). The French MAP also foresees initiatives to promote the acceptance of migrants in society, e.g. cultural and media-related projects (CBPs 1 and 7).
Germany	German actions include measures to promote German language ability (corresponding to CBP 4), to improve the educational performance of migrant children (CBP 5) and to increase the employment rate among migrants (CBP 3). Furthermore, the German MAP proposes measures to promote the equal participation of migrants in all areas of society, e.g. enhancing the inter-cultural competence of societal organisations and the public sector, and promoting acceptance of migrants in society (corresponding to CBPs 1, 6 and 10).

Table 7. *cont'd*

Ireland	Actions listed under priority 1 include civic orientation classes and courses to promote knowledge of Irish society, history, institutions and values (corresponding to CBPs 4 and 2), along with initiatives to promote inter-cultural and inter-religious dialogue (corresponding to CBP 7).
Italy	Actions listed under priority 1 include language and civic orientation courses (corresponding to CBPs 4 and 2), and professional training and orientation to facilitate joining the labour market (corresponding to CBP 3). There are also programmes to facilitate the integration of newly arrived pupils in the education system (CBP 5), initiatives (e.g. media campaigns) targeting Italian citizens and fostering a culture of acceptance of immigration and cultural diversity (corresponding to CBPs 1, 7 and 8). In addition are measures to encourage inter-cultural dialogue (e.g. use of cultural mediators), particularly among youth (corresponding to CBPs 1 and 7).
UK	Emphasis is put on the development of a more transparent system of admission procedures, and on developing the UK's capacity to deliver language programmes to new migrants (this could correspond to CBP 4).

Source: Author's compilation.

The MAPs of Estonia, Greece and Sweden cover actions implementing eight or more CBPs. The UK is an illustrative example of the opposite approach, as its MAP refers to the establishment of a system of admission procedures and the delivery of language programmes to new migrants under priority 1. In some member states, in particular France, the UK, the Netherlands, Belgium, Germany and Austria, the emphasis on CBP 4 (basic knowledge of the host society's language, history and institutions is indispensable for integration) is particularly salient. In their description of the current situation and of the future integration requirements, these member states stress that these programmes are essential elements of their national integration strategies.

Certain member states intend to implement priority 1 in a way that encompasses as many CBPs as possible. Yet most seem to have taken a minimal approach in their intention to implement the CBPs, by focusing on just a few of them. The only CBP referred to (directly or indirectly) in all MAPs is CBP 4, as most member states express their intention to support linguistic training and civic orientation courses through the EIF.

4.1.3 National implementing strategies

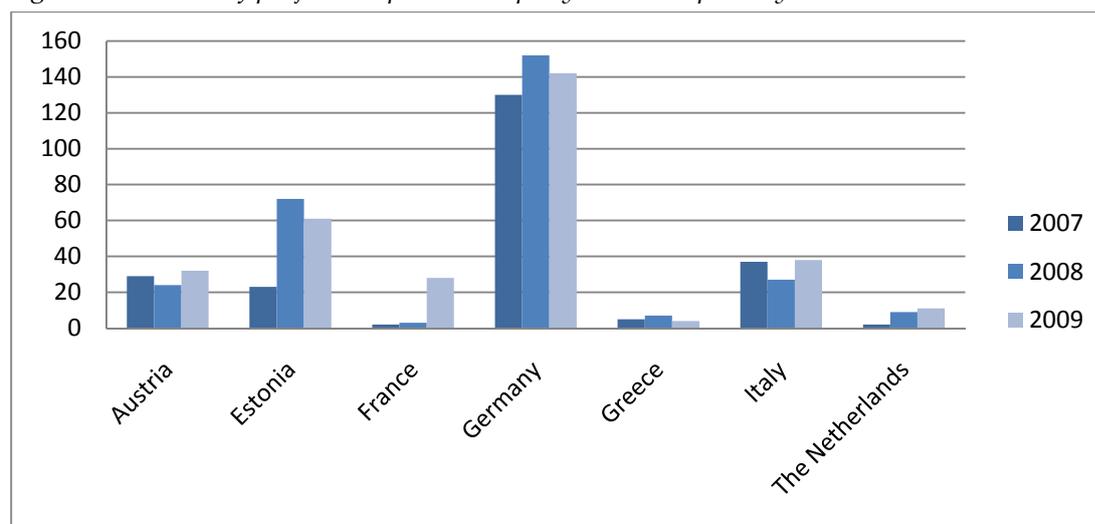
As highlighted in section 3.1.2 above, the financial plans included in the annual programmes describe the intended EIF allocations per identified action.¹¹⁵ This amount is then divided among projects that can be undertaken by different organisations (for instance, governmental bodies, NGOs and LRAs). These shall be established and registered in a member state, with the exception of international governmental organisations that pursue the same objectives as the EIF.¹¹⁶

¹¹⁵ Art. 19(3)(c) of the EIF Decision.

¹¹⁶ Point 1.1.1(e) of Annex XI of the implementing rules

In accordance with the principle of transparency, annual EIF allocations should be reflected in lists of the final financial beneficiaries of member states.¹¹⁷ Responsible authorities are in charge of organising these lists, which must show the names of the projects and the amount of public and Community funding awarded to each one. The list should at least in principle be made readily available online. As noted in section 2.3.1, however, this requirement is not complied with consistently. On the basis of the available information, Figure 6 shows the number of projects undertaken for priority 1 in a selection of member states.

Figure 6. Number of projects implemented per year under priority 1



Note: For Germany and the Netherlands, this corresponds to the total number of EIF-supported projects as shown in the lists of projects, since these do not provide any indication of the priority to which they relate.

Source: This information has been obtained from the lists of EIF recipients of the selected member states.

The number of projects funded annually varies widely from one member state to another. Certain countries, such as France, the Netherlands and the UK, have implemented a limited number of projects per year, while others, such as Austria, Estonia, Germany and Poland, have carried out a large number of activities.

The amount allocated to each project depends on its length and features. Projects funded by the EIF may run for up to three years subject to periodic progress reports.¹¹⁸ While some member states have chosen to promote long-lasting activities, others have favoured short, one-off initiatives. Certain applicants apply for funding over a period of two or three years, while the responsible authority may provide a follow-up grant to projects that have been evaluated as successful.¹¹⁹ An overview of the average allocation per project in view of the total amount specified for priority 1 projects and their number as reflected in the lists of beneficiaries reveals the diversity in approaches. The information provided in Table 8 shows

¹¹⁷ Arts. 33(2)(b) and 7(3) of the implementing rules.

¹¹⁸ Art. 13(6) of the EIF Decision.

¹¹⁹ Art. 7(2) of the implementing rules.

that in some member states, a majority of the Community contribution is concentrated on a few projects, while in others it has been divided among multiple projects.

Table 8. Average amount allocated to a project (in €)

Country	Year	Average amount per project
Austria	2007	43,197.97
	2008	45,055.69
	2009	41,117.25
Estonia	2007	32,262.77
	2008	8,093.78
	2009	12,485.59
France	2007	2,566,318.68
	2008	1,556,447.19
	2009	213,274.45
Germany	2007	71,967.27
	2008	61,289.37
	2009	80,864.78
Greece	2007	221,837.36
	2008	130,590.86
	2009	140,412.37
Ireland	2007	37,705.33
	2008	67,777.50
Italy	2007	125,319.64
	2008	100,331.81
	2009	125,075.48
Spain	2007	48,822.59
	2009	43,072.65
Sweden	2007	66,870.00
	2008	58,636.50
The Netherlands	2007	200,694.50
	2008	169,524.11
	2009	171,545.00

Source: This information has been obtained from the lists of EIF recipients of the selected member states.

The amount of EIF support allocated to member states appears to be divided among a few beneficiaries or projects. Certain projects receive massive amounts of funds, while some applicants successfully seek funding for alternative projects during the same annual programming period. In addition, a single project may receive financial support under different actions specified in the annual programme.

Each action described in the annual programme includes details regarding the purpose, expected grant recipient, results and measures for the visibility and

complementarity of the action. As regards the identification of expected grant recipients, member state practices appear to differ from one another as well as over the years. Certain responsible authorities remain open as to the expected recipients of the grant, by mentioning a broad range of potential recipients to be identified through calls for proposals. For instance, some member states list both public bodies (national and regional bodies, local authorities, public employment services and ministries) as well as NGOs (civil society, trade unions, international and inter-governmental institutions). Other member states, on the other hand, strictly specify the intended implementing body with respect to particular activities. This can sometimes favour a specific sector (NGOs, the media or educational providers) or an expressly identified entity (the responsible authority, a delegated authority or national agency). When the responsible authority is identified as an expected grant recipient (see section 3.1.1), few member states provide comprehensive justifications.¹²⁰ Those that have done so have invoked a range of grounds, from considerations of efficiency and appropriateness to the perceived necessity to implement actions across the territory in a consistent and uniform way.

The reasons provided by the responsible authority when acting as an executing body for the implementation of EIF projects often fail to be coherent and sufficiently justified.

In the absence of the systematic provision of objective and comprehensive justifications, this may give rise to conflicts of interest.

4.1.4 Use of the annual allocations

Looking at the overall amount allocated to projects listed as implementing priority 1, several inconsistencies can be identified. By comparing the amount intended in the annual programme for actions under priority 1 and the overall amount of EU contributions to the different projects, discrepancies can be observed in a majority of the member states under analysis. These amounts rarely correspond, and in some cases, large shares of the EU contributions are not accounted for by the list of projects funded. Furthermore, some actions are announced in the annual programme, but no information is subsequently provided regarding the exact nature of the corresponding project.

Member states do not comply with the obligation of transparency. The responsible authorities do not include all EIF-supported projects in the list of recipients publicised by the member states. The failure to track the entire amount of the annual EIF allocations in a member state could also signify that the member state is underspending.

The information provided about projects implemented by the responsible authority is rarely as detailed as that for the other projects. Certain member states only publish the list of projects that have been undertaken by external providers.

¹²⁰ For instance, concerning the Italian responsible authority and action 4 (actions for awareness, information and communication to hinder xenophobia and discrimination) is the statement: "Within the framework of this action the responsible authority will implement the project as [an] executive authority in light of the necessity to manage at [a] central level and in a uniform manner the activities of communication and awareness [a]rising on the entire national territory" (Italy's annual programme for 2007). Concerning the Hungarian responsible authority and all actions: "Expected grant recipients: Institutions of general and higher education, Ministry of Education and Culture, career counsellors, nurseries and child care workers, social workers, NGOs, international and inter-governmental institutions, municipalities. c) This action will be implemented by the responsible authority acting as an awarding body" (Hungarian 2007, 2008 and 2009 annual programmes).

Table 9 illustrates the existence of wide divergences between the EIF amounts intended for use under priority 1 and those gathered from the list of projects selected under priority 1.

Table 9. Differences between the amount intended for use under priority 1 and the amount allocated as reported on the lists of different recipients (in €)

Member state	Year	Total intended for use under priority 1 (as per the annual programmes)	Total allocated to priority 1 projects (reported on lists of recipients)	Difference
Austria	2007	1,252,740.99	1,252,740.99	0.00
	2008	1,018,406.27	1,362,796.45	-344,390.18
	2009	1,000,695.88	1,315,752.14	-315,056.26
Estonia	2007	745,070.42	742,043.69	3,026.73
	2008	796,281.38	582,752.21	213,529.17
	2009	761,245.74	761,620.82	-375.08
France	2007	5,132,637.35	5,132,637.35	0.00
	2008	5,976,341.58	4,669,341.58	1,307,000.00
	2009	6,241,301.78	5,971,684.47	269,617.31
Greece	2007	1,112,554.30	1,478,915.74	-366,361.44
	2008	944,562.75	1,218,848.02	-274,285.27
	2009	1,218,649.47	748,865.96	469,783.51
Ireland	2007	676,092.00	226,232.00	449,860.00
	2008	758,098.00	542,220.00	215,878.00
Italy	2007	4,895,000.00	4,636,826.63	258,173.37
	2008	7,099,600.00	2,708,958.77	4,390,641.23
	2009	12,757,700.00	4,752,868.27	8,004,831.73
Spain	2007	7,044,065.00	7,128,098.73	-84,033.73
	2009	12,760,851.68	9,820,565.00	2,940,286.68
Sweden	2007	787,802.00	538,875	248,927.00
	2008	959,301.00	10,504,339.00	- 222,019.00
The Netherlands	2007	1,352,905.00	401,389.00	951,516.00
	2008	1,525,717.00	1,125,427.00	400,290.00
	2009	1,675,000.00	2,287,285.00	-612,285.00

Sources: This information has been obtained from the annual programmes and lists of EIF recipients of the selected member states.

The overall allocation of the EIF is not reflected in the total amounts given to projects as obtained through the project descriptions. Possible explanations might include underspending¹²¹ or the incompleteness of these lists.¹²²

4.2 Impact of current usages of the EIF

The findings described in section 4.1 of this report have contributed to identifying three central pitfalls in the national allocations of the EIF, which we next turn to analyse:

- First is the use of the EIF for implementing activities that until now had been funded by national budgets. This highlights tensions with the principle of additionality, according to which Community contributions should fund projects that add to existing practices rather than replace national expenditures.
- Second is a disproportionate emphasis on civic integration courses and tests on “the host society’s language, history and institutions” (CBP 4). This is particularly problematic as these measures are increasingly used to prevent TCNs from accessing basic fundamental rights, such as the right to family life (preventing access to family reunion) and security of residence (complicating access to a residence permit). These measures are at odds with the principle of non-discrimination and the respect of diversity.
- Third is the enshrinement of a ‘culture of selection’ and of differential treatment justified by the interpretations of the personal scope of the EIF: the administrative immigration status is used to justify the application of specific integration programmes and unequal treatment.

4.2.1 EIF support for public authorities and existing policies

The national grants of the EIF to date indicate that in certain member states, public authorities and services have received the largest proportions of EU funding. This could be considered a direct consequence of the de facto exclusion of small organisations, owing to the obstacles highlighted in section 3.2 above. That notwithstanding, in the same year other member states were able to finance several projects undertaken by civil society and LRAs. This may rather be a sign that some member states have viewed the EIF as a means for funding activities they would have otherwise developed with the support of their national budgets. This practice could already be inferred from the annual programmes, which indicated the rules for selection of the projects and specified whether a call for proposals would be issued or whether a tender would be given to responsible authorities. Actions

¹²¹ The UK MAP contains the following statement:

It should be noted that, because of the poor response to a call for external proposals, the UK is not currently in a position to draw down its full allocation of funding for 2007. However, it intends to address this situation by mounting a further call for proposals with the intention of allocating the outstanding balance of its allocations to activities supporting priority 1 – specifically actions designed to assist newly arrived third-country nationals to develop awareness of UK language, culture, history, institutions, socio-economic opportunities, cultural life and the country’s norms and values.

