

COMMISSION
OF THE EUROPEAN
COMMUNITIES

V/1020/92

May 1992

DIRECTORATE-GENERAL
Employment, Industrial Relations and Social Affairs

Unit:

Freedom of Movement, migration policy

IMMIGRATION POLICIES IN THE MEMBER STATES:
BETWEEN THE NEED FOR CONTROL AND THE DESIRE FOR INTEGRATION

(Working document)

Summary report of the information network in migration from non-EC countries
(RIMET is its French acronym)

Year of reference 1991

Note

The contributions from 12 independant correspondents, who form the information network in migration from non EC countries (RIMET in its French acronym), have for the first time been synthesized to a summary report. This report is worked out by Claude-Valentin MARIE with the support of the Services of the Commission.

It relates the evolution in the Member states for the year 1991.

The information given in this report does not necessarily represent the Commission of the European Communities' official position.

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According to the national reports, the most important features of the past year as regards immigration have been increasing labour market problems, rising xenophobia, spiralling racist violence, growing suspicion of people seeking asylum and increasing stigmatization of illegal immigration.

Although there have been some measures to support groups of foreigners or people of foreign origin who are already resident, the main development highlighted by all the reports has therefore been the establishment of a strict policy, looking more like the policing of foreigners than an immigration or integration policy, which also seems to reflect the most widely held public opinion.

This may explain the pessimism of the Belgian report whose conclusion begins as follows: "while we have tried to find some glimmers of hope, the overall picture is very gloomy". While others have not gone so far, they have stressed the ambiguous way in which most political parties and even those in government have responded to this public pressure. While proclaiming their desire to combat rising xenophobia and oppose racist-inspired violence, they have also put forward the idea (with strong "populist" connotations) that this feeling of being "threatened" by a foreign reality seen, even more ambiguously, as something alien, is understandable.

The idea, if not of a threat, at least of the "burden" which immigration places on the social system as a whole, is also highlighted in the French report. The report backs up this idea by placing the burden in its context, i.e. continually rising unemployment and increasing poverty among the most disadvantaged groups, who are being told that the continuation of social welfare systems raises problems and promised tighter controls on social expenditure and poor retirement pension prospects. It is these socially fragile groups who are most likely to see immigration as the source of all their problems and who are consequently the most receptive to racist arguments.

The situation in Germany seems to be the most worrying. According to official records, 2074 racist-inspired crimes, 325 arson attacks and 1880 cases of personal attack, some leading to the victim's death, were committed in 1991. All the Länder recognize that the increase in these crimes is a matter for concern and see them as a result of the problems raised by re-unification. "As in other similar countries, the violence of gangs of youths in the East and West is a dangerous indicator of the potential for xenophobia and racism in

Germany; this is all the more dangerous as part of the population looks on such violence favourably"¹. Extreme right-wing groups have not been slow to play on the bitterness provoked by the worsening employment situation and tensions in the property market, seeing it as fertile ground for a genuine electoral breakthrough. This political use of immigration problems is even more damaging when it is supported by an ambivalent attitude on the part of the government authorities. This is far from being solely a German problem. Professor Karim Hopfmann of Berlin's Humbolt University deplores this situation, criticizing the role of the media which "in a context of criminal acts and situations of conflict, represent foreigners as the source of the problem and a burden" and what he calls the "official racism" shown by "the policy towards foreigners preached by the coalition in power and part of the opposition to the people and the nation, and (not just in informal remarks) by representatives of the parties in government who speak openly of the "risk of foreign invasion", of "Europe besieged" and of "natural attitudes of rejection" amongst the population and so on"².

These observations bear out the conclusions of the report submitted at the end of March by the Federal Commissioner for Foreigners' Problems attached to the Federal Government. This report highlights how little has been done over the last twenty years to improve the situation of foreigners, especially in the areas of vocational training for young people and accommodation, deplores the lack of funds available for the department and criticizes politicians' failure to react to these problems³. Despite the considerable media coverage which this report received, there has been almost no official reaction.

In Belgium, integration measures have met with equally lively criticisms, starting with those of the Royal Commissioner who submitted a report to the government which was read by less than five of its members. Over and above government shortcomings in the area of social housing, the report deplores the length of time taken to renew the foreigners' consultative committee, the increasingly arbitrary attitudes of the authorities towards foreigners, the lack

¹ Liselotte Funcke, Director from 1990 to 1991 of the Federal Government's Office for the Integration of Foreign Workers. In "Une autre Allemagne, Hommes et Migrations [Another Germany, People and Migration], No 1151-1152, pp 27-29, Paris, February-March 1992.

² "Le racisme en RDA" [Racism in the Federal Republic of Germany] in "Hommes et Migrations, op cit.

³ In an article published in France in the journal "Hommes et Migration", Mme Liselotte Funcke, author of the report, confirmed that "politicians have tried, as far as possible, to keep away from any discussion of questions relating to foreigners as they felt that this issue was unpopular. This has done little to calm people's fears".

of a firm position on or any discussion of the most urgent issues and the diminishing protection offered by the judiciary. In connection with the serious riots in May in various Belgian Communes, the political authorities are criticized for stressing the "dangerous nature" of the young people involved (thereby establishing a direct link between riots and delinquency) and for responding from the point of view of security by giving priority to the reinforcement of police resources. Since it highlights the problems which are the lot of many disadvantaged areas and also the temptation of the authorities to react by dealing in the first instance with public order, the Belgian example typifies the problems which governments face in designing and implementing "integration" policies.

The fact that violent incidents have been less widespread in France has not prevented the place of foreigners in society and the issue of their rights and duties from being, as elsewhere, one of the main issues in political discussion and argument. The written press, television and radio have rivalled the politicians in discussing, commenting on, approving and in some cases even stirring up the concerns of a public which is often at a loss. According to opinion polls, the public want the government to make the control of illegal immigration and the repatriation of illegal immigrants one of its main priorities (even in front of improved training for young people). At the same time, however, most people are opposed to any official distinction between nationals and foreigners as regards the allocation of social housing and the payment of welfare benefits and family allowances. While opinions fluctuate in these areas, the reality, despite the incidents reported by the press, is that only a small minority of the French population has been won over by racist and xenophobic arguments. This issue has become a compulsory indicator of politicians' positions in the light of the forthcoming elections and has meant that calming passions has not been a priority. No event or statement by political opponents has gone by without being used as a pretext for statements about the threat posed by immigration and the inability of these opponents to do anything about the problems which it raises. Three examples illustrate this: the tract disseminated by the communist party (not approved by some members of its executive) following the disturbances in a town in the Paris suburbs (Mantes-la-Jolie); the three draft laws relating to the power of mayors to control accommodation, family consolidation and the establishment of an annual immigration quota by nationality and occupational category put before the Senate by the President of the Senate's RPR Group, and lastly the "50 immigration measures" proposed by the National Front and including,

among other things, the re-examination of some naturalizations granted since 1974. This widespread increase in xenophobia has affected Denmark as well. Many foreigners (immigrants, refugees and even tourists) have been verbally and physically assaulted or harassed (refused entry to public places). According to a recent survey, foreigners are viewed in an increasingly bad light by a growing number of Danes who see them as responsible for the economic problems of their society.

It comes as no surprise, therefore, that the two issues which crop up most frequently in statements by Government officials are illegal immigration (except in the United Kingdom and Denmark) and, although seen by many people as the same thing, the increasing number of abuses of the right of asylum. These are both concrete indications of the pressure of numbers which have seemed to bear out the fears discussed above and which have, in any case, explicitly motivated the noticeable hardening of immigration policies in almost all EEC Member States.

In this report, we shall attempt in the first instance to pinpoint the way in which immigration has evolved over the past year and look at the social and economic situation of nationals of third countries legally resident in the Community. We shall then look more specifically at the two main issues: the pursuit of illegal immigration and the question of "abuses of the right of asylum". In Part III, we shall provide a summary of Member States' main responses to these issues and look at their consequences on the daily lives of immigrants resident in these Member States. This leads on logically to an examination of the place now given to "integration" policies and the measures taken in this respect. We shall conclude with a number of questions which we feel are raised by the issues discussed in this report.

I. IMMIGRATION DYNAMICS

Widespread increase in legal immigration ...

The numbers of immigrants entering all the EEC Member States have increased over the past year in all the forms of immigration (legal permanent or temporary immigration of workers, family consolidation, illegal immigration, applications for asylum, etc.).

In some countries (Netherlands, Denmark, Germany, France) family consolidation has been the main reason for new immigration, bearing out the stabilization of the groups which have settled in the Community. In the Netherlands, for instance, applications for family consolidation, submitted in most cases by people who have been resident for more than 10 years, accounted for a large proportion of the 117 350 new immigrants registered (19% more than in the previous year) and overtook the record for the last regularization year (1987). In Denmark, half of the 13 000 residence permits issued (-23% in comparison with the previous year) were for family consolidation, three out of five being for spouses and the remainder split equally between the applicant's children or relations; only 20% of new residents were from the EEC, Scandinavia or North America. It is surprising to note, in the case of France for instance, that family consolidation by nationals has risen, while consolidation by foreigners has decreased. This may point to a trend among young French people of foreign origin to choose their partner in their country of origin; this has also been observed in the Netherlands where one third of consolidations in 1988/89 involved Dutch nationals. This shows that the process of stabilization mentioned above does not exclude the maintenance of close links with the country of origin.

In other cases (Italy, Spain) the increase recorded seems to have been due to regularization operations. Statistics based on the number of residence permits granted do not, in this case, measure new arrivals, but the impact on these statistics of the legalization of the administrative situation of foreigners previously illegally resident.

In Italy, therefore, regularized immigrants now account for over one third (35%) of residents from outside the Community, concentrated mainly in the north of Italy where the increase in the number of foreigners has been the highest, while numbers have fallen in the centre and south.

There have been even more significant changes in Spain. Three-quarters of the applications submitted for exceptional regularization were granted with the result that the number of permits issued in 1991 doubled. Most of these were for salaried workers (90%), generally men (68%), over half of whom were from Africa, most frequently from Morocco (40%). In contrast, the number of applications for asylum fell in comparison with the previous year which would seem to indicate that potential candidates felt that the regularization procedure offered better chances of success. Regularization has also had the most impact on the composition of the legally resident population in Spain. Once completed, it will have a threefold effect: increasing the number of foreigners in a regular situation from 85 000 in 1990 to 230 000 in 1992, increasing the participation rate of the foreign population largely as a result of the increased number of male workers and modifying its composition by nationality in favour of Moroccans and to a lesser extent Latin Americans to the detriment of Europeans, whether EEC or non-EEC nationals. It will also have indirect effects in the medium term since people whose applications are granted under this procedure will have the opportunity to request family consolidation. It is estimated that a total of 600 000 residence permits will be issued by mid-92, i.e. 25% more than in 1990. Despite this considerable increase, the total number of foreigners in Spain accounts at present for less than 2% of the total population and possibly for even less than 1% if account is taken only of nationals of third countries.

The "exceptional admission for residence and work" offered in France to unsuccessful asylum seekers who satisfy the conditions set out in a joint circular from the Ministries of the Interior and Social Affairs of 23 July 1991 lies somewhere between "conventional" regularization procedures and the question of asylum seekers which will be examined below. The interim results published show that of the 40 000 applications submitted to Prefectures (rather than the 60 to 80 000 expected), 5000 have been granted, 11 000 rejected and 24 000 are still being processed for a variety of reasons.

Nationals returning to their own countries after long periods of emigration cannot be neglected and account for large numbers of arrivals in some countries. In the Netherlands, for instance, former Dutch emigrants account for 31% of new arrivals. The Irish situation, while specific, is even more significant. As the number of departures far outweighs the number of

arrivals⁴, accounting over the last ten years for 10% of the population, the migration dynamics of Ireland differ greatly from those of other countries. Nationals returning to the country when they retire, many of whom depend on social welfare, account for a large proportion of the arrivals recorded. A significant number of "returners" of working age have also come back but have not been able to find jobs. The extent of this trend means that Ireland faces particular problems not in the area of integration but of unemployment.

Portugal, whose situation to some extent mirrors the Irish situation, has had to cope, on the one hand, with an on-going exodus of its own nationals and, on the other hand, with increased illegal immigration, while attempting to encourage its more highly qualified emigrants resident in other Member States to return home. The authorities have, for this purpose, allocated increased resources to the Institute for Emigration and for Portuguese Communities, developed a very active policy to support Portuguese emigrants and defend their rights abroad and, in particular, published a "Returners' Guide" for them.

A new form of migration, on the borders between legal and illegal immigration, has developed in recent years: the return of people belonging to national minorities resident in former east European countries to their "countries of origin". In addition to Germany with its "Aussiedler"⁵, Greece, where matters reached a climax during the summer of 1991, offers the most interesting example. Albanians of Greek origin accounted for most of these new immigrants, followed by the Greek minority of the former USSR. The particular legality which national origin confers (for a limited period?) on this type of immigration (even when illegal) undoubtedly explains the different reactions in Greece and Italy to the flood of Albanians arriving in these countries. Nonetheless, most of the Albanians resident are not of Greek origin. According to recent survey, only 36% of them have family in Greece. The total number of Albanians resident in Greece is estimated at 65 000 to 70 000. They are mainly men (80%) of a relatively young age (15-35) with little education (8% with higher education level or diplomas). Greeks from the former USSR are less numerous (30 000) and although they are as young as

⁴ Within which there has been a slight increase in the number of people from outside the EEC: + 6% from 1983 to 1990; there have, however, been major changes within this figure, including a significant increase in nationals from third-world countries.

⁵ Numbers of whom seem to have decreased by 50% over the last year. 348 394 were authorized to return to Germany in 1990, while the figure for the first nine months of 1991 was only 170 000. People from Poland and Rumania accounted for most of this reduction. According to the German official responsible for this question in Parliament this decrease is due to the improved protection of minorities in the countries in question.

their Albanian counterparts they have a much higher standard of education: 50% have technical or vocational qualifications and 10% have higher education diplomas.

Return of third-country nationals: inadequate incentives

In contrast to the growing number of people entering the Community as a whole, there has been a sharp drop in the number of foreigners departing under government schemes for organized returns. Two examples illustrate this: France and the Netherlands. In France, such schemes have been taken up by only 70 500 people, 39 500 of whom were family members. In 1990, this figure fell to 400, including 235 workers. In the same year, 21 000 returns were recorded in the Netherlands (equivalent to the figure for 1987), 42% of whom were EEC nationals, while there was a sharp drop in the number of third-country nationals, especially Turks and Moroccans.

This situation has led the Dutch authorities, who are keen to maintain consistency with their choice of encouraging the integration of minorities, to decide to abandon their return incentive plan, especially as financial incentives do not seem to be a determining factor in people's decisions. This leaves only two programmes which, according to the law passed on this issue in 1991, are chiefly designed to remove the obstacles to people's free choice.

Stricter controls over the right of asylum and illegal immigration: issues and limits

All the reports agree that legal arrivals have played only a small part over the last year in the real increase in the numbers of third-country nationals resident in the EEC. The two main causes of this increase are said to be "abuses of the right of asylum" and "illegal immigration"; while the former can be measured, the latter cannot, by its nature, be quantified. Of these two problems, seen by many people as the same problem, the former (abuse of the right of asylum) is the more controversial not just because of the growing number of people involved but also and in particular because of its highly symbolic nature.

Most governments are undoubtedly moving towards stricter procedures for the recognition of political asylum. The whole issue is summed up by the often repeated call for a stricter dividing line between "genuine political refugees",

who are having to satisfy increasingly selective criteria, and "economic refugees" whose application for asylum is considered to be both illegal and unacceptable; Europe, to paraphrase a French political official, "cannot accommodate all the world's poverty". Many people have stressed, when amendments are being envisaged to make systems stricter, the threefold risk of the notion of asylum being stripped of its significance, the rights attached to it being called into question and the people likely to benefit from it being placed in an even stricter hierarchy⁶.

In addition to Germany, the largest growth in the number of asylum seekers has been in the Netherlands, Italy and Belgium. Numbers have fallen, however, in France and Denmark, while the issue does not seem of much importance in Ireland and Luxembourg.

The problem is obviously most severe in Germany which accepted 260 000 asylum seekers in 1991, i.e. an increase of 33% over the previous year. It became an issue in local elections (in Bremen and Lower Saxony), fuelled a stormy political debate on the reasons for rising xenophobia (in the Bundestag in September 1991) and provided a pretext for repeated racist abuses against asylum seekers and foreigners in general as well as the institutions which receive them. These events have highlighted the ambiguous attitudes, noted in the introduction, of a large number of politicians who do not always have clearly delineated positions on these issues. While these issues may have received more coverage in Germany than in other countries, the climate in Germany does not in fact differ from the social and political climate of most of the other Member States.

It is undoubtedly in Germany, however, that debate about ways of tackling this problem has been most wide-ranging. Since the issue has become the amendment of Article 16 of the German Basic Law, this debate has become very symbolic and has gone beyond the simple wish to find a technical solution to a short-term problem. It has become a genuine debate on society in the real sense of the word. This is how it is understood by opponents of the amendment who stress the key contribution made by this article to the founding principles of the German state. All these events and the discussions which they have stirred up are worth examining in detail as their lessons go beyond the specific German situation.

⁶ This is in particular reflected by revisions, unfavourable to potential applicants, of the list of countries whose nationals are no longer authorized to request asylum.

Labour market problems

Examination of unemployment figures leaves little doubt that these groups of workers face worse employment problems. In France, for instance, the level of unemployment of foreigners increased from 4.6% in 1975 to 14.4% in 1982 and reached 18.8% in 1990 when the national average was some 10.9%. The same is true in Denmark where, despite efforts in the areas of education and employment, the position of these groups is a matter for concern largely because of problems with language, lack of qualifications and also the reluctance of Danes to employ immigrants.

The information provided on the United Kingdom bears out these problems which also appear to differ depending on sex and the group in question. There are differences from the point of view of activity rates with, in the case of men, substantial discrepancies between white men who are the most active (89%), Indian men (85%) and the other groups whose average activity rates are around 76%. Among women, the most active are West Indians and Guyanese (76%) whose figures differ greatly in this area from the figures for Pakistani and Bangladeshi women who account for less than a quarter (24%) of the active population of their group. The same is true of employment where minorities are more disadvantaged, in overall terms, than whites but in proportions which vary greatly among the different groups. Indian men are undoubtedly the most integrated in economic terms since their unemployment level is very close to the level for white men. They do not seem to face the same problems as West Indians and in particular Pakistanis and Bangladeshis, 13 and 15% of whose numbers are unemployed. These data have to be compared with the data provided on qualifications which show non-negligible differences between the various groups. Indian men logically have the best profiles, often superior to those of their white counterparts, in contrast to West Indian and Guyanese men who are the least qualified of all. Among women, West Indians and Guyanese are the best off, even in comparison with white women, in contrast to Bangladeshi and Pakistani women, over two thirds of whom have no qualifications.

It should be noted that these data show an improvement in the situation of minority groups since 1986, especially among West Indian and Guyanese men where the proportion of unemployed has fallen from 26% to 13%. It should

be borne in mind, however, that the data available for women are less significant, in overall terms, because of the rules which govern their rights to benefits⁷ and lead many of them to stop registering with employment offices. There is little doubt that their economic integration problems are underestimated to varying degrees depending on the group.

The situation in the Netherlands, where the improvement in the overall employment situation (12% fall in unemployment in the two years between 1988 and 1990) has had an impact on minority groups as well, is similar to the situation in the United Kingdom. Minority groups have taken up 9% of the 324 000 new jobs registered during this period, Turks accounting for the largest number (+38%) followed by West Indians, Surinamians and Moroccans. The only downward trend has been among immigrants from "other non-European countries" whose numbers have fallen by 4%.

Despite a considerable increase in recent years in the number of Turkish and Moroccan workers, unemployment amongst the former has fallen from 38 to 34% and has stabilized around 41% in the case of the latter. Similar trends have taken place among the other minorities, especially Moluccans whose unemployment level (according to a recent survey) fell from 47 to 26% between 1983 and 1990. The improvement has also affected young people aged under 30, no more than 35% of whom are now unemployed as against 55% in the past.

Even though there have been advances in the employment situation of minorities, unemployment levels show that there is still considerable scope for improvement and that the employment situation of many people continues to be a matter of concern.

This improvement in the employment situation of foreigners in parallel with continuing high unemployment levels is true of almost all the Member States. In Germany, for instance, the number of unemployed foreigners has increased by 10%, while 250 400 others have been placed by the employment office over the same period, i.e. 60% more than in the previous year and a number which is greater than the number of registered jobseekers (206 200).

⁷ Rights to benefit are lost after a year of unemployment, after which they cannot claim any financial support if their husband is working or receiving allowances for the family as a whole.

In Italy, according to the Minister of Labour the number of people with jobs, largely of an unskilled nature, has increased from 106.000 to 137.000, half of whom are employed in industry, 16 % in agriculture and 35 % in other activities. They are largely concentrated in the north of Italy (85.000)⁸. At the beginning of 1991, a group of experts submitted a report to the government drawing its attention to the economic integration problems faced by non-EEC foreigners despite the increasing numbers of such people with jobs. Employment offices estimate the total foreign working population at 230.000, 91.000 of whom are jobseekers. A survey analysing the effects of increasing numbers of foreigners in the communes of Piedmont estimates that regularization has benefited Africans in particular and that this region is tending to become, at least in statistical terms, a multi-ethnic society. As a rule, the foreign workers who have settled in Piedmont are young men concentrated in urban areas who act as a complement to the local workforce on the labour market.

In Spain, regularization has led to a clear increase in the number of work permits issued, although numbers had in any case been increasing substantially since 1987. Six out of ten of these permits are issued to men, most (80%) of whom are in salaried employment⁹. In two thirds of cases the duration of these permits does not exceed one year. It is estimated that at the end of the regularization operation, the stock of workers with permits could reach 230 000 without entailing major changes to the predominance of male workers with permits lasting one year or less, but with a redistribution of nationality with Africans and South Americans increasing in number and Europeans (EEC and non-EEC) decreasing in number¹⁰.

This employment potential and thus the ability of labour markets to absorb a new workforce is borne out to some extent by the survey of Albanians

⁸ Central Italy (34.500) and the South account for much smaller numbers. It seems that the South has more foreigners registered on jobseeker lists than it has in employment. These data should be viewed with care because of the approximate nature of the data supplied by the official authorities; there are very large grey areas in respect of immigrants employed for one season who end up by being included among other workers in an irregular administrative situation. Despite two laws on immigration statistics, the absence of a central databank in this area rules out any certainty as to the number of regular employed workers in Italy, their conditions of employment or their breakdown by status and activity.

⁹ Approximately half of these workers are Europeans, generally EEC nationals (41%) followed, in order of importance, by South Americans (20%), Africans (20%) and Asians (13%).

¹⁰ As in other cases, detailed forward analysis of the effects of these trends on the operation of the labour market in Spain is impossible as a result of the gaps in the statistical apparatus. No overall data are available on the annual flow of foreigners requesting administrative residence and/or work permits, nor on the breakdown of the working population by sex and activity, nor on the number and therefore details of jobseekers.

conducted in Greece which showed that 45% of jobseekers had managed to find jobs at an average wage slightly above the statutory minimum. Most of these Albanians have no qualifications and little general education in contrast to the Greeks from the USSR who arrived at the same time and are generally much better qualified and have a better standard of education.

II. THE POLICIES IMPLEMENTED

More selective rights of asylum

Worried by this problem, concerned by rising racist violence and urged on by what they consider to be the most widely held public opinion, most governments have undertaken significant reviews of legislation or regulations relating to procedures for the right of asylum, entry and residence requirements for nationals of third countries and the fight against traffic in workers and illegal economic activity.

Most of the measures set in motion have related to reforms of procedures for the right of asylum, whether to strengthen a recently established system (Netherlands, France) or to prepare new draft laws on this subject (United Kingdom, Germany, Belgium). The objectives have been similar in all cases: to prevent the submission of "unfounded" applications, reduce the numbers of applicants awaiting decisions and expel those whose refugee status has been refused from national territory.

Since the aim is to provide a deterrent (and to allow a stricter selection of pending dossiers), very similar measures have been adopted whatever the country in question: more drastic admission criteria, faster investigation of dossiers¹¹ and an extension of the list of countries from whose nationals applications can no longer be accepted.

These general measures have been accompanied by other more specific ones whose common feature is the strengthening of the discretionary powers of the State. The concern for tighter controls over applicants' identities has led (in Germany) to compulsory registration of their fingerprints and photographs by the police when dossiers are submitted. These records are immediately scrapped if the applicant's request is accepted, but are kept in police files for

¹¹ The adoption in France of a measure of this type together with a strengthening of OFPRA resources, led in 1990 to a fall in the number of applications which was borne out in 1991 (-12%). The number of applications consequently fell from in 1989 to 48 000 in 1991. In order to speed up the processing of dossiers, the Dutch Minister of Social Affairs has announced a privatization of departmental tasks relating to the reception of asylum seekers. In the draft law on the revision of asylum procedures submitted in December 1991, the Federal German Minister laid down a term of six weeks. In the Netherlands, the new system, which came into force on 1 January 1992, sets a term of one month from the receipt of the dossier for an initial administrative response indicating whether applicants may remain for further investigation of their applications or whether they must leave the country immediately as their applications have been rejected.

ten years otherwise¹². Appeal procedures have also been reviewed, in some cases helping applicants by extending their period (United Kingdom), but in most cases working against them. This is true of the Netherlands where summary procedures against the State and the possibility of written challenges have both been abolished and a new appeal court will be established: the "Foreigners' Chamber", whose decisions will be binding. In Germany, the right-wing majority has also demanded the amendment (to the detriment of applicants) of Article 19 of the Basic Law which guarantees judicial auditing of State decisions. In Belgium the establishment of a detention centre has been accompanied by the entry into force of new regulations intended to accelerate procedures for the grant of refugee status in order to eliminate "false applicants" more rapidly. This law, also reflecting a more restrictive view of asylum, is said by a member of the government to be a transitional law.

In France, the public authorities have decided (Prime Ministerial circular of September 1991) to abolish the work permits issued up to now to all applicants¹³. According to the French Secretary of State for Foreign Affairs, this decision is intended solely "to protect the right of asylum by distinguishing between genuine applicants and mere economic refugees". This is precisely the opposite of the decision passed on 26 June 1991 in Germany abolishing the prohibition on work imposed up till then on asylum seekers on the grounds that they placed too heavy a burden on public finances and that there was a major risk of illegal work.

In Great Britain, a new law on asylum was submitted in November following the Home Secretary's order published in June. As its main aim is to reduce the number of asylum seekers, the new law makes provision for the compilation of dossiers outside the country and imposes heavier fines on carriers. Many organizations, whether or not specializing in the defence of refugees, protested against this legislation, which passed the select committee stage in December 1991, since they felt it would penalize genuine refugees. Many people are also concerned by the use of the notion "obviously unfounded applications" and, consequently, the measures relating thereto, in particular the removal of rights to be heard. No indication has ever been given as to the interpretation of this notion and senior legal commentators are concerned that it will be extended to all applicants, including those whose refugee status is founded. There have been many examples of rejection

¹² In order, it is said, to combat double or triple applications and social security abuses.