¹²² The Italian list of EIF-funded projects does not include those actions the responsible authority was expected to implement. In the Netherlands, only two projects (both of Foundation Mira Media) are listed in the 2007 list of beneficiaries. Altogether they received a total of €401,389 in EU contributions. This implies that €951,516 for 2007 has either not been allocated or is not listed among the funded projects.

described in the 2007 and 2008 annual programmes for which large amounts had been reserved were explicitly intended for public administrations and bodies, for funding the development and implementation of national policies. The cases of France and the UK, analysed below, are in this context indicative.

This state of affairs emphasises the importance of applying the additionality principle in the context of the EIF, to ensure that member states do not sidestep their responsibilities. The additionality principle, which was first introduced in the regional fund, aims at ensuring the added value of EU funding. It intends to prevent Community funds from being treated as a substitute for domestic policy efforts or contributing to reducing domestic expenditures. Ensuring that this principle is applied in practice is one of the main recommendations coming from the report by Fabrizio Barca (commissioned by Danuta Hübner, former Commissioner for Regional Policy), entitled *An Agenda for a reformed cohesion policy: A place-based approach to meeting European Union challenges and expectations*.¹²³ While acknowledging that in practice additionality is difficult to ascertain, he argues that doing so would help make sure Community funds provide an identifiable contribution and justify the rationale for the EU to carry out this policy.

EIF allocations in France

The 2007 and 2008 allocations of the EIF in France have respectively covered two and three activities. In both years, the French immigration and integration agency (Office Français de l'Immigration et de l'Intégration, OFII,¹²⁴ formally the French responsible authority) received over 90% of the total EIF allocation. The other recipients of the EIF during these years were the Association for Social and Family Services for Migrants (Association Service Social Familial Migrants, ASSFAM, an service provider of the OFII) and the National Agency for Social Cohesion and Equal Opportunities (l'Agence Nationale pour la Cohesion Social et l'égalité de chances, ACSé).¹²⁵ ACSé's competence in immigration issues has since been transferred to the OFII.¹²⁶ During its two first years of operation, the EIF thus almost exclusively served to finance national bodies and their service providers.

In 2009 the EIF supported, among others activities, the following three:

- the assessment of professional skills (Bilan des Competences), a programme that constitutes an essential component of the 'Welcoming and Integration Contract' (Contrat d'accueil et d'intégration, CAI).¹²⁷ This aspect of the contract was initially piloted in 2008 and then systematically introduced in 2009. The share of the EIF annual contribution allocated to this activity was 52% (€3,386,051.78);
- an increase in the number of local integration agents (Agent de Development Local d'Intégration). These local contact points on integration identify needs and provide

¹²³ F. Barca, *An agenda for a reformed cohesion policy: A place-based approach to meeting European Union challenges and expectations*, Independent Report prepared at the request of Danuta Hübner, Commissioner for Regional Policy, European Commission, Brussels, April 2009.

¹²⁴ Since 2009, the OFII has been the only service provider of the French Ministry of Interior in charge of legal migration; see the OFII website (<http://www.ofii.fr/>).

¹²⁵ Loi n° 2006-396 du 31 mars 2006 pour l'égalité des chances, publiée au Journal officiel le 2 avril 2006.

¹²⁶ Associations en dangers, Argumentaire de référence, mars 2009.

¹²⁷ The specific details of the CAI are elaborated in section 4.2.2.

support for migrants in rural areas.¹²⁸ In 2009, the national expenditures on this programme were provided equally by the EIF and the national budget (€190,000), representing 3% of the annual EIF allocation.¹²⁹ The annual programme, however, specifies that in 2008 the total cost for the development of the initiative (€316,815) had entirely been covered by the national budget; and

- the renovation of nine residences for migrant workers. This project is allocated 22% of the annual EIF allocation in 2009 (€1,415,671.69). This activity is considered to implement specific priority 2 because it targets the elderly (retired migrants) and is thus subject to a 75% Community contribution. Migrant workers' residences were built in France in the 1960s as provisional centres for the accommodation of immigrant workers. Since 1997 they have transformed into social residences and welcome a wider public, including immigrant workers, asylum seekers and marginalised individuals.¹³⁰ The renovation of these residences had long been thought necessary, although such a process also contributes to increasing the rent that residents are asked to pay.¹³¹

EIF allocations in the UK

For the implementation of priority 1, the UK MAP mentioned that in 2007 and 2008 the national allocation of the EIF would be used to support an "internal programme (the development of the Points-Based System for Immigration, PBS), that will improve and enhance admissions procedures and will also support the integration of third-country nationals".¹³² This allocation of funding was justified on the basis that "the introduction of a simpler, more transparent system of admissions procedures that includes a pre-entry language requirement for those entering in a category that will lead to permanent settlement will support integration".¹³³ In 2007 and 2008, the UK Border Agency of the Home Office respectively received 63.8% and 55.4% of the EIF for developing this system.

The PBS came into effect on 30 June 2008.¹³⁴ It replaced the previous work permit schemes with a five-tier framework, covering highly skilled workers, students and specific categories of temporary workers.¹³⁵ For admission under tier 1 (highly skilled workers,

¹²⁸ Note du 18 septembre 2003 du Ministre des Affaires Sociales, du travail et de la solidarité aux directeurs des DRASS.

¹²⁹ Data obtained from the 2009 annual programme for France, p. 15.

¹³⁰ Haut comité pour le logement des personnes défavorisées, *Du foyer de travailleurs migrants à la résidence sociale : mener à bien la mutation – 16ème rapport du Haut Comité pour le logement des personnes défavorisées* [From migrant worker residence to social residence: Achieving the transformation successfully – 16th report from the High Committee on Housing for Vulnerable People], Paris: La documentation française, September 2010.

¹³¹ Collectif pour l'avenir des foyers (COPAF), *Les foyers de travailleurs immigrés de la région parisienne au 21^{ème} siècle*, December 2008.

¹³² See the UK's MAP, p. 25.

¹³³ *Ibid*, p. 25.

¹³⁴ Home Office, *Highly Skilled Migrants under the Points-Based System: Statement of Intent*, London, December 2007.

¹³⁵ To gain indefinite leave to remain individuals must, after having resided on the territory for a period of five years, demonstrate that they have sufficient "knowledge of life in the UK". This may be accomplished in two ways: the first is to pass a computerised test, based on the official handbook, *Life in the United Kingdom: A Journey to Citizenship*. The level of English required for this purpose is ESOL (English for speakers of other languages) level 3. If the applicant does not have a sufficient standard of English to pass the test, the alternative route is to take a course of combined ESOL and citizenship

entrepreneurs, investors and the new category, “persons of exceptional talent”) and tier 2 (skilled workers with a job offer, intra-company transferees, ministers of religion and sportspersons), the PBS has incorporated a pre-admission English language requirement. This requirement is to be satisfied either by passing a language test or by having obtained a university degree taught in English. Only tiers 1 and 2 provide the opportunity to apply for permanent residence in the UK (“indefinite leave to remain”).

Despite the fact that it was introduced in 2008, the PBS is currently undergoing a substantial overhaul, including the introduction of tighter restrictions on entry to the UK and settlement.¹³⁶ To qualify for permanent residence, applicants must now meet a minimum income requirement and everyone must now pass the ‘Life in the UK’ test up to the standard of level 3 ESOL (English for speakers of other languages). The UK government has announced its intention to “end the link between permanent and temporary migration” with the implication that the UK Border Agency will limit permanent leave to remain for those coming to work in the UK.¹³⁷ It has recently introduced a cap on immigration for employment, removing the possibilities for settlement. The connection between this revised system – obviously designed to manage entries – and the integration process of TCNs is in this way increasingly blurred. The added value and linkage of such a system in supporting the integration process is thus questionable.

4.2.2 *Civic integration tests, courses and programmes*

According to the EIF Decision, pre-departure and introductory (civic integration) programmes are actions that may be supported by the EIF.¹³⁸ As highlighted in section 4.1.2 above, most member states intended to make use of the EIF for implementing CBP 4. In the annual programmes their intention to develop integration tools and programmes sought to facilitate the acquisition by TCNs of ‘the host language and culture’. During the first two years of the existence of the EIF, as Table 10 shows, large proportions of funding were used to support activities connected with introduction programmes, including language and civic courses. This illustrates a progressive conceptual shift in the different understandings of integration by member states, which appears to result from the dissemination at the EU level of some national practices and policies (see also section 5.1.2).

In Austria, these activities have been framed under the heading of “integration and language”, whereby language courses should promote basic knowledge of the history, institutions, socio-economic characteristics, culture and fundamental norms and values of the Austrian host society. In the Belgian Flanders Region, these activities are elaborated in the annual programme as developing the Flemish language courses offered to newly arrived migrants. In France, the development of the integration contract is foreseen as an action for

classes. Here it is not necessary that the individual reaches ESOL level 3, but only demonstrates progress in English.

¹³⁶ As of April 2011, the tier 1 general route for highly skilled migrants looking for employment is closed to all new applicants, and conditions for eligibility for tier 2 are severely restricted and subject to a permanent cap. See House of Commons, *Statement of Changes in Immigration Rules*, HC 863, London: The Stationary Office, 16 March 2011, on the website of the UK Border Agency (<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/statementsofchanges/2011/hc863.pdf?view=Binary>).

¹³⁷ See “Home Secretary: Immigration limit oral statement”, 23 November, on the website of the UK Border Agency (<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/news/oral-statement-imm-limit.pdf>).

¹³⁸ Arts. 4(1)(c) and 4(2)(a) of the EIF Decision. Refer also to section 2.1.2 of this report.

linguistic training, social assistance and professional assessment. In Ireland, civic courses fall within the scope of “introductory programmes”. In Italy they are included under the label “linguistic training and civic orientation”. In the Netherlands, civic courses are viewed as promoting “participation as an instrument for integration”. A similar situation can be observed in Poland, where civic courses are developed for the purpose of “building an integration [package] for TCN[s] in order to enhance their starting position for the integration process and to improve their understanding of the host society’s culture and values”.

Table 10. *Intended allocation to activities related to introduction programmes (in % of total EIF annual allocation)*

	2007	2008	2009
Austria	33.74	34.13	34.16
Belgium	34,84	36,44	13,86
France	97.98	89	52.83
Germany	10	10	8.3
Ireland	57.99	57.3	66.77
Italy	21	38	32
The Netherlands	71.17	28.61	38.91
Poland	61.40	41.68	-

Source: Draft financial plans in the annual programmes.

As illustrated by their descriptions in the annual programmes, the integration programmes and tests developed with the support of the EIF intend to go beyond the acquisition of language and envisage a strong civic dimension. Their content means to enhance the knowledge and understanding of the receiving country’s social, cultural, economic and legal environment. They largely focus on providing the migrant with *knowledge of the receiving society* and their completion is expected of TCNs seeking to reside legally in a member state.

For civic and language courses, the responsible authority generally acts as an executing body or identifies service providers to which the corresponding grant is allocated and the precise information and guidelines are directed. The match funding for these activities is usually provided by public co-financing.

The internal dimension of civic integration programmes implies that TCNs need to attend a course or pass an exam (or both) about history, institutions and values to have access to social protection and security of residence.¹³⁹ Among those member states under study in this report, Austria, France, Germany, the Netherlands and the UK make access to permanent residence conditional upon passing an integration course. Failing the Austrian mandatory integration test leads to non-renewal or withdrawal of the residence permit. In

¹³⁹ S. Carrera and A. Wiesbrock, *Civic Integration of Third-Country Nationals: Nationalism versus Europeanization in the Common EU Immigration Policy*, CEPS Liberty and Security in Europe Series, CEPS, Brussels, 2009.

France, the EIF was essentially used for developing the above-mentioned Welcoming and Integration Contract (CAI). The CAI is a contract between the French government and the newly arrived migrant, which was launched in 2003 then expanded and made compulsory in 2007. It is binding upon all newly arrived migrants who plan to settle in France and consists of a reception session (funded by the EIF in 2007 and 2009), civic training and language courses (funded by the EIF in 2007 and 2008) and the assessment of professional skills (funded by the EIF in 2009).¹⁴⁰ In Belgium, the 2007 and 2008 lists of beneficiaries for the Flanders Region shows that 100% of the EIF allocation for Flanders was used to set up the compulsory *inburgering* [integration] programme by financing several Huis van het Nederlands for linguistic assessment and an increase of integration coaches who are in charge of evaluating the migrants' fulfilment of the integration contract.¹⁴¹ Failure to attend the programme may give rise to sanctions, including the withholding of a residence permit.

Several member states have used the EIF for developing pre-arrival integration measures for the acquisition of knowledge and skills. The external dimension of civic integration programmes implies the externalisation of integration, whereby the requirement to demonstrate integration is applied in the country of origin. These measures act as immigration control tools for conditioning access to territory, generally in the context of migration for the purpose of family reunification.¹⁴² In France, the pre-travel integration requirement does not in theory condition migration to the country but may jeopardise the granting of residence rights. In the UK, access to the territory is conditional upon a language requirement. In Germany, the pre-travel (*Vorintegration*) language test affects the right to family life as it conditions the entry of spouses. While this has been viewed as the first action to be implemented under priority 1, failure to identify adequate beneficiaries for developing these activities appears to have led this member state to decrease the EIF amount allocated to such efforts.

Because of the limited territorial scope of costs that are eligible for the EIF grant, the rules for transferring EIF funds to organisations based abroad are rather complex, as partners in an EIF project registered and established in third countries may participate in projects on a no-cost basis, except in the case of international governmental organisations.¹⁴³

¹⁴⁰ Information obtained from the pages dedicated to the CAI on the website of the OFII (http://www.ofii.fr/s_integrer_en_france_47/la_formation_cai_21.html).

¹⁴¹ Attending the *inburgering* programme is an obligation for newcomers in Flanders. It consists of signing an integration contract detailing the specifics of the integration programme to be followed by the TCN. The TCN must attend training programmes composed of a Dutch course and social and career orientation. If successfully completed, the programme gives the TCN an integration certificate for attending the second phase of the integration programme. *Inburgeringscoaches* [programme counsellors] supervise and evaluate the individual's fulfilment of the integration contract. Huis van het Nederlands is where migrants' language knowledge and aptitudes are evaluated. Such an evaluation will define the number of language classes the TCN is to attend (between 120 and 240 hours).

¹⁴² Carrera and Wiesbrock (2009), op. cit.

¹⁴³ See Annex XI point I.6(2) of the implementing rules. This measure has been modified in 2011 and its scope has been expanded, thus indicating that such activities will be increasingly supported: "[P]artners in the projects registered and established in third countries may participate in projects only on a no-cost basis, except in the case of international public organizations set up by intergovernmental agreements, and specialized agencies set up by such organizations, the ICRC and the International Federation of National red Cross and Red Crescent Societies."