¹³ With the exception of applicants possessing a long-term visa and - provisionally - those awaiting a decision prior to the issue of the circular.

decisions of this kind which have been overturned only after costly legal proceedings. It should also be borne in mind that many senior Ministers have proposed that Great Britain withdraw from the Geneva Convention.

Another concern common to many of the reports is the accommodation of asylum seekers with the dual aim of providing shelter while carrying out supervision and screening. This is one of the aims of the draft law on the right of asylum submitted by the German Minister of the Interior which establishes collective accommodation facilities in the vicinity of administrative courts and aliens' registration offices. The same concern can be seen in the Netherlands, where the new reception system for refugees requires applicants to register at one of the "foreigners' offices" which informs them of the town hall at which they can submit their applications and directs them towards one of the nine "research and reception centres" which have recently been set up¹⁴. The same approach has led to separate accommodation for applicants whose cases are pending or have been rejected¹⁵ and for accepted refugees. In the Netherlands, the latter are accommodated in one of the 21 existing "asylum centres" (AZC) where they are prepared for integration into Dutch society. This strategy is also being used in France where a circular from the Directorate for Population and Migration (December 1991) makes it compulsory to separate the "Reception Centres for Asylum Seekers" (CADA) providing accommodation for people awaiting a decision from OFPRA or the Appeals Commission from the "Provisional Accommodation Centres" (CPH) which receive refugees whose status has been recognized and applicants possessing long-term visas who are given integration training which is not given to the former group.

Stricter entry and residence conditions

The fight against abuses of the right of asylum has not led to a reduction of the (more general) controls over the circulation of nationals of third countries and their establishment in Member States. Laws on entry and residence have been reviewed everywhere either to strengthen existing regulations (Netherlands), or to modify them substantially (Germany, France) or to draw up new draft laws or regulations (Greece, Netherlands, Spain).

¹⁴ Rejected applicants are not authorized to move away from the town hall to which their accommodation centre is answerable and must report regularly to the administration.

¹⁵ It had been envisaged to place the latter in a special centre, but the project was abandoned.

The law passed on 31 December 1991 in France undoubtedly represents the most complete legislation on this issue during the year. It encompasses all the concerns shared elsewhere and relates to foreigners' entry and residence conditions, their accommodation, the fight against those organizing their illegal immigration and also all forms of illegal activity and employment (which will be examined below). It increases the penalties on anyone (boat or transport operators and people offering accommodation) who directly or indirectly helps a foreigner to enter and reside illegally¹⁶, strengthens the sanctions applicable to foreigners resisting a expulsion order or who lose their identity papers in order to avoid a deportation order and lastly introduces stricter criteria for the issue of accommodation certificates which now have to be stamped by the mayor of the Commune in question¹⁷. The measures taken in other countries in order to place tighter controls on immigration include extensions of visa systems and wider-ranging expulsion possibilities.

Although passed on 26 April 1990 by the Bundestag and ratified on 11 May 1990 by the Bundesrat, the general principles of the new German law which came into force on 1 January 1991 are worth mentioning here. This law mirrors the controversy which German attitudes towards foreigners has stirred up in German society. At first glance, it seems to be a break-away from the idea, underlying the previous law (1965), that foreign workers were only temporarily resident in Germany and would return to their own countries in due course. In principle, it seems to accept two situations (the long-term residence of "guest" workers and the presence of their families) and to deal with two issues (their integration into German society and consequently the need to make their status more secure) which were completely lacking from the previous law.

In fact, the new law more clearly specifies the various residence permits which foreigners may request and the various levels of protection offered to them. It distinguishes in particular between the limited residence permit which must be regularly renewed, the unlimited residence permit which can be obtained after a minimum of five years' residence providing that criteria

¹⁶ In the Netherlands, it has been suggested by a commission set up by the government that such help with illegal immigration should be seen as a crime and not as a minor offence.

¹⁷ If there are doubts as to the purpose of such accommodation, the mayor may request an investigation at the International Migration Office and, depending on the findings, refuse the certificate. This supervision of accommodation as a way of preventing illegal immigration is also carried out in Greece where people offering accommodation to foreigners (hotels or individuals) must declare this to the police, informing them of the date of arrival and departure of their guest.

relating to means of support, accommodation and mastery of the German language are satisfied and lastly the residence permit. The latter, which is the only permit whose duration and scope is unlimited, can be obtained after permanent residence in Germany of at least eight years provided that certain requirements can be met (including not being unemployed, not having served a sentence of more than six months in the preceding three years) and offers the maximum guarantee against deportation. Those in possession of this permit may be covered by the clause relating to the "safeguarding of the interests of the Federal Republic of Germany" which, since the 1965 law, allows the State to exercise discretionary powers over employment or family consolidation¹⁸. This law very clearly shows that the long-term presence of foreign workers and their families has been accepted in Germany. Moreover, the procedures for the issue of these permits and the conditions which have to be satisfied to obtain the permit offering the most protection follow a genuine path towards integration from a professional (not being unemployed), moral (not having a criminal record), material (being able to meet one's needs and having accommodation) and cultural (mastery of the German language) point of view. Criteria for family consolidation and naturalization procedures have also been made more flexible for two groups: young foreigners aged less than 24¹⁹ and adults resident for more than 15 years²⁰. Although dual nationality is not recognized since it is assumed that the former nationality has been given up in the event of naturalization, provision has been made for exceptional cases²¹.

This law also places restrictions on political activity and in particular establishes a duty of administrative supervision by making the public authorities²² responsible for informing the immigration authorities of any irregularity in the situation or behaviour of a foreigner, measured against the grounds set out in the reasons for expulsion. The ways in which these authorities can investigate the personal situation of foreigners have also been strengthened.

¹⁸ The law also specifies other categories whose expulsion is subject to particular procedures: foreigners born in the Federal Republic of Germany, foreigners resident prior to the age of majority, foreigners living together with Germans and political refugees.

¹⁹ Provided that they have been in regular residence for eight years, that they have attended school for six years and have no criminal record.

²⁰ Provided that they have no criminal record and can satisfy the material needs of their families without social security or unemployment benefit payments.

²¹ This exception, in principle, is just as significant as the rule and in fact does not confirm it as it entails, even in very particular cases (for instance when the State of origin does not allow people to give up their nationality or refuses to allow them to do so), the idea of multi-allegiance.

²² The population registration, naturalization, youth, justice and passport offices, the labour and tax and excise departments and the social services.

This law, which was the subject of considerable discussion and led to demonstrations and a great deal of toing and froing among politicians during its preparation, was the result of a hard-won compromise between the parties of the government coalition and highlights the ambiguous way in which foreigners are perceived in Germany. This can be seen from the gaffe which the Minister of the Interior made during its presentation: "The German Federal Republic is enemy - I'm sorry! - friendly territory for foreigners and must remain so". It has been widely criticized since its publication, especially as regards the duty of "administrative supervision" which is seen as an encouragement to inform on people. In more general terms, a number of social and religious organizations see it, despite some positive advances, as no more than a legal formalization of unofficial regulations already in force and conventional practices in certain Länder. They feel that this law continues the discretion possible under the old foreigners' statute as it retains the same basic principle, i.e. that foreigners can reside only "provisionally" in Germany.

A law has also been formulated and passed in Greece to provide the country with immigration legislation in accordance with the regulations in force in other Member States. It makes particular provision for the creation of special frontier and territorial monitoring units, establishes a list of undesirable aliens and limits the duration of the residence and work permits issued. Greece seems to be in a particular position in this case, as legislation has never been adopted in the past without the prior or parallel regularization of foreigners resident in Greek territory.

In Spain where no new law is envisaged, the government has proposed the creation of a Joint Ministerial Commission and has stated that it wishes to regularize the situation of foreigners not in possession of residence permits while attempting to channel flows by placing tighter controls on the issue of visas. The Danish Minister of Justice has stressed, in connection with the abolition of intra-Community frontier controls, the need for a national debate to work out ways of placing tighter controls on the circulation of nationals of third countries, noting that the restrictions should relate both to the entry of new workers and to families. In Great Britain a complete review of all the immigration services, not just those responsible for asylum seekers, has been proposed. One of the ideas put forward was to transfer all powers in this area to UKIAS (United Kingdom Immigrants' Advisory Service). UKIAS, which was not consulted in advance, has refused to take part in this very controversial

project. All immigration experts agree that the system envisaged is unworkable. The project has consequently been suspended and discussions are taking place.

Threats to family consolidation

In the context of measures intended to curb immigration, special attention needs to be paid to measures relating to family consolidation since there seems to be a trend towards stricter controls. This issue has, as mentioned above, been examined in Denmark and the idea is being debated in the Netherlands. An investigation carried out by the Dutch government estimated that the number of beneficiaries between now and 1995 would fall by some 15 000 to 20 000 people if certain restrictions were imposed (such as the need for adequate means of support). This reduction would chiefly affect Turks and Moroccans on whom such changes would have the most impact. In the United Kingdom, people already face very real problems in this area. This is due to the use of the notion of "main objective" which makes it necessary for partners wishing to obtain residence permits to prove that the desire for residence in the United Kingdom is not the main reason for their union. In Denmark, which is also anxious to give priority to the nuclear family, the right to send for parents has been abolished, an age limit has been imposed on children and residence permits are issued to partners only after a stringent investigation of the stability of their union, requiring the couple to have lived together for a minimum of three years from the date of entry. The new German law on foreigners contains a similar measure. In order to verify the "validity" of the union on which the family consolidation is based, residence permits are permanently acquired only after a minimum period of three years' cohabitation.

Combating illegal work

The past year's range of measures or new regulations are complemented by those measures which have been taken (or are being envisaged) to control illegal work. Although illegal immigration is also cited here as a pretext for stricter controls, the questions which this issue raises go beyond the control of the circulation and/or residence of foreigners and also include the regulations and measures needed for the correct operation of the labour

market and economic activity. Over and above the policing of foreigners, this raises economic and social issues which do not just concern foreigners but all the nationals of a State and any EEC nationals resident in that State. It should be noted, however, that this approach to the control of illegal work, going beyond a simple prohibition on the employment of foreigners not in possession of permits, is far from being shared by all. It would be more interesting to examine the different ways in which this issue is perceived by different people as these differences have a considerable impact on the possibility of harmonization in this area which everyone seems to want.

At present, the most common measure is to punish employers (in some cases of foreigners without permits and in other cases and in broader terms of undeclared labour) together with a trend towards much harsher penalties. The Dutch government is thus envisaging a change to the criminal status of this contravention, raising it from a "minor offence" to a "crime against civil order". Employers found guilty would also bear the costs of deportation of illegally employed foreigners. The same measure is envisaged in the law adopted in Greece which also lays down strict regulations on the employment of foreigners and limits, if necessary, the regions and sectors in which they can be employed. Under these new rules, labour inspection facilities would be stepped up and inspectors would be responsible for checking that foreigners are legally employed and also for making sure that regulations on wages and working conditions as well as social welfare rules are being respected.

The most complete set of measures has been enacted in France (in particular in the Law of 31.12.91 mentioned above). It is also here that the least mention is made of foreigners as regards this crime. This Law introduces a range of criminal, civil and administrative measures aimed chiefly at economic operators who are responsible, even indirectly, for violations, rather than this or that category of person.

Criminal measures are stepped up by the creation of additional optional penalties in the case of sentences delivered by courts for all offences relating to illegal work, employment of foreigners not in possession of permits, violation of the OMI monopoly, violation of the prohibition on the reimbursement of the introduction fee and illegal accommodation. Harsher measures are also set out for offences relating to illegal loans of labour and goods. For preventative purposes and in order to improve the efficiency of controls, the issue of recruitment certificates is added to the labour code as a

new obligation on employers. From the civil point of view, the main novelty has been to establish joint responsibility on the part of illegal workers and the person using their services, whether directly or indirectly in the case of sub-contracting. From the administrative point of view, the law makes provision for a reliable system for recording and analysing the data available on illegal work and allied issues within the Ministry of Labour.

Four main points need to be highlighted from the objectives underlying this law:

- tighter controls over the concealment of employees²³;
- the tightening up of the criminal nature of the use of illegal labour²⁴;
- employers' increased liability²⁵;
- the desire to achieve a more consistent approach to all the new and more sophisticated illegal work practices brought about by the misuse of sub-contracting.

Mention should also be made of the new and important measure passed in Germany making it compulsory (from 1 July 1991) for all employees to possess a social security card making it possible to check whether they are being employed in a regular way. Two decree laws have also been passed in Portugal, one relating to home work and the other to the employment of minors. The first is designed to impose some order on a completely deregulated market which exploits women and children from disadvantaged backgrounds and the second to combat the illegal employment of minors and to curb its excessive development in some regions and within some foreign minorities containing a large proportion of illegal immigrants. Although these laws have been well received, there have been criticisms of the lack of resources allocated to Labour Inspectorates for their enforcement.

Impact on people's lives

Harsher policies date back much further than the past year with the result that they are beginning to have an impact on people's lives. We shall look at two

²³ This objective is borne out by the parallel introduction into the Labour Code of an article establishing a declaration prior to recruitment.

²⁴ With the introduction of the notion of "interposed person" into the article defining this offence.

²⁵ Adoption of a new article of the Labour Code establishing a flat-rate compensatory payment to employees, when employment relationships are terminated, by the employer who had recruited them illegally.

examples: the impact of reforms of asylum procedures and the impact of developments in the area of family consolidation.

In the first case, the most significant factor is obviously the appearance of a new category of foreigners called "rejected asylum seekers" (France), "de facto refugees" (EEC) or "tolerated foreigners" (Netherlands). These are people whose refugee status has been rejected but who cannot be expelled for a variety of "humanitarian" reasons. Their numbers have risen substantially in parallel with the stepping up of systems intended to speed up procedures.