The Netherlands can be mentioned here as it was, at the time the EIF Decision was adopted, among the few member states supporting the possibility for integration programmes abroad to come under EIF-eligible actions. Yet the 2007 Dutch list of beneficiaries does not list those actions implemented under action 1 (“participation as an instrument for integration”), for which 71% of the annual EIF allocation had been set aside. The absence of an exhaustive list of 2007, 2008 and 2009 EIF recipients in this country prevents an appraisal of whether this member state has indeed supported its programmes for civic integration abroad through the EIF. Nevertheless, the legality of these national programmes is increasingly in question, in view of their effect and impact on fundamental rights, specifically the right to family life.¹⁴⁴ Recently a case was referred to the European Court of Justice for a preliminary ruling on the questionable compliance between the Dutch pre-integration measures and their effects on the respect for private and family life as foreseen in the Family Reunion Directive.¹⁴⁵

The EIF should not be used to support activities whose compatibility with EU law and fundamental rights is questionable.

Finally, the EIF is also used by member states that are not yet implementing such civic integration policies to explore the possibilities for developing similar practices or expanding the capacities of organisations to implement them. The 2007 Estonian annual programme envisaged the development of a testing system for Estonian language level and an introduction programme for newly arrived TCNs. An examination of the list of external projects awarded funding from the 2008 EIF allocation in the UK indicates that the focus is firmly on developing the capacity of external organisations to provide training in English for speakers of other languages and citizenship courses. In fact, eight external ESOL course providers were supported by the EIF in 2008.¹⁴⁶ These include colleges and youth centres as well as private companies.

Large amounts of the EIF have been used for implementing, developing and testing language skills, as well as civic courses and programmes in the context of immigration and citizenship legislation.

¹⁴⁴ Human Rights Watch, *The Netherlands: Discrimination in the Name of Integration, Migrants' Rights under the Integration Abroad Act*, Human Rights Watch, New York, NY, May 2008.

¹⁴⁵ See Art. 7(2) of Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification; refer also to the Order of the Court – 10 June 2011, Mohammad Imran, Case C-155/11 PPU on the compatibility of the Dutch authorities' refusal to grant a visa to the wife of an Afghan beneficiary of subsidiary protection on the basis that she had not passed the integration test abroad with the right to family life. The woman was living in a refugee camp in Pakistan (the closest Dutch consulate is in New Delhi). The Dutch authorities issued visas to the seven children of the couple who were under the integration test age. But when they arrived in the Netherlands, social services had to step in to care for them as the father had to work long hours to make enough money to satisfy the financial requirements of family reunification and could not care for them by himself. Then the father cut down his hours of work (and no longer satisfies the financial requirements) in order to care for his children. The Dutch authorities interrupted the court process by finally granting a visa to the mother before the legal assessment of the European Court of Justice could be finalised.

¹⁴⁶ See the UK Border Agency website, “European Integration Fund – List of Funded Projects 2008” (http://www.ukba.homeoffice.gov.uk/aboutus/workingwithus/workingwithasylum/integrating_ot_her_migrants/eif-list-of-funded-projects-08/).

An analysis of the various programmes offered by the eight ESOL course providers in the UK reveals that half of them actually charged participants an extra fee for attending the language course.¹⁴⁷ In the Netherlands, a language and societal test must be fulfilled before and after entering the country for securing residence rights in the context of family reunification. Its average cost is estimated at €1,440. In its 2010 observations on the Netherlands, the report by the Committee on the Elimination of Racial Discrimination (CERD) has expressed concern that “the current policy on integration has effectively shifted the primary responsibility for integration from the State to immigrant communities”. It further recommends that “the State party ensure that its integration policies reflect an appropriate balance between the responsibilities of the State under the Convention and the responsibilities of immigrant communities”.¹⁴⁸ Requiring participants to contribute financially to EIF-supported activities may be incompatible with the no-profit rule applicable to Community financing, which stresses that a grant may not have the purpose or effect of producing a profit for the beneficiary.¹⁴⁹

TCNs should not have to support the cost of compulsory integration courses and programmes. The state should retain its responsibility for covering the cost of integration measures.

Providing assistance or facilitating the acquisition of the receiving society’s language(s) and institutions might be desirable, but an essential consideration relates to whether this knowledge constitutes a mandatory condition for TCNs’ security of residence, basic fundamental rights and socio-economic inclusion. The conditionality attached to the successful completion of an integration course or test is central for determining whether it supports inclusion or rather contributes to social exclusion and discrimination. A distinction should be drawn between those intended for educational purposes, which aim at assessing the level of knowledge and the potential need for further training (as in the case of France), and those aimed at selecting and excluding, which are used for immigration control purposes.

In several countries, integration programmes and courses are aligned with migration policy imperatives.¹⁵⁰ A report of the INTEC project synthesises comparative research on the nature and effect of integration programmes and tests (see Table 11).¹⁵¹ While it finds that migrants may benefit from language and integration courses, it concludes that there are no

¹⁴⁷ These range from £35 to £250.

¹⁴⁸ United Nations, *Report of the UN Committee on the Elimination of Racial Discrimination*, General Assembly Official Records, Sixty-fifth session, Supplement No. 18 (A/65/18), New York, NY, 31 October 2010. The opposite path was nonetheless chosen by the Dutch government, as indicated by the note (White paper) on integration submitted by Dutch Minister Piet Hein Donner to the cabinet on 16 June 2011, which states that the immigrant would be required to bear the full costs of the integration course which will be raised to €5,000.

¹⁴⁹ See Art. 109(2) of the Financial Regulation and Art. 165 of the implementing rules.

¹⁵⁰ See R. van Oers, E. Ersboll and D. Kostakopoulou, “Mapping the redefinition of belonging in Europe”, in R. Van Oers, E. Ersboll and D. Kostakopoulou (eds), *A Redefinition of Belonging? Language and Integration Tests in Europe*, Leiden: Martinus Nijhoff, 2010.

¹⁵¹ T. Strik, A. Böcker, M. Luiten, R. van Oers, *Integration and Naturalisation Tests: The new way to European Citizenship, A comparative study in nine Member States on the national policies concerning integration and naturalisation tests and their effects on integration*, INTEC Project: Synthesis Report, Centre for Migration Law, Radboud University Nijmegen, 2010.

reasons to promote them in connection with the granting of a certain legal status, as this would in effect exclude migrants and hamper their integration rather than promote it. The participants in these courses, who were interviewed in the context of the research, concur in pointing out the limited effect of these courses and the central importance of other factors, such as a receptive society and equal opportunities.

Table 11. Overview of integration requirements

Member state	Test requirement for admission (abroad)	Test requirement for permanent residence	Obligation to attend a course after entry	Costs
Austria	Yes (upcoming)	Yes (2003) Language	No	Modules costs between €50 and €2,500
Belgium	No	No	Yes (2003) in Flanders	Free
France	No test but a course on language and society (2008)	Yes (2007) Language and society	Yes	Free
Germany	Yes (2007) Language	Yes (2005) Language and society	Yes (2005)	The test costs between €95 and €125
The Netherlands	Yes (2006) Language and society	Yes (2007) Language and society	Yes (1998)	Test fees range from €81 to €1,200
UK	Yes (2010) Language	Yes (2007) Language and society	No	Life in the UK test costs £34.00; its handbook costs £9.99

Source: INTEC project: Synthesis report (Strik et al., 2010).

When language and civic knowledge constitute mandatory conditions for residence or access to basic fundamental rights (or both), integration courses, tests and programmes should be deemed mechanisms of exclusion rather than of integration.

They function as a one-way obligation, as they put a disproportionate burden on the TCN for adhering to the perceived national values and traditions of the receiving society.

Furthermore, by preventing access to family life they may be in violation of the EU Charter of Fundamental Rights and Directive 2003/86/EC on the right to family reunification.

4.2.3 Supporting differential treatment

The personal scope of EU policy on integration is limited by the legal basis provided by Art. 79(4) of the Treaty on the Functioning of the European Union. This article allows for the establishment of measures to provide incentives and support for the actions of member states with a view to promoting the integration of “TCNs residing legally in the territory of Member States”. The legal basis thus explicitly delineates the personal scope of EU support for national integration measures.

The personal scope has further been interpreted by member states when legislating on ‘who’ should attend integration programmes and courses set up in the framework of the activities implementing CBP 4 (as described in section 4.2.2). On the one hand, education level or income level determine which legally residing TCNs are targeted by these initiatives. On the other, some nationalities are explicitly exempted from residence conditions irrespective of these criteria.¹⁵² Turkish nationals are exempted from any integration and language requirement in light of the interpretation provided by the Court of Justice of the EC–Turkey Agreement and Decision No. 1/80 (and its additional protocol) in the cases *Sahin* and *Commission v. the Netherlands*.¹⁵³ In Germany, for instance, the following categories are excluded from the pre-entry language test: highly qualified workers and those exempted from the visa requirement on grounds of nationality; citizens of the EU/EEA, Switzerland, Australia, Israel, Japan, Canada, South Korea, New Zealand, the US, Andorra, Honduras, Monaco and San Marino. In the case of the Netherlands, the CERD recommended reviewing such legislation, which foresees discriminatory application of the civic integration examination abroad to “non-Western” state nationals.¹⁵⁴ The criteria used for defining whether a TCN is in need of integration courses and programmes are thus dependent upon factors that not only take into account the administrative immigration status, but also include considerations of nationality, education and income.

Added to member states’ uneven interpretation of the personal scope of EIF-funded activities, this financial framework has contributed to the emergence of different categories of TCNs for whom uneven integration paths are designed. What appears as an artificial distinction on the basis of income, nationality and legal status may ultimately lead to missing the initial EIF objective of a “vigorous integration policy for enhancing non-discrimination in economic, social and cultural life”. The approach followed by most member states until now calls for a process of distinction and selection for singling out permissible beneficiaries of activities, not on the basis of their actual needs, but rather on the basis of the categories into which they fall. In the context of EIF-funded activities, this forces EIF recipients such as the LRAs, civil society and migrant organisations to actively exclude members of communities with whom they would normally engage and to institute procedures to single out those they wish to target.

The obligation to classify those migrants who can benefit from EIF support contributes to further institutionalising artificial distinctions among migrant groups.¹⁵⁵ Both the symbolic implications of identifying specific groups as targets of integration policies and the practical effects of limiting access to projects sits uneasily with globally inclusive integration strategies, which rest on developing measures against discrimination, racism and xenophobia. The implications of such framings in relation to 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) sit in our view at tension. The Equal Treatment

¹⁵² Carrera and Wiesbrock (2009), op. cit.

¹⁵³ See Cases C-92/07, *Commission v. the Netherlands* [2010] ECR I-0000 and Case C-242/06, *Sahin* [2009] ECR I-0000 referred to in Carrera and Wiesbrock *supra*, pp. 16-17.

¹⁵⁴ United Nations (2010), op. cit.

¹⁵⁵ The “Hello UK!” project funded by the UK Border Agency offered free language and employment skills workshops to migrants “from a third world country”. See the website of the “Hello UK!” project beneficiary, Nottingham Training and Enterprises (<http://www.nte.moonfruit.com/hello-uk/4542879211>).

Directive¹⁵⁶ explicitly prohibits any discrimination on the basis of racial or ethnic origin in access to education. To some extent, the focus on the newly arrived creates separate rather than integrated programmes, which could lead to a perception in society that ‘migrants are given more than ordinary citizens’ or that certain TCNs are more in need of integration than others. Such distinctions further prevent particularly vulnerable groups, including undocumented immigrants and people who cannot be returned to their countries of origin, from benefiting from assistance and support activities.

The need for flexibility in delineating the target group of integration policies was recognised by the JHA Council itself upon adopting the “common basic principles for immigrant integration policy”.¹⁵⁷ It acknowledged that while the main target group (personal scope) addressed by the EU framework on integration would be mostly ‘newcomers’ and legally residing TCNs before they cross the bridge towards long-term residence, the framework

may also target diverse audiences, the mix of which varies between the Member States – for example, from temporary workers to permanent residents and to the children of immigrants; from individuals who await to be admitted to those who are already residing; from immigrants who have acquired citizenship to long-established third-country nationals; and from highly skilled refugees to individuals who have yet to acquire the most elementary skills.

In 2004, the JHA ministers had thus appeared aware of the varying situations that prompted the need to take into consideration among other aspects individual needs, personal circumstances and destination state, which points to the incoherence of compelling certain categories to attend integration activities as well as explicitly excluding others from these.

Actions implemented under the EIF shall be complementary to those pursued under other relevant Community policies, instruments and initiatives.¹⁵⁸

On the one hand, preventing or compelling access to activities on the basis of nationality may be incompatible with the principle of non-discrimination and the principle of equal treatment between persons irrespective of racial or ethnic origin. If nationals of certain third countries are exempted of such tests solely on the basis of their nationality, such tests may be incompatible with Directive 2000/40/EC, with the general EU law principle of non-discrimination and with non-discrimination clauses in human rights treaties ratified by all member states.

On the other hand, expanding the personal scope of compulsory integration programmes, courses and tests to include EU citizens and certain nationals (such as second or third generations) would violate the principle of non-discrimination.

The two-way process to integration must be driven by the principles of non-discrimination and equality of treatment.

¹⁵⁶ Council of the European Union, Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, OJ L 180, 19.07.2000, p. 22.

¹⁵⁷ Council of the European Union (2004), 2618th Meeting of the Justice and Home Affairs Council Meeting, Common Basic Principles on Immigrants Integration, op. cit.

¹⁵⁸ Art. 47(3) of the EIF Decision.

5. PUTTING INTO PRACTICE THE TWO-WAY PROCESS TENET IN THE EU

Over the last decades of European integration, various approach(es) to integration have coexisted subject to evolving official discourses, policies and laws. That notwithstanding, there have been a number of identifiable features driving the EU's conceptions on integration. These features have fostered an understanding of integration as a process centred on the granting of a secured juridical status of residence, and driven by the principles of equality and non-discrimination.¹⁵⁹ This classical understanding of integration in EU policy has also presented a distinctive framing of integration as a two-way process, which subsequently became CBP 1.

The understanding of integration as a two-way process has constituted a key tenet in the EU policy approaches to integration since the 1980s. It can be said to represent a truly 'EU input' to the integration debates across Europe. Since 1999, however, there has been a profound transformation of (or paradigm shift from) previous classical conceptions of integration in the scope of the EU framework on integration. As highlighted earlier in section 4.2.2, integration has become a condition (in the form of civic integration programmes or tests within the territory or abroad) in immigration law, demanding that foreigners demonstrate knowledge on the way of life, values, culture and history of the receiving state as a *sine qua non* for their actual integration, inclusion and access to EU rights and freedoms. Integration has become an *insecuritisation* mechanism, putting the burden and obligations mainly on the shoulders of TCNs.¹⁶⁰

The two-way process offers credible potential for the EU to have 'added value' in national, regional and local integration policies as long as certain conditions are met. First, its conceptual limitations (and deficits) in meeting social realities and needs must be acknowledged. Second, while there is no need to have a definition of what 'integration' means at the EU level, the EU needs to identify those policies and practices that do not fall within the EU understanding of the two-way process. Third, the EU needs to acknowledge the privileged position of all citizens and residents in determining what integration into society represents, by ensuring the strong involvement of civil society, migrants' organisations, local authorities and other relevant actors and practitioners in defining what the two-way process actually means and how it can be implemented (and have added value) in practice.