In France, the problems raised by such refugees have led to considerable debate and have mobilized a variety of organizations and associations which have undertaken to support them. In parallel with the exceptional admission procedure for residence mentioned above, a new repatriation incentive known as the "experimental scheme for voluntary repatriation" was offered to people refused asylum: under this scheme the cost of repatriation to the country of origin was paid for and each adult received a payment of FF 1000, supplemented by FF 300 per dependent child, provided that they approached OMI voluntarily. Launched in January 1991 for a period of four months and limited to five Départements, the scheme was renewed in May 1991 and extended to a further five Départements. The scheme's rather poor results (some 100 or so departures) led to its premature suspension prior to its completion date which had been scheduled initially for 30 September 1991. The scheme did little to resolve the problem, especially as the number of people refused asylum is increasing by some 35 000 to 40 000 per annum. Despite this failure, a new scheme for the re-integration of foreigners expelled from French territory was proposed from 1 September 1991. This scheme is applicable throughout France and is open to all foreigners subject to expulsion for whatever reason provided that their application to benefit from it is voluntary. By mid-December 1991, 500 dossiers had been submitted and some 250 returns arranged.

In the Netherlands, research is under way to plug the legal loophole covering those people known as "tolerated foreigners". The law on foreigners should have been amended in order to provide them with legal status and lay down criteria covering their rights of residence and access to public services and the labour market. Interim regulations are currently in force and set out a provisional legal situation. In order to benefit from this, applicants must not make further requests for asylum. The tolerance from which they then benefit

is valid for three years, after which changes in their country of origin which could make their return possible are investigated; if their repatriation is still impossible, they receive an unconditional right of establishment. Whatever the efficiency of these French and Dutch systems, they have the merit of opening up debate on a problem which affects all the Member States.

The second issue worth examining in detail relates to the new problems raised by amendments of the right to family consolidation. The two examples come in this case from the United Kingdom and Germany. In the first case the problems are caused by the virtual prohibition on residence which the application of the "main objective" rule imposes on a certain number of couples. If they are unable to prove that the main reason for their union is not to obtain a residence permit, they are forced to settle in another Member State where, paradoxically, their EEC status guarantees them rights which they do not have in their country of origin, starting with the right of residence. This case has been brought before the Court of Justice and its judgment is expected - "with impatience" - in July 1992.

While the situation in Germany (and Denmark as well) is different, its impact is just as great. In Germany women joining their husbands must satisfy a minimum period of three years' cohabitation. If the partnership founders, women who wish to divorce run the risk, if they leave the conjugal home, of being in an irregular administrative position and thus threatened with expulsion. It is surprising that the "compulsory dependence" of the wife on the husband should be continued in this way. The situation would be laughable if it did not make matters difficult for women who are abused by their husbands and have no alternative but to accept the situation or to leave their home and suffer the threat of expulsion. A protest movement is developing around this issue in Germany and is also denouncing the international traffic in women and children.

In addition to these main issues, problems resulting from the hardening of immigration policy in recent years have been reflected by large numbers of appeals in the courts against rulings issued in respect of asylum, residence and work. The German and British reports contain many examples of these.

The employment system: an apparent paradox

A dual trend, which seems contradictory at first glance, is thus shaping the employment situation of foreigners or minorities. While it is true that immigrants are always much more vulnerable to unemployment than nationals, even though the situation is tending in some cases to improve, more and more newcomers are being recruited even if they are in many cases offered jobs which are very unstable. The contradiction is obviously only apparent. These trends reflect the continuing, even growing, demand from some sectors for a workforce whose employment can be managed in very flexible ways under conditions which are much more precarious than the average. Foreigners consequently seem to be continuing, because they allow for greater flexibility, to act as a short-term and in some cases a long-term regulator of labour and employment markets. While the measures taken by the various States have the outward aim of curbing immigration flows, they are also intended to maintain this regulatory function so that it can be (selectively) reactivated when necessary.

This need for a labour market operating in more flexible ways underlies the bilateral conventions or agreements which Germany has recently signed or renewed with various East European countries. These include the convention on temporary workers signed with Poland, the agreements on contract workers signed with Bulgaria and Czechoslovakia and the renewal, with amendments, of the agreements already signed with Rumania and Bulgaria.

The same reasoning seems to underlie the residence permit issued for a maximum of two years and for a specific objective (generally recruitment for a job), which is one of the forms of status recognized by the recent German law on foreigners. However innovative this law may be with respect to the regulations previously in force, this permit marks a return to a regulation predating the official decision to halt foreign labour recruitment (1973). Its main function is to make it possible, if need be, to revive recruitment procedures without the newcomers benefiting from the more permanent status laid down in the same law. These permits may, moreover, be subject to restrictions on types of employment or profession and groups of foreigners and people who receive them may be forced to leave the country if their presence is no longer required. This is a very good way of retaining a system of temporary immigration which can be modulated as a function of labour market needs. Hospitals in some Länder, are already envisaging the direct

recruitment of nurses, in particular Yugoslavs, and Albanian workers are being recruited under so-called "minimum" conditions in some areas (Westphalia), a system which has been denounced as a "modern form of slavery". There are also increasing numbers of vacancies for seasonal jobs for nationals of Eastern European countries (some 100 000 in 1991) who are forced, on the "rotation" principle, to return home after three months.

Greece shares the same concerns. The government would like to curb flows of first-generation migrants settling in Greek territory and to tighten controls over illegal work and the employment of foreigners without permits, because it fears adverse socio-economic effects on the life of the country. Yet, it is equally aware of the need for a seasonal workforce in both agriculture and industry. It has not therefore ruled out the possibility of "importing", under certain conditions, temporary workers from Albania and Bulgaria. While this policy has more to do with labour than immigration, the Greek government intends to locate it in the context of its overall Balkan policy.

The combined effects of regularization, large numbers (which are difficult to quantify) of foreigners in an irregular situation and high national unemployment might make it seem that there is a surplus labour supply in Italy likely to increase the pressure to cut right back on new entries of foreign workers. In practice, this does not, however, seem to be true. Despite high unemployment in the South, the potential labour demand seems to have remained high in the North where it is feared that suitable recruitment from the existing supply will become impossible because of the low mobility of the national workforce²⁶. In order to forestall possible shortages it has thus been decided to establish an annual programme for foreign entry which can be modulated as a function of the needs of the various local labour markets. This system is similar to the "quota" principle suggested in France by the President of the Senate's RPR group and in Germany by the previous Federal Commissioner for Foreigners' Problems. The need for a seasonal or temporary work permit has also been discussed in Italy.

The position which the Dutch authorities have taken on labour market management differs in some respects from the situations described above. They seem to be the only authorities who wish to take the Community approach to its logical conclusion, considering that the establishment of the Single Market makes the recruitment of workers from third countries

²⁶ Current forms of social welfare play a large part in this.

unacceptable. They have therefore decided to amend the law on the employment of foreign workers (WABW) so that new work permits are harder to obtain. In order to prevent future recruitment of foreign workers, employers shown to be unable to provide training for their employees and employers having a bad reputation in the area of working and employment conditions will not be able to obtain work permits. This law will not, however, rule out the possibility of temporary permits.

III INTEGRATION POLICIES

All the governments of the Member States seem to have taken definitive action to stabilize the foreign communities resident in their territory. Consequently, none of them thinks that there is any need to speed up their integration and in particular the integration of children and young people. The latter are the most vulnerable because the general worsening of the social climate mentioned in the introduction has the most impact on them. Many feel that their disobedience, although not tolerable, is a way of expressing their refusal to accept inequality and of condemning the exclusion which places them on the fringes of the society in which they live from school through to work.

From social action to a deliberate policy of integration

The new law adopted in Luxembourg is probably the best illustration of the main trend among EEC Member States as regards the future of immigrant settlers. The new Luxembourg law shows a clear shift away from a policy of social action for immigrants (which characterized the previous law of 24 July 1972) towards a deliberate policy of integration. Like other European States, Luxembourg has had its fair share of outrages against foreigners by extreme right-wing nationalist groups. In a debate in parliament, speakers from almost all the parties invited the government to demonstrate its determination "to put a stop to these movements which should not be viewed with complacency". In a solemn public statement, the government declared its desire to keep Luxembourg open to foreigners and confirmed that "multi-culturalism is a key asset which must be preserved" and that it had therefore chosen the path of integration. Integration, seen as the best way of fighting the rise of racism and xenophobia, is essential for three reasons: immigration is a fact of life in Luxembourg, immigration is now taking different forms entailing a need for adjustment and (thirdly) the pressures exerted by external as well as domestic factors show that the problem is unlikely to diminish. Integration is consequently crucial, although measures to regulate flows in improved ways must be permanently sought through concerted European action.

In comparison with the previous law, this new law consequently covers a much broader field and in particular takes account of the (widely felt) need to tackle issues "horizontally", without losing sight of the differences among the groups involved. This can also be seen from the new system established

which acknowledges the many Ministerial powers to be mobilized and therefore the need, if a "horizontal" policy is to be pursued, to create an appropriate operating system. The creation of the Government Commissariat for Foreigners is intended to meet this need. This Commissariat, directed by a top civil servant, replaces the previous Immigration Service and is responsible for issues as diverse as reception (with powers over the management of accommodation and centres), information and training for foreigners (with the establishment of "social integration training"), support for associations (through the funding of associations)²⁷ and the development of cultural exchanges between Luxembourg nationals and foreigners.

Provision has already been made, in any case, for separate reception and accommodation of new immigrants and asylum seekers. In the particular case of refugees, the government set up (in 1990) a Joint Ministerial (Foreign Affairs, Justice, Labour and the Family) working party responsible for formulating proposals for improved policy coordination in this area and for examining the advisability of legislation on this issue. In parallel, the refugees' collective has organized a discussion week on this issue with the HCR.

Two consultative bodies are to help in the area of participation in public life which the government would like to enhance: the Consultative Commissions set up at Commune level, whose prior form and powers are confirmed, and the National Immigration Council whose statute is now laid down by law and whose composition will be modified to ensure that the various groups are better represented. This concern for fair representation is part and parcel of the above-mentioned aim of respecting the diversity of the groups covered by this integration policy. In order to ensure that this is the case, the authors of the project have had some discussion of the term which best ensures, in their words, "that there are no exclusions". The generic term "foreigner" is preferred to "immigrants" which, according to the authors, "traditionally relates to immigrant workers".

Reception, training, support for associations, participation in public life, development of cultural exchanges, transverse treatment of problems and respect of groups' diversity: this non-exhaustive list highlights one of the merits of the Luxembourg law which is to provide a summary of the issues affecting more or less all the Member States. It should also be borne in mind

²⁷ Associations must also make themselves known to the Commissariat for the appointment of their representative on the National Council for Foreigners.

that these issues are more acute in Luxembourg where foreigners account for one third of the population.

Integration versus racism

Like Luxembourg, many other Member States have focused national debate, generally receiving considerable media coverage, on the host society's attitudes and behaviour towards foreigners. This is largely because they see growing racism in their country or in the rest of Europe as a dangerous development. Surprising attention is being paid to events in neighbouring countries. Most States are now aware of what is happening in other States in this area and all seem to agree that the best way of preventing this danger is to enhance the rights of immigrants and refugees who have been legally permitted to reside in Member States. This approach is particularly true of Denmark where all the parties represented in Parliament share the same concerns about the rise of racism in Denmark. Following a parliamentary debate in the third quarter of 1991, the government adopted a timetable for the formulation of a coordinated immigration policy promoting integration through education, school guidance and employment and for measures to curb growing racism mainly by improving the information on foreigners' lifestyles available to the Danish population²⁸. Parliament decided in December 1991 to create a Foundation for the development of a uniform policy on immigrants. The social democrats have also proposed that Parliament take a more active role in improving integration policies by strengthening the legal rights of foreigners in Denmark, although they also want new restrictions to be imposed on family consolidation. They have also suggested the creation of a discrimination monitoring office responsible for ensuring that immigrants and Danes are treated identically and for removing the barriers and restrictions faced by foreigners in the labour market. Diversifying Danish teaching, improving foreigners' professional experience, providing mother-tongue options for students in higher education and establishing compulsory education for new arrivals, making this a condition for access to social security cover, are also seen as necessary.

The Dutch authorities also want to proceed in this direction, although using different methods undoubtedly shaped by a different view of society. Since

²⁸ Two reports were published on this topic in 1990 by the Ministry of the Interior and the Danish Immigrants' Association (representing immigrants' organizations to the government), the first of which was used by the government as a starting point for the formulation of its action programme.

1990, integration into Dutch society has become the major theme of minority policy which has close links with the policy of "social renewal". According to the government, this "social renewal" should provide the same benefits for minorities and other members of Dutch society and local authorities responsible for monitoring the application of this policy have been expressly asked to ensure that this is the case. Stress has consequently also been placed on improving the legal situation of minorities. In a note published in May 1991 ("Rechtspositie en sociale integratie") the government guarantees minorities, whatever their nationality, the same rights and duties as Dutch nationals. Priority has been given to three areas of action: education, the labour market and accommodation. In parallel, and taking European harmonization to its logical conclusion, the Netherlands have also criticized the refusal to grant nationals of third countries the right to settle with their families in another EEC Member State when they retire, a right which will come into force for EEC nationals from 1993. The government feels that this situation conflicts with its minority policy which is aimed in principle at the equal treatment of all inhabitants, including nationals of third countries who have resided in the country for long periods. The Cabinet has promised to push for the equal treatment of nationals at European level.

The Dutch authorities are also convinced that family consolidation and the arrival of refugees and asylum seekers will continue to increase in the future. They consequently feel that the reception of these people should be given a higher priority in minority policy. Newcomers should be provided with basic language teaching and help in adjusting to Dutch society so that they can get off to a good start as soon as they arrive in the country. The government has also announced a country-wide debate on ethnic minorities for the beginning of 1992 focusing in particular on rising crime, education, training and increasing employment problems among young people. It is hoped that this will lead to the signature of agreements by social institutions, industrialists and entrepreneurs and associations. The latter have already expressed their misgivings, criticizing the lack of preparation for this debate and fearing that its results will not live up to expectations.

In Italy, the initiatives which followed the adoption of Law 39²⁹ seemed to be paving the way for positive developments in the treatment of immigration. A

²⁹ The regulatory framework which lays down foreigners' entry and residence conditions in Italy has as its main legal foundation Law 934 of 30 December 1986 entitled "Regulations on the placement and treatment of workers who are not EEC nationals and intended to combat illegal immigration". This law guarantees equal rights to all legal immigrants and

new Ministry for Italians residing abroad and for immigration has been set up to replace the Intergovernmental Committee on Emigration and has a dual task: to stop Italian communities abroad from being disregarded and to go beyond the emergency strategies which have up to now characterized government action on immigration. The government stated at that time that it wished to treat this issue in the same way as the country's other problems, since it considered immigration to be an "ordinary event". Three categories of immigrants (whose situation was acknowledged in many circulars, chiefly from the Ministries of the Interior and Labour) were to receive special attention in 1991: refugees, relations joining families and workers recruited directly by employers who are able to provide them with suitable accommodation. The many discussions which the new Minister has had with union representatives, aid agencies, charitable associations and NGOs, have focused on the problems linked to the influx of new immigrants and foreign representatives have complained about the arbitrary way in which Law 39 is being applied by local and health authorities and the offices responsible for its implementation. Women and their problems in adapting to social customs which differ greatly from those of their country of origin, the right of foreign students to register with colleges and universities and the very complex problems raised by children's integration have also been discussed. The Minister has expressed his desire for meetings of this type to become the norm in order to ensure real dialogue between institutions and social organizations. In practice, nothing has changed. "Emergency measures" had to be taken to deal with the Albanian problem and put an end to many of the new initiatives on immigration which had been announced. A new draft law supplementing Law 39 and intended to provide a permanent legislative framework for all matters concerning immigrants and refugees has been examined by the Commission for Constitutional Affairs. The proposed law (DDL 5353, "Regulations on refugees and foreign nationals resident in Italian national territory") is intended

their families and states that the loss of employment does not justify the withdrawal of residence permits. It states, however, that preference should be given to the recruitment of Italians and EEC nationals, thereby stressing that the workforce from third countries is a "supplementary workforce". It also defines the procedures for the regularization of the situation of foreigners resident illegally in the country. Events rapidly highlighted its shortcomings, however, and the Italian authorities established new regulations in a Decree Law (30 December 1990), called Law 39/90, which strengthens the regulations on entry (whose volume must be set every year as a function of the needs of the economy) by a more restrictive policy on visas (the list of countries whose nationals must possess a visa has been extended). This law provides for the expulsion of foreigners breaking the law and also establishes a new regularization programme which has been extended to the self-employed. It has been accompanied, like the previous law, by an amnesty on employers and their exemption from the social security payments due for the period (prior to regularization) during which they had illegally employed workers.

to promote the full integration of immigrants, especially those who have obtained refugee status, facilitating their access to work, education, social and health services and family consolidation. This law has now been put on a back burner in Parliament as the government and politicians have preferred to deal with other issues in view of the forthcoming elections.

Following substantial action by the French government in 1990, when a Joint Ministerial Committee was set up to tackle employment and training, no new regulations or major measures have been implemented during 1991. Action by the public authorities has continued as part of town and urban social development policy, which has become less localized and less focused on immigrant populations alone. The French approach gives concrete shape to the two topics mentioned above, i.e. the "horizontal nature" of the policies to be implemented and their "delocalization" in order to close the gap between the initiatives and decision-making of the places and groups in question. A third factor has been to choose sites rather than groups as the main focus of action and may be termed the "territorialization" of policies intended to promote integration in towns, or districts, by combating exclusion of any kind. The adoption of two new laws on social housing and town policy have thus had an impact on integration policy (the Law of 13 May 1991, following on from the Law of 31 May 1990, which establishes an urban solidarity appropriation (DSU) for disadvantaged Communes and a solidarity fund for Communes in the Ile-de-France region and the Law of 13 July 1991 promoting, through a local housing programme, a more balanced distribution of social housing in the main conurbations.

As they contribute indirectly to integration policy, mention should also be made of the abolition of the "double penalty"³⁰ (Law of 31 December 1991), the intensified fight against racism and discrimination (Ministry of the Interior circular to Prefects of 21 March 1991) and the creation of Departmental reception and information facilities answerable to Prefects to replace the national reception system. In addition to reception, the tasks of this network will also include services for residents (representation before certain authorities, translation, interpreting, collective information schemes, etc.).

The decisions taken in Portugal to improve the economic integration of foreigners also reflect this desire to integrate them into common law. Three

³⁰ The notion of "double penalty" refers to the risk run by foreigners committing an offence of a judicial deportation order - necessarily entailing their expulsion - in addition to the criminal sentence relating to their offence.

decree laws come under this heading: the law on early retirement (which is not linked to residence in national territory), the law on the accumulation of benefits under the various social security systems, including foreign systems (with the establishment of a minimum pension) and the law on vocational training aimed at the most disadvantaged groups, women, young people with no qualifications, the long-term unemployed and foreigners. The legislation also covers returning emigrants for the first time. The question of regularization has been raised by the Portuguese Socialist Party which has submitted a very liberal draft law which gives priority to Portuguese speaking nationals of third countries and foreigners who speak Portuguese. The Socialist Party has also proposed two further draft laws on accommodation and on the right to vote at local level. The government has subsequently presented its own draft law on immigration and on the status of foreigners from third countries and has also formulated a proposal for the regularization of foreigners in an illegal situation in Portugal.

Education, vocational training, employment and accommodation: integration priorities

In the general framework described above, educational and qualification handicaps, obstacles to labour market integration and subsequent problems in the area of housing always make integration into daily life problematic. These factors, dissociated here solely for the purposes of analysis, are in practice closely linked and aggravate one another, stepping up tensions in the most disadvantaged districts, i.e. places which act as a focus for and entail competition between those groups - national and foreign - which face the most problems in all these areas.

A number of programmes have been implemented and others are being studied in order to resolve this situation. In education, the Dutch authorities are paying particular attention to the school results of children from minority groups and attempts are being made to improve these results by adapting the provisions of the basic law on education (1987) to the demographic changes which have taken place in these groups; specific supplementary measures can be implemented where necessary to increase the resources of schools as a function of the number of pupils falling behind with school work, to improve mother-tongue teaching and to improve cooperation between local and central government and public organizations under the "social renewal" policy. The Minister of Education supplemented this system in November 1991 by

establishing a "Committee for non-native pupils" responsible for improving the quality of the education offered to young people from minority groups and making it more efficient. Pre-school programmes for children and mothers preparing children for school have also been set in motion. The Ministry of Well-being, Health and Culture has also decided to allocate a budget of HFL 1 million a year for three years to the four largest towns for the extension of the school day in schools attended by a large number of immigrant children. These additional hours are used to develop knowledge of science and technology and for art and sport. It is hoped that these activities will promote mastery of the Dutch language and will have indirect positive effects on the school results of these children. The "actions d'animation éducative périscolaires" (APES - extra-mural education schemes) which have proliferated in France during the year are along the same lines as these initiatives.

Another venture, known as "magnet schools", modelled on the American example, has been tried out in some towns. Extra-mural activities in these schools focus on one or two subjects, such as drama or music, using professional teachers who act as "magnets" for all pupils whatever their origin. The aim in this case is to modify the ethnic composition of many so-called "black" schools, i.e. schools where the concentration of pupils from minority groups is considered to be "too high". The experiment has direct links with the (controversial) question of whether or not these concentrations are an obstacle to integration.

Two events have brought this issue to the fore in the Netherlands³¹. The first was a survey conducted in the primary schools of 27 local authorities which concluded that black schools seem to have an adverse effect on pupils' futures. The subsequent proposal to allow local authorities to distribute pupils automatically was refused by the government on the grounds that it was contrary to the freedom of choice of individuals, a right which has not been questioned for many years in the Netherlands. The second was a report by a Liberal deputy on the proliferation of Islamic schools which questioned the quality of the teaching imparted in these schools. Following investigation, this position was found to be rather extreme since only 2-3% of children of Muslim origin are registered with such schools, the teachers working in these schools are generally of Dutch origin and the minimum number of pupils needed to set

³¹ Poor positive discrimination also has adverse effects when, for instance, parents' want their children to continue their education to higher levels and primary schools tend to send them indiscriminately to levels higher than their actual ability. These two factors then combine to aggravate failure at school.

up a school of this type (set at 200 by law) acts as a curb on new schools. It was also pointed out that the Dutch constitution guarantees freedom of education and allows Muslims to set up their own schools, which have to be funded by the government if they satisfy the conditions laid down by law to guarantee the quality of the teaching imparted. This issue has also been discussed in Denmark. A report on mother-tongue teaching based on interviews with schools and parents of immigrant children highlighted the differences of opinion on this issue. It stressed, however, that a good knowledge of the mother tongue is a sine qua non for learning Danish. The report has been widely criticized for its conclusion that this teaching is not suited to other areas of education.

All the data available show that there is a substantial demand for adult education. This is true of the United Kingdom, where there are significant qualification differences between the various groups, the fairly favourable position of Indians, whose standard of education is generally above that of whites, contrasting with the unfavourable position of West Indian and Guyanese men and Bangladeshi and Pakistani women. Asians, Africans and West Indian and Guyanese women are in an intermediate position. In Greece, two Greek language and vocational training programmes are under way. The first was attended by 1000 Russian Greeks and 200 repatriates from Eastern Europe. The second, focusing on information technology, was designed for well-qualified refugees and repatriates. 120 people attended the course. The total cost of these programmes was ECU 2.6 million, 65% of which was funded by the European Social Fund. In Denmark, the Danish language programme for adults, which has been formulated in outline, is still to be implemented under the uniform programme. It includes, among other things, a more systematic revision of Danish language teaching making local authorities responsible for formulating guidelines and for testing. Up to now its results have been very patchy. Some regions have imposed budget restrictions on the education programme, while others have maintained the same level or even allocated supplementary resources. The general trend is towards a reduction of coordination ventures and a reduction of the number of partners. It is also interesting to note that many regions make the right to social welfare payments subject to attendance of Danish education.

In the area of employment, the Dutch authorities have tried to introduce measures, including some positive discrimination measures, to make minorities less vulnerable in the labour market. An initial review of the "plan for

minorities in the public service" (EMO plan) launched in 1987 shows that the number of people from minority groups has increased by 1431 over three years. It also shows that the better educated groups (West Indians, Arubians, Surinamians and Moluccans) have had a disproportionate advantage under this plan in comparison with Turks and Moroccans who account, however, for a sizeable proportion of the overall workforce.

A second EMO plan has been approved and will be spread over five years (1991-1996). Its aim is to increase the proportion of ethnic minorities in the public services from 3 to 5%, i.e. an increase of 2957 people. Each Ministry has been asked to set its own targets and particular attention will be paid this time to Turks and Moroccans, although no figure has been laid down for them. On 14 November 1990 employers' organizations and trade unions also signed an "agreement on ethnic minorities" intended to create 60 000 jobs for these minorities over a period of four or five years. In order to ensure its implementation, the National Office for the Promotion of Employment (CBA) recruited 50 new counsellors in March 1991 and the Labour Council has organized an information campaign among employers. Employers and unions in the retail trade have also decided to launch a specific project for the employment of minorities, whose objectives are very pragmatic. The aim is to fill most of the vacancies available each year in this sector. A section of the FNV (trade union) launched the figure of 50.000 members of ethnic minorities which should have found employment in 1994, a figure which was called for too ambitious by the KNOV, an employers' organization. As a contrast to this scheme, a survey by the National Office on Racism shows that some employers are unwilling to recruit staff from minority groups.

The National Tripartite Organization for Employment (CBA) has undertaken to place 100 000 members of ethnic minorities by 1995. During the first year, only 10 700 of the 15 000 jobs available were filled, i.e. only 2000 more than the previous year when no figure had been set. According to an office of the Ministry of the Interior, this reflected the unwillingness of the employment services to keep to the objectives which were in any case considered to be too low. New offices for the promotion of employment for women from minority groups were also set up in February 1991 in The Hague.

In Belgium, the Minister of Labour has signed a convention for the recruitment of 7000 young immigrants aged between 15 and 25 and has allocated FB 214 million from the Employment Fund to this project. This sum will be

used to pay employers FB 15 000 to 30 000 per month, depending on the age of the young recruits, provided that they are resident in a priority action zone. The Joint Ministerial Conference on Immigration also decided to set up a fund of FB 200 million for integration projects financed by the lottery, although this has been blocked by the forthcoming elections in October.

The accommodation situation seems to be rather worrying generally, for instance in the United Kingdom where many members of minority groups live in small dwellings³² even though they account for a large proportion of extended families. Situations also differ with employment status, owner occupiers obviously being more numerous among whites and Indians, while in the case of tenants, West Indians are over-represented in public housing. The most widespread opinion as regards housing policy is that immigrants integrate better if they are dispersed³³. It has been suggested in Denmark that immigrants could be better distributed if local authorities were to use their right of pre-emption or their right to terminate rental agreements or if provision were made for financial compensation or, in contrast, a reduction of the charges on regions depending on whether they act as host to too few or too many foreigners. The urban housing policy being pursued in France is intended to deal with this problem in overall terms and not just from the point of view of foreigners.