Section 5.1 presents the theoretical underpinning of the EU framework on integration. It briefly outlines the origins and developments of the understanding of integration in EU policy. It also analyses the translation of the EU approach(es) to integration into national practices that treat it as an insecurity and immigration/identity control tool. Section 5.2 addresses the relevance of the EIF for implementing integration activities supporting a two-way process, and puts forward some elements to consider for understanding and implementing that process.

¹⁵⁹ Carrera (2009), op. cit.; Groenendijk (2004), op. cit., pp. 111-126.

¹⁶⁰ S. Carrera, *Integration of Immigrants in EU Law and Policy: Challenges to Rule of Law, Exceptions to Inclusion*, EUI Working Papers, European University Institute, Florence, forthcoming.

5.1 The European understanding of the integration of immigrants

One of the EU's distinctive contributions to the conceptualisation of the integration of TCNs during the last 25 years has been an understanding of integration as a two-way process. This principle has put special emphasis on the need to overcome past acculturation and assimilation discourses, and policies exclusively concerned with the obligation of TCNs to integrate into the perceived 'host society's values, principles and way of life'. This principle could be interpreted as an attempt to move beyond debates linking integration policies to cultural and identity-related dilemmas perceived to be exclusively connected with the phenomenon of immigration, and instead focus on integration as a complex process involving not only 'the foreigner', but also the receiving societies and multi-level public authorities. The bi-directionality underlying this principle is one rather paying attention to the facilitation of understandings/participation and access to socio-economic services and rights by TCNs.

5.1.1 *Integration as a two-way process*

The first occasion the two-way principle appeared in EU official discourse was in 1985, in the European Commission's Communication on Guidelines for a Community Policy on Migration.¹⁶¹ The two-way process principle was then expressly reintroduced in EU official discourse in an Opinion of the EESC in 1994, with this statement:¹⁶²

The Economic and Social Committee regards integration as a *two-way process*. A comprehensive integration policy should therefore be targeted not only at the immigrant population, but should also *involve the population of the host country*, so that measures which promote integration among young people, in schools and in the workplace can attain their true objective of *improving mutual understanding*. (Emphasis added.)

After the entry into force of the Amsterdam Treaty and the adoption of the Tampere Programme in 1999, the Commission presented a Communication on Immigration, Integration and Employment in 2003, which promoted the following understanding of the principle:¹⁶³

Integration should be understood as a *two-way process* based on mutual rights and corresponding obligations of *legally resident third country nationals* and the host society which provides for full participation of the immigrant. This implies on the one hand that it is the *responsibility* of the host society to *ensure that the formal rights* of immigrants are in place in such a way that the individual has the possibility of participating in economic, social, cultural and civic life and on the other, that *immigrants respect the fundamental norms and values of the host society and participate actively in the integration process, without having to relinquish their own identity*. (Emphasis added.)

¹⁶¹ See European Commission, Communication on Guidelines for a Community Policy on Migration, COM(85) 48 final, 7 March 1985, *Bulletin of the European Communities*, Supplement 9/85. Para. 11 reads as follows: "Furthermore, the Commission emphasizes that insertion in the society of the host country only succeeds through the double effect of the willingness and effort of the native population, on the one hand, and that of the migrants themselves, on the other." For an overview of how the concept of integration in EU law and policy has evolved since the 1980s, refer to Carrera (2009), op. cit.

¹⁶² See European Economic and Social Committee, Opinion on the Commission Communication on an Immigration and Asylum Policies, 94/393/13, OJ L 393/69, 31.12.1994. See in particular point 8 on "integration policy".

¹⁶³ European Commission (2003), Communication COM(2003) 336, op. cit.

The adoption of the CBPs by the JHA Council Conclusions of 19 November 2004¹⁶⁴ constituted the formal recognition of the two-way process principle as guiding the overall European understanding of integration. CBP 1 was articulated as follows: “Integration is a *dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States*” (emphasis added). Furthermore, the Annex of the JHA Conclusions added that

[i]ntegration is a *dynamic, long-term, and continuous* two-way process of mutual accommodation, not a static outcome. It demands the *participation* not only of immigrants and their descendants but of every resident. The integration process involves *adaptation* by immigrants, both men and women, who all have rights and responsibilities in relation to their new country of residence. It also *involves the receiving society*, which should create the opportunities for the immigrants’ full economic, social, cultural, and political participation. Accordingly, Member States are encouraged to consider and *involve both immigrants and national citizens in integration policy*, and to *communicate* clearly their mutual rights and responsibilities. (Emphasis added.)

The JHA Council identified the following characteristics of the two-way process principle:

- **participation of society at large,**
- **adaptation by immigrants and the receiving society,**
- **involvement of immigrants and citizens in integration policy, and**
- **communication of rights and responsibilities.**

Some of the defining features attributed to CBP 1 involve direct linkages with the specific goals of the CBPs. Notable in this regard are goals ‘b’ (interaction of multi-level governance authorities and involvement of other actors, such as social partners, NGOs, women’s and migrants’ organisations, businesses and other private institutions) and ‘d’ (regular dialogue between the government and all relevant institutions and stakeholders at the EU level) of this CBP. Moreover, CBP 1 is most closely linked with CBP 6 (equal treatment and non-discrimination), CBP 7 (frequent interaction) and CBP 10 (mainstreaming integration policies in multi-governance and public services).¹⁶⁵

The European Commission’s interpretation of the two-way process was further provided in the 2005 Communication on a Common Agenda for Integration: Framework for the Integration of Third-Country Nationals in the European Union,¹⁶⁶ which encouraged the following actions at the national and EU levels to put CBP 1 into practice:

National level

- strengthening the ability of the host society to adjust to diversity by targeting integration actions at the host population;
- setting up national programmes to implement the two-way approach;
- increasing the understanding and acceptance of migration through awareness-raising campaigns, exhibitions, intercultural events, etc.;

¹⁶⁴ Council of the European Union (2004), 2618th Meeting of the Justice and Home Affairs Council, Common Basic Principles on Immigrants Integration, op. cit.

¹⁶⁵ European Policy Centre, *Beyond the Common Basic Principles on Integration: The Next Steps*, Issue Paper No. 27, EPC/KBF Multicultural Europe Team, EPC, Brussels, 2005, p. 6.

¹⁶⁶ See European Commission (2005), Communication COM(2005) 389, op. cit.

- promoting knowledge within the host society of the consequences of introduction programmes and admission schemes;
- enhancing the role of private bodies in managing diversity;
- promoting trust and good relations within neighbourhoods, e.g. through welcoming initiatives and mentoring;
- cooperating with the media, e.g. through voluntary codes of practice for journalists;

European level

- supporting transnational actions, e.g. campaigns or intercultural events, to project accurate information about immigrants' cultures, religions and social and economic contributions; and
- supporting pilot projects and studies to explore new forms of Community cooperation in the field of admission and integration.

The next Commission contribution to the conceptual boundaries of the two-way process tenet came in a Staff Working Document, *Strengthening Actions and Tools to Meet Integration Challenges*,¹⁶⁷ in which the Commission developed the notion of "measures targeting the host society" as part of CBP 1. It gave this description:

Stressing the importance of involving society as a whole, integration is defined at EU level as a dynamic two-way process of mutual accommodation by all immigrants and citizens of Member States. As Europe becomes increasingly diverse, measures targeting its societies are crucial to support understanding and co-existence between different cultural identities to ensure well-being. This is not possible without the full commitment of all members of society. (Emphasis added.)

This was later complemented by the Commission's input to the European Ministerial Conference on Integration in Zaragoza on 15–16 April 2010.¹⁶⁸ According to the Commission, "[g]athering citizens' perceptions of immigration and integration processes, building a true image of immigration and collecting immigrants' views on their integration experiences are key elements in the better shaping and targeting of policies concerning integration" (emphasis added).

The following elements (and related specific initiatives) were highlighted by the Commission as fitting the two-way process principle:

- **measures addressing the general public's perceptions of migrants, legal migration and integration, which could include "surveys at all levels of governance" and "better harmonised statistics";¹⁶⁹**
- **awareness raising;**
- **the role of the media; and**
- **immigrants' views.**

¹⁶⁷ European Commission, *Strengthening Actions and Tools to Meet Integration Challenges: Report to the 2008 Ministerial Conference on Integration*, Commission Staff Working Document, SEC(2008) 2626, Brussels, 8 October 2008.

¹⁶⁸ European Commission, Commission Staff Working Document, SEC(2010) 357, op. cit.

¹⁶⁹ Ibid.

5.1.2 *Integration as mandatory, civic integration programmes, courses and tests*

The entry into force of the Amsterdam Treaty in 1999, which transferred immigration policy to shared competence between the EU and the member states, marked a profound transformation in the classical EU paradigm on the integration of TCNs. This break in continuity has not passed unnoticed by the academic literature.¹⁷⁰ The kick-off phase of the EU framework on integration led to a distinctive move from an approach framing integration as a process of inclusion and mutual accommodation to another in which it was increasingly viewed as an insecurity, immigration and identity-control tool in the hands of the nation-state.

The concept of integration in the EU framework on integration has mutated into a criterion conditioning access by TCNs to social inclusion, security of residence and EU rights. Integration has gradually transformed into a regulatory technique for the state to manage access by the foreigner to social inclusion and rights. The conditionality subsumed in this new version of integration paradoxically demands that foreigners demonstrate knowledge on the way of life, values, culture and history of the receiving state as a *sine qua non* for actual integration.

This mutation has most directly resulted from the ways in which the EU framework on integration has been developed since 2002. Since its origins, the framework has depended on the inputs by supranational networks of experts coming from national ministries responsible for integration policies (the NCPIs) in the exchange of information and the identification of good or best practices on integration policies. A number of EU member state representatives have been more successful than others in channelling their national integration programmes and policies to the European level as ‘lessons learned’. They have tended to be those considered to have more experience in the management of the phenomenon of immigration (often denominated as ‘traditional immigration countries’). They have coincided with those EU member states making use of mandatory civic integration tests in their own national immigration laws (for example the Netherlands, Germany, France and Austria), which, as highlighted in section 4.2.2 above, aim primarily at reducing the total number of entries or family reunifications (or both).¹⁷¹

¹⁷⁰ E. Guild, K. Groenendijk and S. Carrera (eds), *Illiberal Liberal States: Immigration, Citizenship and Integration in the EU*, Farnham: Ashgate, 2009; D. Kostakopoulou, S. Carrera and J. Moritz, “Doing and Deserving: Competing Frames of Integration in the EU”, in E. Guild, K. Groenendijk and S. Carrera (eds), *Illiberal Liberal States: Immigration, Citizenship and Integration in the EU*, Farnham: Ashgate, 2009, pp. 167-186; R. Cholewinski, “Migrants as Minorities: Integration and Inclusion in the Enlarged European Union”, *Journal of Common Market Studies*, Vol. 43, No. 4, November, 2005, pp. 695-716; H. Oger, *Integration in Tension in Immigration Law: Mirror and Catalyst of the Inherent Paradox of Nation-States*, EUI Working Paper No. 1, European University Institute, Florence, 2005; K. Groenendijk, “Legal Concepts of Integration in EU Migration Law”, *European Journal of Migration and Law*, Vol. 6, No. 2, 2004, pp. 111-126.

¹⁷¹ Guild, Groenendijk and Carrera (2009), op. cit.; Carrera and Wiesbrock (2009), op. cit.

The expansion of the testing exercise from the national arenas to the EU has signified the emergence of integration (or rather lack of it) as a new ground for the exclusion of foreigners in EU immigration law, based on the security risk of failure to integrate.¹⁷² This has legitimised civic integration programmes and tests within the territory and abroad as ‘good practices’ under the CBPs and the EIF.

The framework has in this way favoured a nationally-oriented policy agenda catapulting certain domestic integration programmes towards the European realm. The paradigm shift is particularly obvious when looking at CBPs 2 and 4. The Annex of the above-cited JHA Council Conclusions of 19 November 2004 elaborated the meaning and scope of each of these CBPs. It stated that CBP 2 involves the obligation of every resident in the EU to adapt and adhere closely to the basic values of the Union and the laws of the member states, which include “the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law”. Furthermore, these include respect for the provisions of the Charter of Fundamental Rights of the European Union, which enshrines the concepts of dignity, freedom, equality and non-discrimination, solidarity, citizen’s rights and justice. The Annex also requested EU member states to ensure that every resident understands, respects, benefits from and is protected on an equal basis by the full scope of values, rights, responsibilities and privileges established by EU and member state laws. As regards CBP 4, the emphasis of a majority of EU member states on “basic linguistic, historical and civic knowledge” in introductory programmes was highlighted, as well as “acquiring the language and culture of the host society”. Full respect for the languages and cultures of the immigrants and their descendants were also mentioned as important elements of integration policy.

5.1.3 Civic integration as a two-way process?

The relation between the new understanding of integration as an obligatory civic integration programme, course and test on the one hand, and that of the classical EU tenet on the two-way process on the other, is obviously one of tension. The increasing stress on the obligations and responsibilities of TCNs to ‘know, understand and adhere’ to the cultural and identity aspects supposedly existing in the receiving state challenges the foundations of integration as a bi-directional process enabling understandings between and the participation of TCNs and host societies, and improving access to rights and security by TCNs.

The conditionality of integration favours a unidirectional process of acculturation, according to which the TCN has the obligation of knowing the national values, principles and way of life that is supposed to be reigning in the host society.

Integration obligations in certain member states impose the heaviest burden of proof on the foreigner to demonstrate his/her assimilation into a homogenous framing of a pure societal self, which is considered to ideally exist at the foundations of the nation.¹⁷³

¹⁷² E. Guild and S. Carrera, “Are Integration Tests Liberal? The ‘Universalistic Liberal Democratic Principles’ as Illiberal Exceptionalism”, in R. Baubock and C. Joppke (eds), *How Liberal Are Citizenship Tests?*, EUI Working Paper No. 41, European University Institute, Florence, 2010.

¹⁷³ C. Joppke and E. Morawska (eds), *Toward Assimilation and Citizenship: Immigrants in Liberal Nation-States*, Basingstoke: Palgrave, 2003.

Liberal democratic principles and values are used as instruments of ‘exceptionalism’ by the state in justifying integration conditions foreigners must satisfy to benefit from (and be protected by) the very same liberal democratic entitlements.¹⁷⁴ The mandatory nature of integration implies that TCNs’ failure to comply with the obligation to integrate justifies the application of sanctions by the state, which range from financial penalties to the non-granting of a visa or a residence permit, the non-renewal of the latter, the individual falling into irregularity or the consequent expulsion from the state’s territory.