The problems raised by the social protection of migrant workers and the application by Member States of EEC regulations is illustrated by the Irish report in respect of nationals returning to their own countries after working abroad. According to the author, the lack of correspondence between social protection legislation (and practices) in Ireland and EEC regulations means that migrant workers are at a disadvantage. It seems that several aspects of European legislation have not been implemented and that the Ministers concerned often interpret this legislation incorrectly. This is the case, for instance, with social security benefits and retirement pensions. "The particular structures of the Irish and British old age pension systems are such that immigrant workers who have worked both in Ireland and the United Kingdom end up with a pension which is much lower than the pension which

³² The notion of overcrowding is understood here not in terms of the number of people per room, but in terms of people of the opposite sex having to share a room.

³³ Two events have raised this question again in Denmark. Two Turkish families complained that a region had refused to provide them with accommodation in keeping with their needs; while the courts found this refusal to be discriminatory, it has not prevented property agents from keeping to the policy of dispersing immigrants in buildings. The Social Democrats have also proposed the separation of immigrants and refugees.

they would have received had they remained in Ireland". The author adds "we hope that the Minister responsible for social affairs and the Commission can find ways of improving this system in the very near future".

The need for and the inconsistencies entailed by regionalization

It has been stressed on a number of occasions in this report that the decentralization of integration policies to local level is now seen as a necessity. This often leads, however, to unequal treatment of different groups or conflicts between the powers of central government and those of local or regional institutions and may even conceal a flagrant abdication by central government which, in some cases, uses decentralization as a pretext to abandon its obligations.

Denmark offers an example of the unequal treatment of these groups since the regions are doing much more for refugees than for immigrants. This is largely due to the fact that for five years the State reimburses all the costs incurred by regions for the integration of refugees once they have been placed under their responsibility by the Danish Council for Refugees³⁴. Much less emphasis is placed on initiatives for immigrants, so much so that the abiding image in the country is that of immigrant workers having to make their own way. Local integration programmes are being developed, however, in some regions and make use of the existing employment and training systems in combination with adult education.

However, the increased cost of integrating these refugees, in particular in regions which have absorbed large numbers of refugees, has become an urgent problem. This issue has been aggravated by growing labour market problems which have meant that many of the refugees who arrived during the boom years of 1986 and 1987 have not been able to find permanent paid employment. They continue to receive social security which regions will have to bear in full when the State ceases to refund costs after they have been resident for six and a half years. In order to prevent this risk, the Minister of Social Affairs is envisaging a review of regional funding methods and has proposed a reduction of State reimbursement from 100% to 75% for the first five years and then to 50%, with compensation for regions with the largest

³⁴ Moreover, the regions have on many occasions attempted to establish closer and more flexible cooperation links with the Council which is responsible for the integration of refugees for the first 18 months after their refugee status has been recognized.

number of refugees. Although discussions are under way with regional institutions, many regions are unhappy with what they see as the State reneging on its commitments and doing little more than redistributing the DKR 145 million already allocated.

In the Netherlands, government authorities are also working on the idea that integration policy has to be based on enhanced regional powers. The decentralization of centres for foreigners which is being envisaged is viewed with some misgivings by associations which fear that this will lead to a weakening of their importance.

Regional initiatives seem to have made the most progress in Italy. It is also in Italy that the regions have had to make the greatest efforts to offset the shortcomings of central government. The 1986 law was supposed to be accompanied by a range of measures on foreigners' accommodation, education, training and other social problems. The reality was quite different and the shortcomings had to be resolved by regional initiatives and in many cases by the church and non-governmental organizations.

The very different ways in which regions manage immigration policy (some regions are very active and others do nothing), added to a lack of coordination, have led to a situation which is very difficult to comprehend. Diversity leads in this case to friction and makes it very difficult to implement strategies in regions which would like to resolve the immigrant problem, but have formulated their schemes for a limited number of people. The data available show, however, that there has been a general reduction of emergency schemes and that regions are starting to view the humanitarian rights of migrants in a wider perspective. A fairly large number of initiatives have been launched in the area of training (Lazio region), integration of children into the educational system (Piedmont, Emilia Romagna) and the promotion of national cultures (Marches). Attempts have also been made to remedy the lack of accommodation (Friuli Venezia Giulia, Trento). In Sicily a draft law has been presented and is intended to offer immigrants the same rights as local workers as regards regional labour market access, vocational training, social and medical assistance and social housing. Emilia Romagna has opted for a cooperation programme with the countries of West Africa, in particular Senegal, and for training for immigrants. Work has also been undertaken, in Piedmont for instance, to improve the integration of children into the educational system. In Umbria, a regional consultative committee on

immigration has been set up in accordance with Regional Law 18/1990. This committee, the first to be set up by a region, will be consulted by legislative and administrative committees, will give opinions and will take initiatives in all areas connected with immigration and cultural awareness. The Lazio Region has allocated LIT 3.5 million for immigrant assistance and vocational training in the provinces of Rome, Viterbo and Latina. In Lombardy, a general plan for the regional integration of non-EEC immigrants is being studied. The agency Lombardia Lavoro (Working in Lombardy) will act as a focus for job vacancies in the regional market in order to provide a better match between supply and demand. Lombardy has also formulated programmes for the cultural advancement of women. The autonomous province of Trento offers study grants to students. Tuscany and the Marches give priority to the preservation of the culture of origin. Campania and Apulia organize school remedial courses and evening classes. Friuli Venezia Giulia has set aside LIT 1736 billion to fund accommodation and assistance for immigrants who arrived in the region prior to 30 April 1991. This concern is shared by the autonomous province of Trento, where it has been proposed, as a way of remedying the lack of accommodation for non-EEC nationals, that anyone owning a house in need of restoration may have the costs of such restoration refunded (at a rate of LIT 77 million per 100 m²) if they undertake subsequently to rent the accommodation to non-EEC immigrants for 15 years.

The limits and ambiguity of the notion of integration

Although all Member States present "integration policy" as a key concept in public policy on the issues discussed in this report, it is far from having the same meaning and covering the same situations everywhere. We should like to highlight some aspects of these differences which we feel are the most important. The first is the very disparate importance attached to this aspect in "immigration" policy in countries with a long tradition of immigration and one or two of the countries which have had to face this problem in the recent past. The difference lies in the scope and goals of the policy adopted or envisaged and the administrative coordination of its actual implementation from the point of view of the human and financial resources allocated. The second aspect is the division of powers between central and local government as regards the formulation and implementation of such policies. While everyone seems to accept that action has to be in keeping with local situations and has to take account of their substantial differences, the Jacobin

traditions of some countries and the more regionalist traditions of others still weigh heavily on actual methods of implementation. The fact that the situation is complicated by issues relating to the level of intervention and the form to be given to an EEC integration policy, which everyone is calling for, means that consideration of this issue is very important. The third aspect, possibly the most fundamental, relates to the different ways in which integration policy is being approached in spite of common agreement about some principles. Nobody is for instance calling, in the name of the right to be different, for special treatment (separate from common law) of the aspirations or problems of the groups concerned. The idea of relocating these questions within the general framework of public policy also seems to be accepted. The issue seems to have more to do with the extent of social and cultural autonomy which these groups should have and the rights which should be granted to them in this respect.

Two examples illustrate these differing approaches: France and the Netherlands. In France, a large part of integration policy was merged in 1991 with town and urban development policy, highlighting the public authorities' wish to "re-specify" ways of tackling the problems faced by immigrants and their children. The focus of thinking and action is no longer this or that group, but the town or more exactly the district. It is important to note that this approach has gone together with the retraction of arguments claiming the "right to be different" and the respect of specific cultures. The idea is now, what might be termed "republican integration".

Between March 1990 and July 1991, three important laws were passed in Parliament in order to provide a legislative framework for this approach and also to delocalize the policy implemented³⁵. A similar strategy has been adopted in the Netherlands and is based on an overall approach to the problems of exclusion, the delocalization of action and the performance of responsibilities at grassroots level. This seems to reflect the government's decision to integrate action undertaken for ethnic minorities into the general framework of "social renewal" policy³⁶.

³⁵ The Law of 31 May 1990 establishing a Departmental plan for the accommodation of disadvantaged people; the Law of 13 May 1991 establishing an urban solidarity appropriation for disadvantaged Communes and a solidarity fund for Communes in the Ile-de-France region and the Law of 13 July 1991, known as the town policy law, which, via a local housing programme (PLH), is intended to provide a more balanced distribution of social housing in major conurbations.

³⁶ In parallel, local authorities are called upon to take a more active part in implementing the programmes adopted.

The main difference with respect to the action being undertaken in France lies entirely in the Dutch use of the term "minority" as it would be inconceivable to find this term in an official French text. This reflects the very wide gap between the two approaches from the point of view of their philosophy of integration, the aims of the measures implemented and, in broader terms, their vision of society. This is borne out by the logical link between the issues tackled and the proposals put forward in the Netherlands in the areas of education, teaching of mother tongues, the right of community schools to exist and, in particular, the idea of "positive discrimination" (along the line of the American notion of "affirmative action") which seems unacceptable in France. As part of a deliberate policy to step up minority employment, the Dutch government is for instance studying the advisability of a new law based on the Canadian "Equal Opportunity Act". The goal is to compel all employers to make special efforts to increase the employment of minority groups and to provide an annual statement.

This approach has also led the government's Turkish Consultative Committee to suggest that the EEC issue a "European Guide to Positive Action for Migrants". The idea is to extend the principle discussed above to the EEC as a whole and to compel all Member States to abide by the principle of equal representation of immigrants in the labour market.

These differences have also entailed very different perceptions of the relationship between citizenship and integration. For some people citizenship must be the outcome of a process of integration sanctioned by naturalization. Only the latter can open the door to full participation in public life. Other people think that integration policy can be efficient only if full and identical rights are provided. From this point of view, the optimum legal position paving the way for the success of this policy is to grant foreigners citizenship (under certain conditions) without the prior step of naturalization. This means that in the Netherlands citizenship is independent from nationality even though the upholders of this approach stress the need for the lifting of all obstacles to naturalization.

In this respect, opposition to the grant of voting rights to non-EEC foreigners seems likely to become more focused because of the debate set in motion by the Maastricht agreements. Following the Maastricht agreements, this issue

led to a major debate in Luxembourg³⁷. The Minister of ... has stated that he is personally in favour of recognizing this right provided that it applies only to EEC nationals. Recognizing that there is little agreement about this issue even within the main political parties, he regretted that his Prime Minister had not taken a more rapid stance on the issue. The OGB-L, the powerful Luxembourg trade union, has also indicated that it wants to take an active part alongside the politicians in this debate, putting forward the idea of a Luxembourg model for the participation of foreigners in public life based on their numbers in the Grand Duchy. This attitude is explained to some extent by the large numbers of foreigners among its members.

Other types of participation by foreigners in public life seem to be stagnating or are even being withdrawn. Two examples:

* in Germany, the decision made by the Constitutional Court of the town of Bremen to extend the effects of the Federal Constitutional Order of 31 October 1990 to "councillors". This order had in fact ruled that regulations on the right of foreigners to vote in the local elections in Schleswig-Holstein and Hamburg were unconstitutional;

* in France, the two judgments delivered by the Versailles Administrative Court (May 1991) which annulled the establishment of "associate municipal councillors" in Longjumeau and of "foreign representatives associated with the municipal council" in the town of Les Ullis. In the German case, the Bremen court interpreted the activity of "councillors" as the exercise of public authority which, under the Basic Law, can be exercised only by Germans. In the French case, the Court similarly considered that the presence of representatives elected by foreigners in the towns in question deprived their respective municipal councils of any legal existence.

This hardening of positions on the right of third-country nationals to vote is balanced by a fairly widely shared desire for more flexibility as regards the right to nationality. New proposals have been put forward in this area in

³⁷ According to opinion polls, some two thirds of people questioned, including 56% of Luxemburgers and 80% of foreigners agreed that foreigners should be allowed to take part in the public life of Communes and should be represented at this level. A smaller majority (55%) was in favour of granting voting rights to foreigners provided that this was limited to Communes and accompanied by a minimum period of residence. The foreigners questioned were obviously more in favour of recognizing this right than Luxemburgers (78 as against 47%). In contrast, only 4 out of 10 people were in favour of allowing foreigners to vote in national elections, Luxemburgers being much more hesitant in this case: 58% were against (in comparison with 45% in the case of Commune elections) as well as 25% of foreigners, only 13% of whom were opposed to the idea of voting in Commune elections.

Belgium, the Netherlands, Denmark, Spain and decisions have been taken in many of these cases. It is in Germany, however, where the regulations on this matter were the harshest, that the advances have been most significant. A major change in the conditions which had to be satisfied for naturalization is worth mentioning: the abolition of the cultural condition embodied in the notion of "affection for Germany" based on an ethnic perception of the nation and the ideals embodied in its people³⁸ and its replacement by the more political notion of "affection for the State" based on a more "civic" perception. The text does not, however, look in detail at the issue of "birthright". Rather than giving foreigners an automatic right to nationality because they were born on German territory, the indirect expression of the subject's desire has been preferred thereby preserving the "selective" exercise of State sovereignty. These are all factors which mark a significant advance in thinking about the concepts of "nation", "people" and "State" in Germany. These are issues for consideration which, over and above the question of foreigners, affect the very foundations of our societies with the result that it would be arrogant to formulate any conclusions.

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³⁸ The term "Kulturation" invented in the last century fully expresses this concept of the nation, seen in the first instance as a cultural entity which is perpetuated by descentance and only secondarily as a political entity. The nation thus precedes the state, can exist above the state and even, in principle, without the state. See Lutz Hoffmann, "L'introuvable nation allemande" in "Hommes et Migrations, op cit.

Table 1

FOREIGN RESIDENTS BY NATIONALITY - 1990

	B	DK	D	GR	E	F	IRL	I	L	NL	P	UK
TOTAL	880812	150644	4845882	173488	407647	3607590	80600	781138	117305	841918	107797	1972548
EUR 12	541339	27038	1325400	50013	240748	1308888	81400	149077	105832	163040	28794	943000
B		327	18687	1382	11979	59705	300	4868	10688	23334	1038	5000
DK	2371		13420	1277	8718	3460	600	2023	1531	1430	430	13000
D	28673	8092		11634	45578	51483	3400	42088	9651	41804	4845	44000
GR	20718	537	293649		855	8735	100	20992	852	4458	59	14000
E	52389	808	126983	971		216015	800	14394	2851	17429	7462	39000
F	92207	1951	77602	8811	28881		2000	24408	14564	8365	3239	37000
IRL	2018	918	8672	583	2428	3328		2259	551	3279	228	852000
I	240489	1038	510548	8725	15765	253879	800		19999	18745	1181	88000
L	4701	8	4784	45	214	2792	100	240		293	32	
NL	62387	1931	101238	3000	17033	16009	1300	8971	3642		1827	31000
P	15137	303	74890	384	33288	845578	-	4482	38477	8040		20000
UK	21956	9983	85748	17321	78210	50108	53000	28583	3205	37513	8457	
EFTA TOTAL	8577	24748	227149	6873	27008	12125		35272	2113	8503	1992	28000
of which:												
AUSTRIA	1032	584	171093	1827	2588	3444		8820	431	2867	274	7000
FINLAND	516	1797	9717	921	3811	1638		1760	185	730	199	3000
ICELAND		3045	1002	35	87			148	315	181	19	
LIECHTENSTEIN			138	4	28							
NORWAY	778	10175	4996	715	3435	2360	100	987	247	1348	281	5000
SWEDEN	1852	8047	10832	1973	8673	4685		3589	490	1551	834	7000
SWITZERLAND	2399	1088	29573	1898	8388	20240		19970	445	1828	605	7000
CENTRAL AND E	8414	5714	322069	25363	1685	81995		41113	585	8339	838	65000
of which:												
BULGARIA		101	5870	2582	128	798		2877	27	183	144	
CZECHOSLOVAK	438	281	31895	994	149	2029		3100	57	439	35	1000
HUNGARY	745	238	31827	887	188	2884		4147	44	929	52	3000
POLAND	4689	4319	220443	15216	813	48283		18988	343	3184	107	38000
ROMANIA		539	21101	2843	179	5694		7494	22	680	28	
USSR	642	258	11533	3041	402	4309		8529	72	298	168	14000
OTHER EUROPE	87312	37514	2229887	5640	808	255901		41084	2234	204279	118	59000
of which:												
CYPRUS			1187	187	32				7			18000
MALTA			271	78	27				1			15000
TURKEY	81775	27929	1812823	3238		201480	100	4895	191	191455	35	16000
YUGOSLAVIA	5537	9535	610499	1892	416	51897		29790	2034	12824	80	8000
AFRICA	176890	8148	183579	18643	25854	1852870		238130	1888	170847	45255	105000
of which:												
ALGERIA	10644	315	6924	201	702	619923		4041	92	589	33	3000
CAMEROON			1268			19145			11			
CAPE VERDE			370		1474			4901	1222	2341	28798	
CONGO			201			12235			8			
EGYPT		384	8640		374	5381		19814	29	3297	25	2000
ETHIOPIA			15774		10			12013	8	3007	3	
GHANA			14924		115	2681		11443	7	4115	4	22000
IVORY COAST	337		416			16987			4			
MALI			388		97	34937						
MAURICE ISLES	630		807			13013			41			
MOROCCO	138417	2703	81848	250	18685	584708		77971	130	147975	71	5000
NIGERIA		70	5088		171	789		6855	2		31	22000
SENEGAL		10	1353		1752	45260		25107	3		50	
SOMALIA			3012		7	1077		9443	2	1930		
SOUTH AFRICA			2782		264			788	50		1018	15000
TUNISIA	8247	231	24292	317	303	207498		41234	138	2441	17	1000
ZAIRE	11188	34	2749		84	22588		2077	91	1221	82	
AMERICA	18581	7243	132233	28459	80558	77554		128362	1955	34529	26389	292000
of which:												
ARGENTINA		229	3878		17879	3500		12839	44	439	280	
BRAZIL	915	342	9105		1898	6069		14293	164	1194	11413	
CANADA	1559	908	8021	1685	1840	6968		4810	130	2149	2058	25000
CHILE	1204	830	6135		5881	8212		4248	79	1680	79	
COLOMBIA	576		3054		4528	4189		5524	33	1138	84	
HAITI	248		281		77	14343			4			
JAMAICA			811		119			87	3		1	70000
MEXICO			2936		3454	2052		3578	22	306	72	
PERU			3381		3832	2132		5253	28	333	81	
SURINAM			28					3		14609	2	
USA	11489	4128	85707	23027	18092	25108		58138	1367	10544	6935	137000
VENEZUELA			1300		9320	1052		5048	12	290	5145	
ASIA	20614	35205	385247	32711	29118	216540		141117	1721	48920	4154	435000
of which:												
AFGHANISTAN			22481							508		
BAHOLADESH		52	3225		52			4883	8	619	2	57000
CAMBODIA			1098						1	476		
CHINA	2188		14085		4090	15399		18865	174	6163	1232	18000
INDIA	2473	912	23898	1302	5734	5043		11282	121	2888	600	182000
INDONESIA	853	513	7383		182	1048		774	11	7943	5	
IRAN	1681	8382	81331		2233	15989		14630	479	4327	501	17000
IRAQ		2319	4900		198	1900		2082	2	710	127	
ISRAEL	1729	550	7793		434	2878		4301	56	1450	59	2000
JAPAN	2870	870	20094	1610	2318	9585		8703	274	3834	379	10000
JORDAN	208	884	10384		724			5703	3	292	45	
LAOS			1862			31843						
LEBANON	1581	2608	30053		1478	19188		5802	38	807	159	
MALAYSIA			2127		90			387	13	985	14	19000
NORTH KOREA			17338									
PAKISTAN	1083	8285	19890		979	8572		8497	125	3458	733	55000
PHILIPPINES		1189	19539		7418	1708		34328	128	1418	73	12000
SRI LANKA		4839	32706		83	9028		12815	21	887	7	22000
SYRIA			10897		1179	5848			18	2147		
THAILAND		1157	13278			1100			81	857		
VIETNAM	403	3508	33381		94	31171		2381	42	5194	3	5000
AUSTRALIA AND	448	818	8184	1823	1103	2488		5807	152	1997	357	59000
of which:												
AUSTRALIA	360	488	5187		953	1840		4855	25	1571	338	40000
NEW ZEALAND			717		150			502	8	413	21	19000
STATELESS AND	1118	8420	54354	5259	994			1073	847	8138	222	

GR, UK: 1989

B: Total includes 714 non EC Europeans, 21057 Refugees; IRL: Total includes 1300 non EC Europeans and 17900 non Europeans

Table 2.

IMMIGRATION BY NATIONALITY - 1990

NATIONALITY	B	DK	D	GR	E	F	IRL	I	L	NL	P	UK
TOTAL	62682	30807	1851583	42021	33968			81201	10281	117350		266787
EUR12	36825	17181	927850	22281	25585			60371	8345	54049		140385
B	12183	59	2020	178	244			258	931	1639		1065
DK	347	14387	2682	205	126			127	169	298		687
D	2868	879	809229	1182	1135			1763	562	5043		5630
GR	737	90	26678	17043	9			474	53	853		888
E	785	92	4189	54	20238			507	79	871		4425
F	6011	324	12663	684	872			1628	1129	1442		13570
IRL	483	99	3744	73	49			109	42	583		2308
I	2643	270	37250	448	412			53893	378	1005		3070
L	183	0	462	2	7			279	971	15		328
NL	5923	278	6583	428	281			376	305	36088		2590
P	1720	48	7148	33	596			131	3388	878		168
UK	2972	859	15008	1953	1818			1338	338	5838		105562
EFTA	1820	2410	18508	1421	575			815	271	1388		7172
of which:												
AUSTRIA	100	35	15374	278	58			252	30	228		
FINLAND	191	178			98				51	182		961
NORWAY	174	927		168	55				24	284		4387
SWEDEN	985	809		443	123				108	383		1700
SWITZERLAND	170	88	3134	184	239			583	35	248		123
CENTRAL AND EASTERN EUROPE	1208	1290	357892	5302	285			218	149	3281		1158
of which:												
BULGARIA		27	11202	2072					8	204		
CZECHOSLOVAKIA	82	80	14903						17	177		
HUNGARY	132	53	18193	241					9	333		314
POLAND	778	708	200832	1238					59	1408		
ROUMANIA		314	78088						34	803		842
USSR	218	75	38794	1753				218	22	358		
OTHER EUROPE	3037	1913	153412	998				1347	332	14217		2130
of which:												
ALBANIA			3505							12		
TURKEY	2448	1304	84348						21	12821		1392
YUGOSLAVIA	591	800	85581	273				1167	311	1358		658
AFRICA	8158	1067	40258	2973	1752			8301	182	19812		18175
of which:												
ALGERIA	411	35		18	60			87	9	228		
EGYPT		70		2322	33			442	7	1720		1088
ETHIOPIA			2808	92	:			148		1106		460
GHANA			5404	10	:				1	1638		758
MOROCCO	2645	281	5817	87	1242			2271	30	9761		2478
NIGERIA									1	742		2206
SOMALIA				11	:			148	3	2011		373
SOUTH AFRICA			958	60	9			59	13	224		882
TUNISIA	432	58	2884	52	28			1021	14	297		
ZAIRE	1787								9	238		
AMERICA	4975	1879	31498	2413	4897			6421	542	12533		28939
of which:												
ARGENTINA		57	1079	28	1948			1325	16	151		40
BRAZIL	381	98	3167	91	181			1091	59	527		818
CANADA	357		1902	104	37			413	21	472		4250
CHILE	233	40	758	38	232				5	140		
COLOMBIA	183				304				12	692		118
JAMAICA										20		1080
SURINAM									2	6815		
USA	3038	1277	18981	612	286			1348	314	2555		18528
ASIA	4819	4823	105592	4483	1044			581	339	11391		44878
of which:												
AFGHANISTAN			8182							312		
BANGLADESH		24		13						146		4987
CHINA	444								71	931		980
INDIA	632	180	8354	320					36	755		5523
INDONESIA	123								2	1209		269
IRAN	238		12859	133	82			214	40	1278		828
IRAQ								48	1	387		40
ISRAEL	339		1215						8	455		682
JAPAN	881	124	5455	119	95				82	1271		7785
LEBANON	403		19580	502					12	524		215
MALAYSIA				7					2	165		3817
PAKISTAN	363	518	4801	308					7	988		4714
PHILIPPINES		191		1573	241				60	440		1459
SRI LANKA			3760	384					3	708		1084
VIETNAM	64		11917							518		43
AUSTRALIA	171		2415	150	28			403	24	728		27520
of which:												
AUSTRALIA	134				23			355	18	545		18044
NEW ZEALAND									6	182		11442
STATELESS	11	24	7404	787					97	173		435

Stateless include unknown as well; E: Total includes 285 non EC Europeans; D: Total includes 7186 non EC Europeans; B: Total includes 284 refugees and 1556 non EC Europeans; I: 1989; GR: URSS includes Armenia, Stateless include Gypsies, Erithreans, Kurds and Assyrians

Table 2^{bis}

IMMIGRATION BY COUNTRY OF PREVIOUS RESIDENCE — 1990

NATIONALITY	B	DK	D	GR	E	F	IRL	I	L	NL	P	UK
TOTAL	62662	30607	1851593		33968			81201		117350		268787
EUR12	27084	7193	140814		13197			27585		32043		65894
B		362	4332		920			2096		32043		65825
DK	289		3148		153			236		5335		5781
D	3589	1810			3784			13198		425		2657
GR	661	193	27589		15			778		9787		17542
E	1438	852	8065					1155		886		1449
F	7355	885	17158		4034			4930		2314		12835
IRL	255	140	3878		50			209		2958		19221
I	2818	477	39679		454					587		NA
L	911	97	1068		47			258		1494		3072
NL	5847	393	9821		648			824		182		388
P	1538	119	7805		698			265		883		2478
UK	2584	2265	18071		2398			3648		7182		696
EFTA	1871	7389	33430		3184			6917		2598		10135
of which:												
AUSTRIA	138		18669		73			380		379		
FINLAND	157		2212		114					201		1061
NORWAY	173		1701		88					441		4108
SWEDEN	935		3420		220					520		3669
SWITZERLAND	470		7428		2665			6298		998		1299
CENTRAL AND EASTERN EUROPE	627	1380	701557							3292		1800
of which:												
USSR	92		192820							395		168
CZECHOSLOVAKIA	75		16948							206		
POLAND	264		300693							1338		278
ROMANIA			174388							788		842
HUNGARY	33		18708							348		314
OTHER EUROPE	2458	2042	410888					4858		14228		2482
of which:												
TURKEY	1997		84592							12769		1392
YUGOSLAVIA	208		68484							1354		434
AFRICA	10278	2092	44600		2408			11364		21709		28498
of which:												
ALGERIA	444				79					236		175
EGYPT			2680		40					1741		1867
ETHIOPIA										1077		510
GHANA										1440		810
MOROCCO	2238		5634		1662					9534		209
NIGERIA										914		5625
SOMALIA										1961		684
SOUTH AFRICA					53					828		6357
ZAIRE	3228									321		
AMERICA	5478	3195	51133		12455			22050		28780		45358
of which:												
ARGENTINA			2099		3964			7531		252		40
ARUBA										1185		
BRAZIL	428		4812		598			2674		901		782
CANADA	475		3588		211			1352		1220		7185
CHILI	183		1088		328					189		147
COLOMBIA	171				468					740		118
JAMAICA										29		1874
MEXIQUE			1219		410					114		594
NL ANTILLES										7058		
PERU					461					218		178
SOUTH AMERICA		730										3993
SURINAM										8418		
USA	3214		31919		888			4350		4997		29239
VENEZUELA			811		3558			2307		200		282
ASIA	6490	6328	107377		1284			7481		14483		63108
of which:												
BANGLADESH										164		6094
CHINA	333		8478							852		754
INDIA	447		8527							631		5788
INDONESIA	144		1428							1788		478
IRAN	189		12803		82					999		784
IRAQ			1200							333		40
ISRAEL	292		1858							877		
JAPAN	731		5783		111					1303		8858
JORDAN	52		1043							98		390
LEBANON	371									598		215
MALAYSIA										365		3318
PAKISTAN	331									1245		9280
PHILIPPINES					268					484		1389
SRI LANKA										754		994
SYRIA			5108							405		
AUSTRALIA	248		3827		434			1155		2193		31478
of which:												48174
AUSTRALIA	198		3055		425					1402		31478
NEW ZEALAND			530							718		17844
STATELESS	8218	278			480							