Furthermore, the classical EU framing of the two-way process principle did not include any reference to ‘integration programmes’ until the actual implementation of the EU framework on integration in 2002. It mainly resulted from the exchange of best practices among the representatives of national ministries, the NCPIs. This was for instance reflected in the *Handbook on Integration for Policy-makers and Practitioners*, which has been published since 2004. The first edition in 2004¹⁷⁵ has in particular contributed to legitimating the new focus on integration programmes by considering these to fall within the scope of CBP 1. The publication *From Principles to Practice: The Common Basic Principles on Integration and the Handbook Conclusions*¹⁷⁶ included introduction programmes and courses (including compulsory ones envisaging sanctions or incentives) as measures implementing the two-way process principle.

5.2 Implementing the two-way process with the support of the EIF

In light of the nature of the European understanding of immigrants’ integration, the role and added value of the EIF as a European contribution to the development of national integration projects is central. For many member states, the setting-up of the EIF has provided a first incentive for developing and establishing a policy framework for facilitating the integration process of migrants. It is nonetheless essential to assess whether this has contributed to meeting the two-way process approach pursued by integration actors at the local level or whether this approach has been disregarded in defining the priorities to be implemented through the EIF.

This section provides new perspectives as regards the interpretation of the two-way process principle (CBP 1) and its implementation through the financial support provided by the EIF. Based on examples given by the project partners for what constitutes in their view a two-way process of mutual accommodation, it reviews the kinds of selected practices and activities that (according to the findings of this report) contribute to supporting an understanding of integration as a two-way dynamic process of mutual accommodation by all immigrants and residents in the receiving societies. It then moves on to highlight the importance of two aspects that are determinant in assessing the relevance of the EIF in facilitating integration: the adequacy of the actions identified in the programming documents for those considered in need of financial support by integration actors, and the need to consult integration actors to identify corresponding actions. The last subsection identifies a typology of activities, strategies and measures implementing the two-way process.

¹⁷⁴ Guild and Carrera (2010) op. cit.

¹⁷⁵ Niessen and Schibel (2004), op. cit.

¹⁷⁶ J. Niessen and M.A. Kate, *From principles to practice: The Common Basic Principles on Integration and the Handbook Conclusions*, Migration Policy Group, Brussels, June 2007, pp. 7 and 8.

5.2.1 *Understanding the two-way process: Fundamentals and limitations*

This report understands the two-way process principle in the policy context as starting from the premise that integration is a multidimensional and multi-actor process of participation, interaction and understanding encompassing societies as a whole.

- It is multidimensional because it involves a process of inclusion and participation at the social, economic, political, cultural and other ‘unexpected’ societal levels.
- It involves a multi-actor network owing to its inherent relevance not only for all residents and the administration as a whole, but also for civil society and migrant organisations, social partners and practitioners as well as the private sector.

This multidimensional process calls for the effective removal of inequalities, discrimination and racism. It also calls for facilitating access to rights, freedoms and opportunities on an equal basis with residents, overcoming legal hurdles and administrative procedures, and challenging restrictive immigration policies. All this is within the framework of the rule of law and fundamental rights upon which the EU and the liberal democracies of which it is composed are founded, and which are of relevance (and apply) to all the ‘integration actors’, including state authorities.

As regards the multi-actor network, in view of the contribution of the integration stakeholders in making integration work, their role in the practical materialisation of the two-way process as a principle needs to be acknowledged. The EU should ensure the close involvement of civil society, migrants’ organisations, local authorities and other relevant practitioners (and their experiences), as they are important stakeholders in facilitating the integration process and representatives of the receiving society. This would contribute to providing concrete inputs on what the two-way process actually means and how it can be implemented (and have added value) in practice.

There is a very awkward relation between the two-way tenet on the one hand, and on the other the increasing trend in several national arenas across the EU towards the use of mandatory civic integration programmes, tests and contracts, supported by the EIF, as identified in section 4.2.2 above.

The incompatibility of the integration programmes and tests with the concept of a two-way process comes from the use of these measures in certain member states as policy tools for implementing restrictive immigration policies (limiting the legal channels of entry and the number of family reunifications).

The first clash comes when putting the understanding of integration as a ‘process’ into context with the new nexus emerging in the legislation of certain member states between integration and ‘immigration law’. Further tension stems from the unidirectional nature of mandatory integration tests, which put the main burden and obligation on the immigrants’ shoulders. The disproportionate results of obligatory integration tests in order for TCNs to have access to visas, residence permits (security of residence) and fundamental rights (family life through family reunion) have been widely acknowledged by various academics and independent studies.¹⁷⁷

¹⁷⁷ Refer for instance to Carrera and Wiesbrock (2009), op. cit.; Guild, Groenendijk and Carrera (2009), op. cit.; and Van Oers, Ersboll and Kostakopoulou (eds) (2010), op. cit.

The understanding of integration as a two-way process is a positive contribution by the EU framework on integration. Nevertheless, the two-way process principle presents certain limitations, which need to be taken into consideration when putting it into practice.

First, the principle presumes that there are two clearly identified, homogenous parties (us and them) in the integration process: i.e. the immigrants and the receiving society. Yet, who are these ‘immigrants’? Also, who is to be included under the label of the ‘receiving society’ – only the citizens or also the residents? This split framing or dualism of the integration process blurs the complexities (and constant dynamism) inherent to societies and the diversity of individuals/actors and the networks they make up. Receiving societies are in constant change. Unity of society is based on the acceptance that it is not a closed, static concept. It is rather achieved by doing things together.

Second, the tenet assumes ‘parity’ in that bidirectional relationship. It does not take properly into consideration the asymmetry or unbalanced relationship in the status (and vulnerability) of the parties involved as regards ‘who’ has the heaviest burden of ‘duties’, ‘responsibilities’ and obligations. Among the 11 CBPs there are very few references made to the responsibilities of the receiving societies and actors.

Third, the limitations of the personal scope are also noticeable and bring us back to who is covered by the EU principle of the two-way process.

Fourth, the approach to integration is viewed as linear and bidirectional. Marco Martiniello has pointed out that “integration does not necessarily happen this way and that setbacks are always possible...integration cannot be considered as a process with a clear end. Integration is not reached forever.”¹⁷⁸

Fifth, certain interpretations of the tenet ascribe (in a rather paternalistic fashion) the obligation to ‘immigrants’ to accommodate the liberal democratic principles and ‘basic values’ of the receiving society (refer to CBP 2 and CBP 4.1). This understanding of integration is based on the presumption that foreigners do not ‘know’ or understand ‘our liberal democratic principles’ and need to be taught them in order to be allowed to reside legally in the receiving state. It also presumes that ‘the receiving society’, including state authorities, comply perfectly with these very principles. Such framing stigmatises the foreigner as (by definition) illiberal and needing to adapt to the Western ‘way of life’ and ‘values’.

5.2.2 Support for the two-way process through the EIF

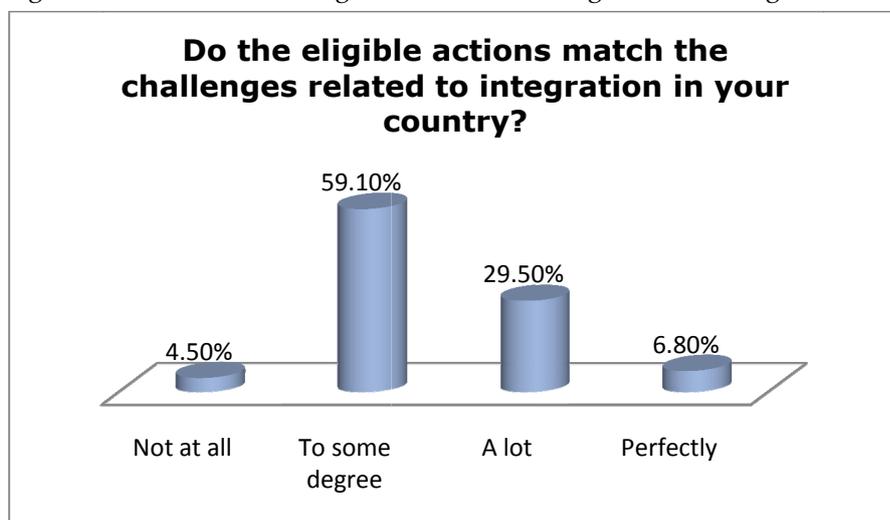
Integration is only possible if the receiving society allows it. On the one hand, if government policies and rhetoric explicitly identify the presence of immigrants as a problem and a phenomenon to be contained, integration will be made difficult. On the other, efforts to combat xenophobia and racial discrimination in the labour market should be critical elements of the receiving society’s integration strategy. This may be incompatible with the integration priorities as identified by governmental coalitions, however, which include parties with extreme views on what the receiving society represents and expects. The multiple integration actors can contribute with an account of a sustainable, experienced understanding of integration. In their capacity as frontline observers of actual needs, their opinions should be acknowledged, valued and properly channelled in the implementation (and evaluation) of public policies on integration.

¹⁷⁸ M. Martiniello, “Towards a coherent approach to immigrant integration policy(ies) in the European Union” (www.oecd.org/dataoecd/42/58/38295165.pdf).

Annual programmes provide the elements to be included in the calls for proposals of the corresponding year. They thus constitute the basis upon which activities will be encouraged and implemented the following year at the national level. Several indicators point to the awkward compatibility of the actions described in the annual programmes with those identified by integration actors as in need of financial support:

- Some responsible authorities have regretted in the 2008, 2009 and 2010 annual programmes that previous calls for proposals did not allow for adequate project proposals to be identified and selected.
- In certain member states, there appears to have been significant underspending (see section 4.1.4 above).
- As illustrated in Figure 7, survey respondents in the online consultation commented that the priorities identified at the national level only matched to some degree the challenges experienced in their local setting.

Figure 7. Match between eligible actions and integration challenges



Source: Results of the project survey.

For the EIF to truly represent a functional tool for the implementation of the two-way process, better compatibility is needed between the priorities specified by the responsible authorities and those identified by integration actors.

That notwithstanding, survey respondents emphasised the added value that an instrument such as the EIF represents in addressing ‘integration challenges’ at the local level.¹⁷⁹ In their view, the EIF has channelled additional support to newly arrived TCNs, who until then were seldom the focus of specific funding schemes. According to a Commission public consultation on the future of EU funding for home affairs policies, 47% of the respondents (50% of which represented national public administrations) held the development of integration policies and practices to be a key priority.¹⁸⁰ An important

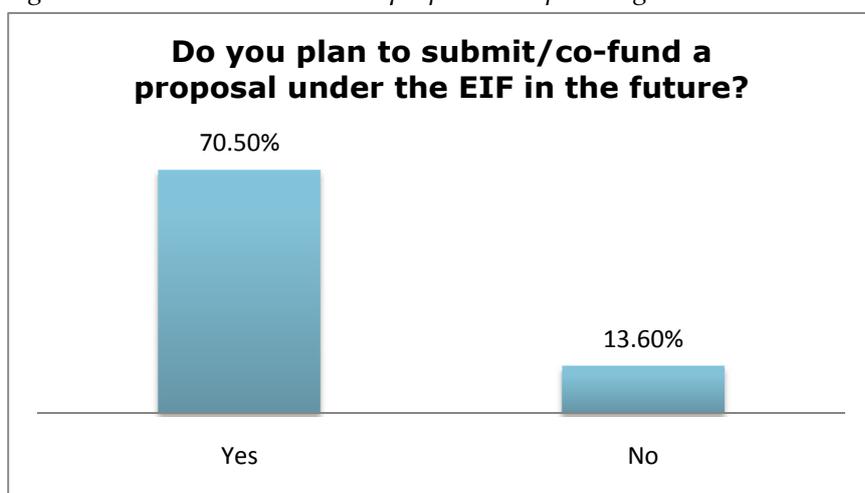
¹⁷⁹ Q43 of the survey reads as follow: “To what degree do the actions eligible for funding under the EIF match the challenges related to integration in your country?”

¹⁸⁰ European Commission, *Preliminary summary of stakeholder responses to the public consultation on the future of EU funding for home affairs policies*, DG Home Affairs, Brussels, 8 April 2011.

impulse provided by the EIF relates to the specific priorities as detailed in the implementing rules. These represent valuable incentives for member states to take into consideration horizontal themes they had until then disregarded. The emphasis put on implementing actions for target groups such as women or the elderly has contributed to acknowledging the specific needs of these groups. For instance, it has encouraged the mainstreaming of a gender perspective in EIF-supported projects.

The importance of EIF support for the two-way process is further illustrated by our survey respondents' intentions to engage in EIF-related actions in the future. Figure 8 shows that 70% of the respondents intended to submit future applications under the EIF. The others stressed that they would not seek EIF funding because of the disproportionate administrative burdens it entailed, particularly when seeking funding under the European refugee fund in parallel.

Figure 8. Intentions to submit a proposal in upcoming calls



Source: Results of the project survey.

In the context of the partnership principle, highlighted in section 3.1.4 of this report, the involvement of migrant organisations along with other integration actors is crucial in carrying out national integration strategies. The 1992 Council of Europe Convention on the Participation of Foreigners in Public Life at the Local Level¹⁸¹ regarded “consultation of foreigners” as an ideal way to promote their political participation, an aspect believed essential for enhancing integration. CBP 9 expressly mentions that the participation of immigrants in the democratic process and in the formulation of integration policies and measures, especially at the local level, assists their integration. Proposed actions for implementing this principle include supporting advisory platforms at various levels for the consultation of third-country nationals.¹⁸² Such was also the approach promoted in the second edition of the *Handbook on Integration for Policy-makers and Practitioners*, which stressed the role of close, accessible and representative consultative structures for enhancing the democratic legitimacy of policies.¹⁸³ Still, few member states have to date ratified the Council

¹⁸¹ Convention on the Participation of Foreigners in Public Life at the Local Level, Strasbourg, 5 February 1992.

¹⁸² See European Commission (2005), Communication COM(2005) 389 final, op. cit.

¹⁸³ Niessen and Schibel (2007), op. cit.

of Europe Convention and even fewer have established consultative bodies of foreign residents at any level of governance.¹⁸⁴

In the context of the EIF, the partnership requires taking into consideration and acting upon the inputs received from these crucial voices. Such consultation should take place within a settled framework as opposed to a one-off, exceptional consultation and should ensure that migrant representatives are adequately represented. In view of the expertise, experience and privileged position of civil society and local and regional actors in identifying the actual needs on the ground, an important aspect to take into account when assessing the development of the partnership is the extent to which this process is open to non-state actors as well as the specifics of the consultation. In particular, their role should be deemed critical when evaluating the impact, added value and success of actions supported by the EIF.

The EIF should contribute to establishing a solid partnership between responsible authorities and integration actors, including civil society organisations, migrant representatives and local authorities with a view to

- **commenting on overall issues relating to the implementation of the annual programme,**
- **participating in the drafting of the annual programme,**
- **ensuring the transparency of the programme activities,**
- **assisting in the selection of projects, and**
- **conducting an (*ex post*) evaluation of the relevance of the projects in light of the purposes of the EIF and CBP 1.**

5.2.3 Implementing the two-way process: Concrete examples

This subsection is based on the input of integration actors received by the project partners as regards their reading and understanding of the two-way process principle. It contains a selection of activities and projects that have been implemented with the support of both the EIF and other external funding sources. Additional proposals for efforts to implement the two-way process are provided in appendix 6 of this report. Altogether, these inputs have contributed to identifying a typology of strategies implementing the two-way process, which is presented below and illustrated by concrete projects for i) joint activities and mutual participation; ii) community-based activities; iii) awareness raising; iv) the facilitation of admission procedures; and v) actions promoting the involvement, participation and consultation of migrants.

Joint activities and mutual participation: Multicultural Women's House and the Iranian Association

The Multicultural Women's House in Finland is a diverse activity and support centre functioning as a one-stop shop for immigrant women. It acts as a multicultural meeting place and an open forum. The Multicultural Women's House offers information, support and services in 20 different languages. Its activities are developed primarily for Thai, Chinese, Filipino, Russian, Indian and Nigerian women, but it is open to other immigrants as well.

¹⁸⁴ T. Huddleston, *Consulting immigrants to improve national policies*, European Economic and Social Committee, Brussels, November, 29 November 2010.

Monika Multicultural Women's House

The Monika Multicultural Women's Association (Monika-Naiset liitto ry) has established the Multicultural Women's House in cooperation with an alternative professional and apprentice school (Sovinto ry) and a Finnish local authority association (Suomen Kuntaliitto). This initiative has been developed with support by the EIF. It offers the following services:

- a multicultural meeting place and open forum for migrant women;
- discussion and activity groups that support learning Finnish; and
- individual discussions with mentors and information sessions on (among other aspects) Finnish society and civic activities.

Similar to the Multicultural Women's House, the activities carried out by the Iranian Association in the UK are not directed at a specific target group, identified on the basis of their legal status. Rather, its approach is to support the development of joint activities among all groups, including the local community, and to encourage the participation of all in its activities.

The Iranian Association

The Iranian Association was set up in 1985 in response to the needs of Iranian refugees who fled Iran after the 1979 revolution.

It supports refugees and ethnic minorities through services such as immigration and welfare advice, preparing for the 'Life in the UK' test, basic skills education, cultural activities, supplementary schools and health advice. It employs 10 paid staff, 3 part-time workers and around 15 volunteers a year who help run these services.

The Iranian Association amended its constitution so that it could diversify. Now over 50% of its clients are non-Iranian, including a large number of Polish nationals from the local community and vulnerable British individuals as well.

Community-based activities: Habits of Solidarity Network

The Habits of Solidarity Network in the UK was established in July 2008. Its aim is to assist and learn from organisations working at a grassroots level in diverse urban or other areas that have experienced recent changes in population. It consists of a network of ten groups working to create cohesion and build bridges among communities. They work across England, but regularly meet to share learning and discuss their experiences. They all work with established and new communities. There is a strong focus on building cohesion within communities in innovative and practical ways.

Habits of Solidarity Network

The Habits of Solidarity Network is led by ten community organisations across the UK and funded by the Barrow Cadbury Trust, a member of the European Foundation Centre. The Network has the following goals:

- to support and learn from organisations working at a grassroots level;
- to identify good practice in community cohesion;
- to generate ideas to influence the national debate; and
- to create opportunities for groups to learn from each other.

Awareness raising through the project “Immigrants: There is bread for everyone under the sun”

This project aims at supporting the development of better attitudes among Bulgarian society towards immigrants and their integration. The strategy pursued is to bring together representatives of national media, state institutions, NGOs and immigrant communities to discuss ways to improve the integration process for immigrants in the country. This project emphasises the role of the media and NGOs as central lobbying actors in fostering positive attitudes in this regard.

Immigrants: There is bread for everyone under the sun

This project has been implemented by Intelday Solutions, a Bulgarian PR company in partnership with the Association for the Integration of Refugees and Migrants, a Bulgarian NGO. The project has been developed with support by the EIF, and involves

- conducting an information campaign;
- analysing existing media attitudes and stereotypes as key factors shaping public opinion on migration matters;
- producing and distributing flyers with facts and information about immigrants;
- developing information materials for journalists; active communication with media representatives through regularly sending media messages;
- organising an expert forum on the integration process of immigrants in Bulgaria; and
- arranging a special event to attract public and media interest in the problems of immigrants and their integration.

Facilitation of admission procedures: “La prima accoglienza e i rischi connessi ai percorsi migratori” [First reception and the risks linked to migration paths]

This project intends to give relevant information, both administrative and otherwise, so as to increase the participation opportunities of recently arrived migrants in Italy. At the same time, it aims at strengthening local actors’ understanding of migrants’ needs, in order to foster social cohesion and to promote stronger social relations and stability in the territory. The project seeks to enhance services and recognition of the rights of foreign citizens, to reduce the risks of discrimination and thus in an indirect way to improve the integration of migrant citizens.

The project concentrates on local governance and on improving the collaboration among the different actors of the municipality in contact with migrants, for the better functioning of public services. It also attempts to raise awareness of the legal framework and migrants’ rights in Italy, fight against discrimination (also indirect forms) by public administrations and employers, strengthen the multilingual communication in public offices and test new paths for supporting and receiving migrants to facilitate their integration.

La prima accoglienza e i rischi connessi ai percorsi migratori

This project has been implemented by the Municipality of Ravenna with the support of the EIF. The project entails the following activities:

- constituting a team of persons responsible for the initial reception of TCNs. The team is tasked with providing information, offering individual counselling, managing complex situations and improving action at inter-institutional levels;
- disseminating multilingual material with useful information for recently arrived migrants;
- providing a free Italian language course and a computer literacy course;

- distributing multilingual guides on a variety of topics, including safety in the workplace;
- providing a course on the promotion of health and preparation for childbirth, in collaboration with the local public health agency; and
- organising seminars involving NGOs, agencies and public administrations addressing discriminatory behaviour in the workplace.

Promoting involvement, participation and consultation of migrants: Nantes Council for the Citizenship of Foreigners

The Nantes Council for the Citizenship of Foreigners (Conseil Nantais pour la Citoyenneté des Etrangers, CNCE) in France seeks to enable the full participation and involvement of foreigners in the civic life of the city of Nantes. Through this structure, they are able to influence the development of municipal public policies. The consultation efforts aim at facilitating the integration process by providing a forum for meetings between the foreign population and the actors responsible for developing public policies at the local level (cities, states, regions, districts, etc.). Such an approach promotes a citizenship status derived from residency, as this structure gives a voice to those residents whose right to vote is not recognised.

Nantes Council for the Citizenship of Foreigners (CNCE)

The Nantes Council for the Citizenship of Foreigners is a member of the EUROCITIES network. The city of Nantes financially supports the functioning of the Council. The CNCE has undertaken activities to

- enhance the participation of foreigners in the drafting of the town's municipal policy of integration, equality and the fight against discrimination; and
- investigate topics of concern to local residents (such as aspects related to access to employment, health, housing and education policies) and formulate corresponding proposals and actions that could be implemented by the municipality and other public services.

6. CONCLUSIONS AND RECOMMENDATIONS

This report has examined the nature, limits and potential of the implementation of the concept of integration as a two-way process with the support of the EIF. It has assessed the extent to which this foundational principle of the EU's integration policy is applied in practice by investigating its relation to the national integration programmes and projects developed so far with the support of the EIF. The implementation of the EIF and the nature of the projects sustained through this means have been scrutinised.

The analysis of the annual and multi-annual programmes drafted by the responsible authorities across the selected group of EU member states (in particular, Austria, Belgium, Estonia, France, Germany, Greece, Hungary, Ireland, Italy, Poland, the Netherlands, Spain, Sweden and the UK) has contributed to identifying the national strategies and envisaged actions carried out at the national level with the support of the EIF. While the actual outcomes and potential success and effectiveness of these programmes has not been analysed, a number of major tendencies and deficiencies in its current use have been discerned.

The pitfalls highlighted in the report should not detract from the positive impulse provided by the fund. Yet it should be emphasised that some of these shortcomings are directly linked to the general and specific objectives of the fund, which refer to existing national migration legislation, with the latter in some cases viewing integration not as a socio-economic process but rather as integration programmes, tests and courses functioning as conditions in immigration law.

The EIF has in some of the EU member states under analysis channelled additional support to newly arrived TCNs, including through innovative schemes and projects. That notwithstanding, in other member states, the available share for (and involvement of) civil society, local and regional authorities, migrant organisations and other relevant integration actors (such as the social partners) was relatively small. Several practical and administrative obstacles were also identified in accessing the EIF. This has had negative implications on the materialisation of the two-way process.

This section highlights the main findings of the report. It also puts forward a set of policy recommendations to improve the current configurations and use of the EIF. More specifically, the recommendations aim at ensuring that the EIF primarily serves to put into practice the European understanding of integration as a two-way process of mutual accommodation and as a multidimensional and multi-actor process of participation, interaction and understanding that encompasses societies as a whole and calls for the effective removal of inequalities, discrimination and racism.

6.1 Main research findings

The study results in four main findings:

- 1) The current allocation of the EIF is characterised by complex rules and procedures. Several practical and administrative obstacles were identified in accessing the EIF. Administrative requirements, co-financing aspects, the absence of publicity and the limitations applicable to the eligible target group are among the main barriers for integration actors to access the EIF. **There is a lack of adequate information activities in the scope of the EIF, which contributes to a lack of transparency in the allocation and evaluation of projects.**

- 2) On a comparative basis, EU member state practices as regards the allocation of the EIF vary widely. While some member states have made use of this source of funding to support the development of a variety of activities, in several cases the bulk of the EIF allocation has benefited only a few projects and has not been distributed among a wide and diverse number of recipients. **National governments appear to receive the largest share of Community contributions at the expense of other 'integration actors', such as NGOs and LRAs.**
- 3) The involvement of integration actors is crucial for the implementation of the two-way process. Their consultation and active role in the management and implementation of the EIF would allow for their experiences on the best ways to implement the two-way process principle to be mainstreamed, and thereby to guarantee the impact and added value intended by the EU framework on integration. **Few EU member states have interpreted the partnership principle envisaged by the EIF as an open, multi-stakeholder process of consultation and collaboration for implementing and evaluating the EIF.**
- 4) Several EU member states have largely allocated EIF funding to implementing CBP 4, which considers basic knowledge of the host society's language, history and institutions indispensable for integration. This approach has had negative implications on the materialisation of the two-way process. **This has taken place, with support from the EIF, through the development of obligatory language courses, civic courses and programmes on knowledge of the national culture and 'society' as a condition for having access to rights.**

6.2 Policy recommendations for funding the two-way process in the EU

The policy recommendations put forward below aim at providing concrete steps for enhancing the added value of EU spending on integration. This largely relies on the supranational nature of Europeanization in the field of integration, which allows for

- exchanging, discussing and disseminating throughout Europe the experiences, ideas and practices developed in projects that put into effect an understanding of integration as a two-way process;
- encouraging a longer-term sustainable perspective on integration and rejecting the short-term, opportunistic politics practised by some member state governments; and
- challenging populist and nationalist anti-immigration rhetoric (policies and practices) by certain European leaders.

The policy recommendations seek to inform ongoing discussions on the next phase of the EIF and the EU framework on integration. They also constitute elements to take into consideration for integration funding beyond 2013. Some of the elements highlighted in this section echo the recommendations formulated in the independent report prepared by Fabrizio Barca, at the request of Danuta Hübner, former Commissioner for Regional Policy, entitled *An agenda for a reformed cohesion policy: A place-based approach to meeting European Union challenges and expectations*.¹⁸⁵

They are intended to inform the work of policy-makers at both the EU and the member state levels. At the EU level, these recommendations are primarily targeted at the European Commission (in particular the DG for Home Affairs), the member states' representatives in the Council and respective responsible authorities, and the European Parliament as a co-

¹⁸⁵ Barca (2009), op. cit.

legislator in integration matters since the adoption of the Lisbon Treaty. The findings and recommendations should also be taken into account by EU and national budgetary control authorities, such as the Court of Auditors. They are relevant for the Committee of the Regions, the EESC and the European Integration Forum. Finally, this report is additionally intended to support advocacy strategies and the activities of integration actors, including civil society, LRAs, foundations and social partners.

1. Prioritising the implementation of the two-way approach to integration with the support of the EIF

The implementation of the CBPs, and in particular the first principle on the two-way process of mutual accommodation, should provide the frame for European funding on integration policies. The current general and specific objectives of the EIF should be revised to ensure that only those national projects and programmes with truly European added value through CBP 1 are supported. The next financial perspectives should not continue to support national actions and integration policies that run against CBP 1, or are in direct tension with the principles of diversity, non-discrimination and fundamental rights, or are of a dubious legal nature, such as certain readings of CBP 4 (mandatory programmes for civic integration). Ensuring that the actual nature and content of the projects selected at the national level sustain this approach should be part of the oversight carried out in particular by the European Commission.

2. Consulting and engaging the integration actors

Multi-actor review committees for the EIF should be established by all EU member states on the basis of the partnership principle. They should be composed of the integration actors considered the key stakeholders, including social partners, migrant organisations, foundations, NGOs and LRAs. Their involvement should take place at least in the following phases:

- consultation (*ex ante*) in the selection of priorities, actions and projects;
- assessment of the implementation of EIF-related rules at the national level; and
- evaluation (*ex post*) of the overall impact and added value of national integration policies against the two-way process (CBP 1).

3. Widening the personal scope of the EIF

The beneficiaries of activities supported by the EIF should be interpreted in a less restrictive fashion. Migration status should not be the defining factor for identifying those entitled to take part in EIF-supported activities in which all, including the undocumented and asylum-seekers, should be able to participate. No sanctions should be waived for EIF beneficiaries failing to comply with a strict reading of the personal scope of the EIF.

The EIF should not be used to fund integration policies directed at certain citizens or specific target groups arbitrarily considered not integrated on the basis of nationality, religion or ethnic origin. The necessary wider interpretation of the personal scope of the EIF shall comply with the prohibition against discrimination.

4. Preventing double funding and promoting the principle of additionality

Participants in the activities supported by the EIF should not be required to make a financial contribution. A strict reading of the no-profit rule – according to which EU contributions may not have the purpose or effect of producing a profit – should be guaranteed. Ensuring that double funding does not take place requires evaluating the actual nature and substance of the projects sustained along with their financial soundness. There should be more

cooperation among the different services and directorates of the European Commission to ensure coherence between the substantive and financial verifications of EU support for integration.

The principle of additionality should be applied, according to which EU funds should support additional and innovative spending. This should ensure that member states do not substitute national with EU expenditures. The latter should promote and encourage experimentation through a solid strategy focused on mobilising and engaging the integration actors. This is essential to ensure that EU spending on integration truly adds value.

5. Simplifying administrative and financial rules

The application and implementation procedures of EIF projects should be simplified. Greater efficiency in the administration of the fund should be ensured by simplifying the process and considering, together with the beneficiaries, ways to reduce the administrative burden. A simplification of the rules, however, should not lead to a decrease in accountability (see recommendation 7 below).

6. Adapting the co-financing requirement

The availability of match funding should be taken into account in the imposition of an external co-financing requirement. Co-funding requirements should be reduced for certain organisations, in particular small entities like NGOs and migrant organisations. This would be the best way to ensure the compliance of the EIF with the principles of proportionality and non-discrimination. EU member states should take responsibility for providing matching funds for EIF-supported activities and systematic pre-financing for successful applicants.

7. Ensuring transparency, accountability and equal opportunities

The effectiveness and impact of the actions supported by the EIF largely depend on the release and evaluation of the projects carried out. Publicity and access to information about the EIF is crucial from the perspective of the principles of transparency, accountability and legal certainty.

The responsible authorities should ensure more transparency and equal opportunities throughout the application process. The calls for proposals should be widely disseminated and easily accessible. Implementation modalities should be regularly reviewed and strict timeframes imposed for releasing calls for proposals, for receiving and assessing proposals and for transferring payments to the final beneficiaries. Calls for proposals should also take into account the constraints of all types of organisations (including small ones).

Each year, the following information should be publicised as regards all the selected projects and programmes: name and nature of the project supported (including those implemented by national authorities), the year of funding, the length/duration of the project, the amount of the EU's contribution, the priority and CBP to which the project corresponds, the overall number of applicants for the call for proposals, the evaluation criteria and the financial reports relating to the EU's overall contribution.

8. Promoting the role of EU institutions as oversight, information and dissemination platforms

The role of the EU institutions, in particular the European Commission and the European Parliament, in the management and oversight of the EIF should be further strengthened. They should oversee the strict respect by member states of the provisions set out in the EIF Decision. In particular, the European Commission's powers and procedures for checking the

substantive compatibility of national actions and programmes (especially those conducted by national authorities) with the CBPs should be expanded, clarified and consolidated.

9. Enhancing connections and synergies between EU policy tools/actors and the EIF

The EESC and the Committee of the Regions must have greater involvement in the implementation and evaluation of the EIF. They should contribute to reviewing the compatibility of EIF-funded actions with CBP 1. Links between the EIF and the EU actors and tools on integration, such as the European Integration Forum and European website on Integration, should also be better articulated and developed.

The European Integration Forum should be given a decisive role in selecting priorities and actions to be supported through the EIF. Along with the European Commission, the Forum could also scrutinise the compatibility of EIF-funded actions with CBP 1, their actual impact on the ground and their added value.

The European website on Integration could be used to systematically provide consistent, relevant information as regards the calls for proposals and projects funded at the national and EU levels. A specific section could be created for the EIF. It could also serve as a database of EIF-funded projects to promote the sharing of experiences, and provide detailed information concerning the scope, implementation and results of activities.

ABBREVIATIONS

ACSé	l'Agence Nationale pour la Cohesion Social et l'égalité de chances
AFSJ	Area of Freedom, Security and Justice
CAI	Contrat d'accueil et d'intégration
CBP	Common basic principle
CERD	Committee on the Elimination of Racial Discrimination
EEA	European Economic Area
EESC	European Economic and Social Committee
EIF	European integration fund
ERF	European refugee fund
ESF	European social fund
ESOL	English for speakers of other languages
EWSI	European website on Integration
JHA	Justice and home affairs
LRAs	Local and regional authorities
MAP	Multi-annual programme
NCPIs	National Contact Points on Integration
NGOs	Non-governmental organisation
OFII	Office Français de l'Immigration et de l'Intégration
PBS	Points-based system
TCN	Third-country national

BIBLIOGRAPHY

- Assemblée des régions d'Europe (AER) (2011), *European Regions and European Funding: Improving access, efficiency, and value for money*, AER, Strasbourg, January.
- Barca, F. (2009), *An agenda for a reformed cohesion policy: A place-based approach to meeting European Union challenges and expectations*, Independent Report prepared at the request of Danuta Hübner, Commissioner for Regional Policy, European Commission, Brussels, April.
- Carrera, S. (2009), *In Search of the Perfect Citizen? The Intersection between Integration, Immigration and Nationality in the EU*, Leiden: Martinus Nijhoff.
- (2011), *Integration of Immigrants in EU Law and Policy: Challenges to Rule of Law, Exceptions to Inclusion*, EUI Working Papers, European University Institute, Florence, forthcoming.
- Carrera, S. and A. Wiesbrock (2009), *Civic Integration of Third-Country Nationals: Nationalism versus Europeanization in the Common EU Immigration Policy*, CEPS Liberty and Security in Europe Series, CEPS, Brussels.
- Cholewinski, R. (2005), "Migrants as Minorities: Integration and Inclusion in the Enlarged European Union", *Journal of Common Market Studies*, Vol. 43, No. 4, pp. 695-716.
- Collett, E. (2011), *Immigrant Integration in Europe in a Time of Austerity*, Migration Policy Institute, Washington, D.C., March.
- Council of Europe Group of Eminent Persons (2011), *Living together – Combining diversity and freedom in 21st-century Europe*, Council of Europe, Strasbourg, May.
- European Policy Centre (EPC) (2005), *Beyond the Common Basic Principles on Integration: The Next Steps*, Issue Paper No. 27, EPC/KBF Multicultural Europe Team, EPC, Brussels.
- Groenendijk, K. (2004), "Legal Concepts of Integration in EU Migration Law", *European Journal of Migration and Law*, Vol. 6, No. 2, pp. 111-126.
- Guild, E., K. Groenendijk and S. Carrera (eds) (2009), *Illiberal Liberal States: Immigration, Citizenship and Integration in the EU*, Farnham: Ashgate.
- Guild, E. and S. Carrera (2010), "Are Integration Tests Liberal? The 'Universalistic Liberal Democratic Principles' as Illiberal Exceptionalism", in R. Baubock and C. Joppke (eds), *How Liberal Are Citizenship Tests?*, EUI Working Paper No. 41, European University Institute, Florence.
- Haut comité pour le logement des personnes défavorisées (2010), *Du foyer de travailleurs migrants à la résidence sociale : mener à bien la mutation – 16^{ème} rapport du Haut Comité pour le logement des personnes défavorisées* [From migrant worker residence to social residence: Achieving the transformation successfully – 16th report from the High Committee on Housing for Vulnerable People], Paris: La documentation française, September.
- Home Office (2007), *Highly Skilled Migrants under the Points-Based System: Statement of Intent*, London, December.
- House of Commons (2011), *Statement of Changes in Immigration Rules*, HC 863, London: The Stationary Office, 16 March.
- Huddleston, T. (2010), *Consulting immigrants to improve national policies*, European Economic and Social Committee, Brussels, November.

- Human Rights Watch (2008), *The Netherlands: Discrimination in the Name of Integration, Migrants' Rights under the Integration Abroad Act*, Human Rights Watch, New York, NY, May.
- Joppke, C. and E. Morawska (eds) (2003), *Toward Assimilation and Citizenship: Immigrants in Liberal Nation-States*, Basingstoke: Palgrave.
- Kostakopoulou, D., S. Carrera and J. Moritz (2009), "Doing and Deserving: Competing Frames of Integration in the EU", in E. Guild, K. Groenendijk and S. Carrera (eds), *Illiberal Liberal States: Immigration, Citizenship and Integration in the EU*, Farnham: Ashgate, pp. 167-186.
- Martiniello, M., "Towards a coherent approach to immigrant integration policy(ies) in the European Union" (www.oecd.org/dataoecd/42/58/38295165.pdf).
- Niessen, J. and M.A. Kate (2007), *From principles to practice: The Common Basic Principles on Integration and the Handbook Conclusions*, Migration Policy Group, Brussels, June.
- Niessen, J. and T. Huddleston (2010), *Handbook on Integration for Policy-makers and Practitioners*, 3rd edition, Luxembourg: Office for Official Publications of the European Communities.
- Niessen, J. and Y. Schibel (2004), *Handbook on Integration for Policy-makers and Practitioners*, Luxembourg: Office for Official Publications of the European Communities.
- (2007), *Handbook on Integration for Policy-makers and Practitioners*, 2nd edition, Luxembourg: Office for Official Publications of the European Communities.
- Oger, H. (2005), *Integration in Tension in Immigration Law: Mirror and Catalyst of the Inherent Paradox of Nation-States*, EUI Working Paper No. 1, European University Institute, Florence.
- Strik, T., A. Böcker, M. Luiten and R. van Oers (2010), *Integration and Naturalisation Tests: The new way to European Citizenship, A comparative study in nine Member States on the national policies concerning integration and naturalisation tests and their effects on integration*, INTEC Project: Synthesis Report, Centre for Migration Law, Radboud University Nijmegen.
- Thomson, L. and J. Caulier-Grice (2007), *Improving small scale grant funding for local voluntary and community organisations*, The Young Foundation, London.
- United Nations (2010), *Report of the UN Committee on the Elimination of Racial Discrimination, General Assembly Official Records, Sixty-fifth session, Supplement No. 18 (A/65/18)*, New York, NY, 31 October.
- Van Oers, R., E. Ersboll and D. Kostakopoulou (2010), "Mapping the redefinition of belonging in Europe", in R. Van Oers, E. Ersboll and D. Kostakopoulou (eds), *A Redefinition of Belonging? Language and Integration Tests in Europe*, Leiden: Martinus Nijhoff.
- (eds) (2010), *A Redefinition of Belonging? Language and Integration Tests in Europe*, Leiden: Martinus Nijhoff.

APPENDIX 1. THE COMMON BASIC PRINCIPLES FOR IMMIGRANT INTEGRATION POLICY¹⁸⁶

1. Integration is a “dynamic, two-way process of mutual accommodation” by all immigrants and residents of the member states.
2. Integration implies respect for “the basic values of the EU”.
3. Employment is a key part of the integration process and is central to the participation of immigrants.
4. (1) Basic knowledge of the host society’s language, history and institutions is indispensable for integration; (2) enabling immigrants to acquire this basic knowledge is essential to successful integration.
5. Efforts in education are critical to preparing immigrants, and particularly their descendants, to be more successful and more active participants in society.
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 critical.
7. Frequent interaction between immigrants and EU citizens is a fundamental mechanism for integration. Shared forums, intercultural dialogue, education about immigrants and immigrant culture, and stimulating living conditions in urban environments enhance the interactions between immigrants and member state citizens.
8. (1) The practice of diverse cultures and religions is guaranteed under the Charter of Fundamental Rights and must be safeguarded, (2) unless practices conflict with other inviolable European rights or national law.
9. The participation of immigrants in the democratic process and in the formulation of integration policies and measures, especially at the local level, support their integration.
10. Mainstreaming integration in all relevant portfolios and levels of government and public services is an important consideration.
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.

¹⁸⁶ Council of the European Union, 2618th Meeting of the Justice and Home Affairs Council, Common Basic Principles on Immigrants Integration, 14615/04, Brussels, 19 November 2004.

APPENDIX 2. RESPONSIBILITIES OF THE EUROPEAN COMMISSION

It is the European Commission's responsibility to implement the general budget of the EU and to ensure its sound financial management. In those cases where the budget is not directly managed by this institution, the Commission must gain this assurance from the other bodies responsible for implementing each assistance scheme, in particular through reports and through reliance on their systems of oversight. If necessary, the Commission can recover misspent money from the responsible authority.

1. For management aspects of the activities

The European Commission has the following responsibilities in relation to the implementation of the EU budget:

- checking the existence and functioning of management and oversight systems, withholding or suspending payments if the national management and oversight systems fail, and applying financial corrections;¹⁸⁷
- carrying out the spot checks to verify the effective functioning of the management and oversight systems, which may involve audits on actions included in the annual programme;¹⁸⁸
- allocating €500,000 annually for the preparatory measures, monitoring, administrative and technical support measures, as well as the evaluation, audit and inspection measures necessary for implementing the Decision 2007/435/EC on the European integration fund (EIF);¹⁸⁹ and
- calculating and allocating the amounts to be disbursed to member states for the following year from the total appropriations amount.¹⁹⁰

2. For the content and scope of activities funded

The Commission also has specific responsibilities for the content of the activities funded:

- adopting strategic guidelines setting out a framework for the intervention of the EIF, taking into account the progress in development and implementation of Community legislation in the area of immigration and other areas related to the integration of third-country nationals as well as the indicative distribution of the financial resources of the fund for the period concerned.¹⁹¹ (These guidelines could have been reviewed and if necessary, revised strategic guidelines could have been adopted for the period 2011 to 2013);¹⁹²

¹⁸⁷ Art. 9(2) of Council Decision 2007/435/EC of 25 June 2007 establishing the European Fund for the Integration of Third-Country Nationals for the Period 2007 to 2013 as part of the General Programme "Solidarity and Management of Migration Flows" (OJ L 168/18, 28.6.2007), and corresponding articles in chapter VII.

¹⁸⁸ Ibid., Art. 31(2)(3).

¹⁸⁹ Ibid., Art. 14.

¹⁹⁰ Ibid., Arts. 12 and 19.

¹⁹¹ Ibid., Art. 16.

¹⁹² Ibid., Art. 20(1).

- scrutinising the multi-annual programme (MAP) on the basis of consistency with the objectives of the EIF, relevance of the actions envisaged in light of the proposed strategy, the adequacy of the management and oversight arrangements, and its compliance with Community law.¹⁹³ If the Commission considers that a draft MAP is inconsistent with the strategic guidelines, it shall invite the member state to revise the draft MAP.¹⁹⁴ It can also request a revision of the MAP in the light of evaluations or following implementation difficulties (or both);¹⁹⁵
- adopting the financing decision approving the annual programme.¹⁹⁶ If the draft annual programme is inconsistent with the MAP, the Commission shall invite the member state to provide all necessary information and where appropriate to revise the draft accordingly;¹⁹⁷
- evaluating the implementation of the annual programme, more specifically overseeing the delivery of the technical report and the achievements in implementing the actions of the programme under the priorities chosen;
- ensuring that appropriate information, publicity and follow-up are provided for actions supported by the EIF;¹⁹⁸
- ensuring, in cooperation with the member states, that actions are consistent with and complementary to other relevant Community policies, instruments and initiatives;¹⁹⁹ and
- carrying out an evaluation of the EIF in partnership with the member states to assess the relevance, effectiveness and impact of actions in the light of the general objective referred to in Art. 2 as well as their complementarity with those pursued under other relevant Community policies, instruments and initiatives.²⁰⁰

¹⁹³ Ibid., Art. 17(3).

¹⁹⁴ Ibid., Art. 17(4).

¹⁹⁵ Ibid., Art. 18.

¹⁹⁶ Ibid., Art. 19(4).

¹⁹⁷ Ibid.

¹⁹⁸ Ibid., Art. 31(4).

¹⁹⁹ Ibid., Art. 31(5).

²⁰⁰ Ibid., Arts. 47 and 48(3).

APPENDIX 3. SURVEY QUESTIONNAIRE

Section 1. Please provide the details of the responding organisation

1. Organisation
2. Type of organisation
3. Main activities
4. Is your organisation a member of the following?
 - Council of European Municipalities and Regions
 - ERLAI
 - EUROCITIES
 - the European Council on Refugees and Exiles
 - the European Foundation Centre
 - the European Network Against Racism
 - the European Women's Lobby and the European Network of Migrant Women
 - other, please specify

Section 2. You have participated in project(s) funded through the national allocation of the European Integration Fund (if not go to section 3)

5. How many projects have you participated in?
6. Name of the project
7. Web link to more information on the project (if applicable)
8. Year of the call
9. Start date of the project
10. Length of the project
11. Total budget
12. Other sources of funding (co-funding) and share
13. Form of participation (leader, funder, partner, implementing organisation)
14. Name of the project leaders and partners
15. Which priority identified in the national programme does this project focus on?
16. Aim and objectives of the project
17. Describe the project activities
18. Which common basic principle(s) is the project implementing?
19. Who are the beneficiaries of these activities?
20. Did the project have migrant organisations as partners?
21. If so, what was their role in the project (coordination, implementation, design and drafting, dissemination)?
22. Did the project have a gender dimension? If so, please explain how
23. How do you evaluate the impact of your project?
24. Which criteria do you take into account for evaluating its impact?

Duplicate section 2 for entering information on other projects

Section 3. Have you encountered difficulties in accessing and implementing the EIF? (If not go to section 4.) These difficulties were linked with (please explain):

25. Absence of information on the call

26. Timing and deadlines for applying
27. Co-financing requirements
28. Administrative requirements
29. Categories of target groups you wanted to work with are not eligible for funding
30. Lack of transparency in the evaluation procedure of your application
31. Other, please specify
32. How did you overcome these difficulties?
33. In which year were these problems encountered (2007, 2008, 2009, 2010 or all)?
34. Have these difficulties been addressed in the subsequent calls?

Section 4. The first common basic principle on migrant integration states, “Integration is a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States”

35. How do you understand this principle?
36. What types of activities would contribute to implementing it?
37. Are you carrying out an activity implementing this principle?
38. If so, is it funded by the EIF and what does it consist of?
39. Would you say that the EIF in your country is funding such activities that support mutual accommodation?
40. Do you know of any EIF-funded project which in your view goes against a two-way process of accommodation?

Section 5. Effectiveness of the EIF to meet the needs on the ground

41. Do you plan to submit/co-fund a proposal under EIF funding in the future?
42. If not, please explain why
43. To what degree do the actions eligible for funding under the EIF match the challenges related to integration in your country?
44. What major national challenge related to integration is overlooked by the national programme of the EIF?
45. Does the national authority in charge of the allocation of the fund consult with NGOs in defining the national programmes?
46. Does the national authority in charge of the allocation of the fund consult with local and regional authorities in defining the national programmes?
47. Are you encouraged to develop partnerships with other actors to access the EIF?
48. Is the focus on newly arrived migrants of actions eligible for funding under the EIF wide enough to address integration challenges?
49. Which topics would you propose as future priorities of the Fund?
50. How could the functioning of the EIF be improved?

Section 6. Contribute to the research!

51. Can you outline any other projects (including those implemented by national institutions) you know of which have been funded by the EIF?
52. Please provide any other remarks or information you find relevant to this research.

APPENDIX 4. OBSTACLES TO GRANTS FROM THE EUROPEAN INTEGRATION FUND: SELECTED QUOTES FROM SURVEY RESPONDENTS

Obstacles identified in relation to the personal scope of the European integration fund (EIF)

Q 48. *Is the focus of eligible actions on newly arrived migrants of actions eligible for funding under the EIF wide enough to address integration challenges?*

“No, the focus is too narrow and leaves out the most vulnerable groups that might have stayed in the country for several years but have not had the possibility to use the integration services and learn the language.”

“We would also like to see a focus on migrants who have been in a host country for a longer period but are marginalised because of language problems, ill health or for other reasons are far from the job market. The major focus is on newly arrived migrants; there should also be [a] focus on those who have been in the host country. For them there are few or no interventions.”

“It should not only include immigrants from third countries living in Poland for more than one year – in order to make the integration process more efficient among the beneficiaries [it] should also [include] immigrants who came to Poland more recently or who live here longer.”

“Newly arrived are small in numbers; more activities are required for long-term TCN[s].”

“Separated work for different groups makes implementation difficult.”

“What about vulnerable groups who are not quick enough to integrate soon after their arrival?”

“Overall it is somewhat counterproductive to focus on [the] ethnic origin of participants.”

“Another major problem is that EIF and other European Funds (i.e. Refugee) have often overlapping goals but cannot be combined due to the beneficiaries to which they are addressed. This leads to [the] artificial separation of activities and inefficiency.”

Obstacles identified in relation to the co-financing requirements

“In the overall financial situation the minimum 25% co-funding requirement is very challenging, especially for NGOs that are already struggling to find funding for their activities.”

“Match funding requirements can cause a migrant organisation to not apply for funding, simply because it may not be possible to raise those funds.”

“[The] co-financing requirement...was definitely one of the biggest obstacles to mak[ing] the project even more successful.”

Obstacles identified in relation to administrative criteria

Q 50: *How could the functioning of the EIF be improved?*

“The system of administering the fund should be simplified – to shorten the time needed to sign the agreement once the grant is approved and to shorten the time the organisation waits for the money (which at the moment is received half-way into the project, if not later).”

“Better cash flow.” “Less formalities, which require time and energy [that] should be used for the project work itself.”

“The national authority should disburse funding in accordance with the agreements that are signed with the implementing organisations (late tranches have been the most significant barrier). Also the level of administrative work should be reduced (e.g. semester reporting, less financial documentation).”

“[The] requirements for reporting and transfer of successive parts of the grant are too burdensome. In addition, there are huge delays in the transfers [owing] to serious unavailability of manpower in the RA [responsible authority].”

“[There were] dramatic delays in the transfer of funding – which was received months after the date stated in the grant agreement. We have overcome this situation by paying for financial loans [cost not qualified] to be able to complete the project. This, however, weakened the financial position of our organisation – which was already given as an obstacle to receiv[ing] another grant.”

“The basic problem is the payment delay from the implementing authority for [the] European programmes’ side and lack of information about it. We took a bank credit.”

“Late receipt of funding has a serious impact on how the projects are implemented. The financial construction of the grant excludes migrant organisations from benefiting from it – they are too weak financially to bear...the burden of [a] six-month delay in receiving the funding, which is a standard.”

Obstacles identified in relation to the proposal evaluation procedure

“The procedure should be more transparent.”

“There [was] no information about criteria.”

“The explanation letter was quite clear and felt transparent. Yet the reasons given for refusal were not, in our view, realistic. For instance, the letter stated that...the evaluation commission did not think we had the possibility of a high success rate in achieving our aim and objectives, given, among others, that we had not contacted organisations, officials or practitioners in the integration field. Yet, we did send some of the e-mails we [exchanged].”

APPENDIX 5. CONTACT INFORMATION FOR RESPONSIBLE AUTHORITIES AND RELEVANT WEBSITES

Austria

Austrian Ministry of Interior (BMI)

Bundesministerium für Inneres
Abteilung I/5 (Kompetenzcenter
Kommunikation und Öffentlichkeitsarbeit)
Herrengasse 7
1014 Wien

Website: http://www.integrationsfonds.at/en/european_funds/europ_integration_fund/

Belgium

The Public Service for Social Integration of the relevant region (ESF-Agentschap for the Flemish Region, Agence FSE for the Walloon Region).

ESF-Agentschap
Gasthuisstraat 31
(5e verdiep)
1000 Brussels

Website: Flemish Region: <http://www.esf-agentschap.be>

Agence FSE
Chaussée de Charleroi, 111
1060 Bruxelles

Website: Walloon Region: <http://www.fei-fr.be/>

Estonia

Ministry of Culture

Suur-Karja 23
15076
Tallinn

Website: <http://www.kul.ee/index.php?path=0x1424x1589>

France

**Ministry of Immigration, Integration, National Identity and Solidarity Development,
Department for Reception, Integration and Citizenship**

Ministère de l'immigration, de l'intégration, de l'identité nationale
et du développement solidaire
Direction de l'accueil, de l'intégration et de la citoyenneté
Bureau de l'accueil en France et de l'intégration linguistique
Rue de Grenelle 101
75323 Paris CEDEX 07

Website:

http://www.immigration.gouv.fr/spip.php?page=dossiers_det_int&numrubrique=344&numarticle=1616

Germany**Federal Office for Migration and Refugees (BAMF)****Zuständige Behörde für den Europäischen Integrationsfonds**

beim Bundesamt für Migration und Flüchtlinge

Erkrather Straße 349

40231 Düsseldorf

Website: http://www.integration-in-deutschland.de/cln_110/nn_967562/DE/Integration/EU-Fonds/EIF/eu-eif-node.html?__nnn=true

Greece**Hellenic Ministry of Interior, Department for Migration and Social Integration**

Hellenic Ministry of Interior

General Secretariat and Migration Policy

Directorate-General for Migration and Social Integration

Social Integration Division

2, Evangelistrias Street

105 63 Athens

Website: http://ete.yypes.gr/index_en.html

Hungary**Ministry of Justice and Home Affairs, Department of Judicial Assistance**

Ministry of Justice and Home Affairs

Department of Judicial Assistance

1051. Budapest, József Attila u. 2-4.

Website: http://www.irm.gov.hu/europai_integracios_alap

Ireland**Office of the Minister of State for Integration**

Pobal

Holbrook House,

Holles Street, Dublin 2

Website: <http://www.integration.ie/website/omi/omiwebv6.nsf/page/funding-fundforintegration-eif-en>

Italy**Ministry of Interior, Department for Civil Liberties and Immigration**

Ministero dell'Interno

Dipartimento per le libertà civili e l'immigrazione

Piazza del Viminale n. 1

00184 Roma

Website:

http://www.interno.it/mininterno/export/sites/default/it/temi/immigrazione/Fondo_Eur_opeo_per_lxIntegrazione_di_cittadini_di_Paesi_Terzi.html

The Netherlands

Ministry of Housing, Spatial Planning and the Environment (VROM), Department for Citizenship and Integration

Coördinator Programmasecretariaat Europese Fondsen
Ministerie van Veiligheid en Justitie
Directie Financieel-Economische Zaken
Schedeldoekshaven 100, 2511 EX, Den Haag, H14.38
Postbus 20301, 2500 EH, Den Haag

Website:

<http://www.rijksoverheid.nl/onderwerpen/europese-subsidies-voor-migratie/europese-migratiefondsen>

Poland

Ministry of Labour and Social Policy, Section for Immigrants and Social Integration

Ministerstwo Pracy i Polityki Społecznej
ul. Nowogrodzka 1/3/5
00-513 Warszawa

Website:

[http://www.wwpe.gov.pl/index.php?params\[section_id\]=29¶ms\[category_id\]=300](http://www.wwpe.gov.pl/index.php?params[section_id]=29¶ms[category_id]=300)

Spain

Ministry of Labour and Immigration, Department of Immigrant Integration

Ministerio de Trabajo e Inmigración
Departamento de integración de los inmigrantes
C/ Agustín de Betherncourt, 4
28071 - MADRID

Website:

http://migraciones.mtin.es/en/sec_emi/IntegraInmigrantes/Fondo_Solidaridad/FONDO_INTEGRACION/index.htm

Sweden

Swedish European Social Funds (ESF) Council

Swedish ESF Council
Integration Fund
PO Box 22 080
104 22 Stockholm

Website: <http://esf.se/en/vara-program/Integrationsfonden/Om-Integrationsfonden/>

UK

UK Border Agency

Freedom of Information Act Policy Team
11th Floor, Lunar House, Short Corridor
40 Wellesley Road
Croydon, CR9 2BY

Website:

http://www.ukba.homeoffice.gov.uk/aboutus/workingwithus/workingwithasylum/integrating_other_migrants/

APPENDIX 6. PROPOSED TOPICS FOR PROJECTS IMPLEMENTING COMMON BASIC PRINCIPLE 1

The topics below constitute proposals for activities supporting a two-way process of mutual accommodation under the European integration fund (EIF). While the outcome of the consultation highlighted the need for long-term support for integration activities, notably the provision of core funding for civil society (particularly in the absence of other funding opportunities), the importance of including a wide variety of activities that can be supported by the EIF was stressed. These activities could address the following topics:

- 1) **youth (including unaccompanied foreign minors)**, with a focus on schooling; exchanging experiences among youth in different countries; actively involving school communities in common activities; and challenging stereotypes and motivating cross-cultural communication;
- 2) **promoting migrant participation**, for instance through consulting migrants in the development of projects and policies; supporting the development of migrant organisations; and facilitating the development of rules and procedures for the participation of migrants as implementers of EIF projects;
- 3) **political participation**, which could include promoting the EU's position as an inclusive participatory democracy (facilitating access to voting rights, residence and citizenship); and encouraging migrants' representation in decision-making processes, especially in relation to integration policies;
- 4) **intercultural communication**, such as building cross-cultural communication between receiving societies and migrants; training for trainers, practitioners and civil servants fostering positive institutional communications; and highlighting the benefits of immigration;
- 5) **the receiving society**, for example managing diversity and fighting against discrimination; organising workshops and training for the public administration; monitoring public administrations' cooperation with foreigners; raising public awareness; and balancing the populist media with a long-term strategy for media campaigns (including new forms of communication, such as multimediality and iconography);
- 6) **mainstreaming integration**, especially encouraging cross-sectoral cooperation between government authorities and the non-profit sector; enhancing access to services, particularly language learning and development of the infrastructure for social services; and fostering links between anti-discrimination, integration and social inclusion;
- 7) **access to employment**, to increase the connections between actions for fostering integration and those for employment; facilitating access to work permits; and improving the links between reception and access to education and the labour market.
- 8) **research**, particularly promoting better linkages between research and policy; assessing the fundamental rights impact and evaluating all policies; and independent monitoring of integration policies to measure their effectiveness; and
- 9) **participatory activities**, which may include meetings between cultures and promoting the participation of all.