Table 3

EMIGRATION BY NATIONALITY - 1990

NATIONALITY	B	DK	D	GR	E	F	I	IRL	L	NL	P	UK
TOTAL	33458	28712	810505		1189		65847		6339	57339	1821	23070
EUR12	25553	23300	229665				62307		5124	45321		163664
B	13609	20	1307				130		587	858		2506
DK	162	21275	1432				37		116	127		244
D	1741	514	144557				609		514	1958		10007
GR	310	54	14341				110		34	198		300
E	893	80	5700		1189		137		73	781		2176
F	2491	217	8407				609		945	698		6742
IRL	93	77	2393				28		33	303		1371
I	1877	174	34343				59894		413	478		2377
L	123	1	298				139		816	16		131
NL	2584	154	4327				138		191	36749		2270
P	367	22	3028				15		1185	234	1821	121
UK	1533	712	9532				463		215	2941		13540
EFTA	471	2005	2267				6909		237	690		348
of which:												
AUSTRIA	42	24	10639				562		33	127		155
NORWAY	106	810							52	144		115
SWEDEN	148	563							66	168		20
SWITZERLAND	75	57	2267				6347		31	164		57
CENTRAL AND EASTERN EUROPE	288	228	215258				13		64	631		62
of which:												
BULGARIA		12	2039						5	17		
CZECHOSLOVAKIA	35	24	10077						6	55		
HUNGARY	51	13	8973						5	175		
POLAND	138	144	163608						31	282		
ROMANIA		2	18865						1	83		
USSR	66	33	13696				13		16	19		62
OTHER EUROPE	333	428	74502						128	2792		164
of which:												
TURKEY	281	207	35635						13	2435		1110
YUGOSLAVIA	52	214	38771				160		111	345		357
AFRICA	1423	303	14196				520		102	2080		6681
of which:												
ALGERIA	132	9					24		6	19		28
GHANA			1960						2	107		274
MOROCCO	328	25	1519				154		18	1108		
SOUTH AFRICA			599						2	104		155
TUNISIA	66	22	1789				54		15	66		
AMERICA	2985	1497	18860				1253		444	2957		2292
of which:												
BRAZIL	95	39	1758				109		32	102		28
CANADA	203		1389				118		9	250		272
CHILE	57	7	587						7	107		28
USA	2341	1242	11903				567		277	1568		1842
ASIA	1258	834	35708				581		171	2484		1848
of which:												
INDIA	122	39	3836						13	162		113
IRAN	26		6160						37	82		24
ISRAEL	33		647						3	96		50
JAPAN	599	106	4244						48	752		490
LEBANON	23		2895						3	40		14
MALAYSIA									1	58		233
PAKISTAN	53	144	1322						5	152		162
SRI LANKA			1937						2	57		66
VIETNAM	5		1799						2	45		
AUSTRALIA	68		1808						5	382		1328
of which:												
AUSTRALIA	50								4	287		7910
NEW ZEALAND									1	92		523
STATELESS AND UNDETERMINED	67	17	3368						65	42		

E, P, Nationals only; D: Total includes 4526 non EC Europeans; B: Total includes 58 non EC Europeans and 66 refugees

Table 3^{bis}

EMIGRATION BY COUNTRY OF NEXT RESIDENCE - 1990

COUNTRY OF NEXT RESIDENCE	B	DK	D	GR	E	F	I	IRL	L	NL	P	U
EUR12	21152	9466	112191		271		42407			26200	197	589
B		426	4323		3		3181			6929	2	50
DK	156		2066				217			327		15
D	3050	2092			10		26098			6921	15	193
GR	373	198	15243				520			449		4
E	1584	855	9732				1353			2126		81
F	6572	1061	14594		229		5277			2526	153	164
IRL	78	138	2569				43			378		
I	2079	502	37004							1070		29
L	1198	200	964		2		1145			259	21	
NL	3804	360	9083		4		870				4	39
P	484	143	3794		15		139			551		10
UK	1774	3491	12819		8		3564			4664	2	
EFTA	1073	9425	17452		128		6530			2536	18	127
of which:												
AUSTRIA	99		14697				469			422	18	63
FINLAND	114		1691							97		4
NORWAY	135		1064		1					259		11
SWEDEN	145		2407							307		4
SWITZERLAND	580		8002		127		6061			1413		43
CENTRAL AND EASTERN	150	291	181179		1					665		14
of which:												
CZECHOSLOVAKIA	40		10095							77		
HUNGARY	10		8954							186		
POLAND	24		162130							284		8
RUMANIA			16144							59		
USSR	76		12133		1					40		6
OTHER EUROPE	323	553	38915							2907	1	23
of which:												
TURKEY	259		35866		5					2447		11
AFRICA	2783	1318	17747		190		3002			4091	7	189
of which:												
ALGERIA	194				54					26		
EGYPT			1574		3					192		9
MOROCCO	365		1576		23					1122		
NIGERIA					1					249		9
SOUTH AFRICA					1					562		90
ZAIRE	762									154		1
AMERICA	4362	4222	42078		551		8562			13766	1280	576
of which:												
USA	3163		26142		78		4076			4804		421
CANADA	515		6835		2		1112			1256		96
ARGENTINA			1005		13		929			90		2
ARUBA										1362		
BRAZIL	135		2599		23		641			338		6
CHILE	81		880		30					171		2
JAMAICA										16		1
NL ANTILLES					2					3310		
MEXICO			998		98					79		
SURINAM										1604		
VENEZUELA			369		36		675			110		
ASIA	1669		36249		48		2079			5238	1	351
of which:												
CHINA	51		2844							138		67
INDIA	99				2					237		12
INDONESIA	92		865		1					899		64
IRAN	18		3919							55		
IRAQ			379							9		77
ISRAEL	104		882							375		9
JAPAN	556		4573		1					796		742
MALAYSIA					5					247		25
PAKISTAN	60		5112							313		27
SYRIA			1079							43		
AUSTRALIA	153		3343				930			1913	317	497
of which:												
AUSTRALIA	153		2658							1104		41
NEW ZEALAND			559							767		82
UNKNOWN	460	568										
TOTAL	32502	28712	610595		1189		65647		6339	57344	1821	2307

I, L, P: 1989

E, P: Nationals only

Table 4

FOREIGN EMPLOYEES BY NATIONALITY 1991 (REG 311/76) - TOTAL
(Thousands)

NATIONALITY	B	DK	D	GR	E	F	IRL	I	L	NL	P	UK
EUR 12	140.7	12.7	492.7	9.1	36.1	579.0	16.5	49.5	81.4	90.0	8.3	332.8
Belgium		0.1	6.5	0.2	1.2	:	0.1	1.6	15.1	24.0	0.4	:
Denmark	0.3		2.7	0.2	0.7	:	0.3	0.9	0.4	1.0	0.1	(5.9)
Germany	5.1	4.0		2.2	6.9	:	1.0	13.0	9.1	21.0	1.3	16.6
Greece	3.5	0.2	103.4		0.1	:	0.0	2.1	0.1	2.0	0.0	(5.0)
Spain	14.5	0.4	61.5	0.1		75.4	0.2	3.3	1.0	7.0	2.5	18.2
France	28.1	0.9	40.6	0.9	5.0		0.5	9.7	21.9	4.0	1.1	20.2
Ireland	0.5	0.5	1.8	0.1	0.8	:		0.8	0.2	2.0	0.0	203.3
Italy	60.6	0.8	171.8	1.3	2.8	76.7	0.1		8.3	8.0	0.4	40.4
Luxembourg	1.1	0.0	0.9	0.0	0.0	:	0.0	0.1		0.0	0.0	:
Netherlands	18.2	1.0	24.6	0.6	2.0	:	0.3	2.8	1.1		0.6	10.6
Portugal	3.9	0.1	41.2	0.0	8.3	358.0	0.0	2.6	23.4	4.0		9.3
United Kingdom	5.1	4.6	37.7	3.4	8.4	:	14.0	12.7	0.9	18.0	2.0	
NON-EEC COUNTRIES	53.0	34.3	1230.1	14.0	39.4	624.3	4.8	331.3	5.1	113.0	31.5	371.1
Other Europe	18.7	23.0	1066.0	4.0	2.1	69.7	0.1	46.3	2.4	56.0	0.8	:
Yugoslavia	1.9	3.6	307.7	0.2	0.2	25.2	0.0	18.0	1.2	6.0	0.0	:
Turkey	11.4	6.8	586.5	1.1	0.1	44.5	0.0	2.2	0.0	45.0	0.0	(3.6)
African countries	24.7	0.8	28.3	0.1	9.5	366.3	0.0	88.7	0.2	31.0	22.8	:
Algeria	1.9	0.1	2.3	0.0	0.2	176.5	0.0	2.3	0.0	0.0	0.0	:
Morocco	21.1	0.6	17.6	0.0	6.6	137.8	0.0	58.5	0.1	30.0	0.0	:
Tunisia	1.7	0.1	8.4	0.0	0.1	52.0	0.0	27.9	0.0	1.0	0.0	:
Other countries	9.6	10.4	135.9	9.9	27.8	188.3	4.7	196.2	2.5	26.0	7.9	349.4
USA	:	:	:	:	3.1	:	:	:	0.4	:	1.3	:
Canada	:	:	:	:	0.2	:	:	:	:	:	0.4	:
India	:	:	:	:	1.0	:	:	:	:	:	0.2	:
Japan	:	:	:	:	0.9	:	:	:	:	:	0.1	:
Stateless	2.8	0.4	17.4	0.1	0.1	:	:	0.5	:	1.0	0.1	:
TOTAL	196.4	47.3	1740.3	23.2	75.5	1203.3	21.3	381.3	86.5	204.0	39.9	704.0

Notes :

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Table 4^{bis}

10 September, 1992

FOREIGN EMPLOYEES BY NATIONALITY (REG 3111/76) 1991 - MALES
(Thousands)

NATIONALITY	B	DK	D	GR	E	F	IRL	I	L	NL	P	UK
EUR 12	100.5	8.2	340.6	5.7	22.1	353.6	10.4	25.6	52.5	61.0	:	156.5
Belgium		0.1	3.5	0.1	0.7	:	0.1	0.9	10.8	15.0	:	:
Denmark	0.2		1.1	0.1	0.4	:	0.1	0.4	0.2	1.0	:	:
Germany	3.5	2.4		1.4	4.0	:	0.6	7.1	6.2	14.0	:	(4.6)
Greece	2.4	0.2	64.7		0.1	:	0.0	1.6	0.1	2.0	:	:
Spain	9.5	0.3	41.5	0.0		45.2	0.1	1.3	0.6	5.0	:	9.5
France	19.1	0.5	27.2	0.6	3.1		0.2	5.3	13.7	3.0	:	8.5
Ireland	0.2	0.6	1.1	0.1	0.3	:		0.3	0.1	1.0	:	93.5
Italy	45.4	0.6	130.9	1.0	2.3	56.1	0.1		5.6	6.0	:	25.1
Luxembourg	0.7	0.0	0.6	0.0	0.0	:	0.0	0.0		0.0	:	:
Netherlands	13.7	0.6	18.2	0.3	1.1	:	0.2	1.5	0.1		:	(5.4)
Portugal	2.5	0.1	26.6	0.0	6.1	216.5	0.0	0.9	14.7	2.0	:	(4.2)
United Kingdom	3.4	3.2	25.3	1.9	4.1	:	9.0	6.4	0.6	13.0	:	:
NON-EEC COUNTRIES	40.0	18.8	829.7	9.4	25.4	485.9	3.2	231.5	4.1	83.0	:	208.2
Other Europe	14.3	11.8	712.1	2.7	2.4	53.4	0.1	27.6	2.4	41.0	:	:
Yugoslavia	1.3	2.0	186.1	0.1	0.2	15.5	0.0	12.4	0.9	4.0	:	:
Turkey	9.1	4.5	418.7	0.9	0.1	37.9	0.0	1.9	0.0	35.0	:	:
African countries	19.0	0.7	24.9	0.1	7.6	307.0	0.0	81.6	0.1	25.0	:	:
Algeria	1.5	0.1	2.1	0.0	0.2	146.0	0.0	2.1	0.0	0.0	:	:
Morocco	16.2	0.5	15.5	0.0	5.2	116.3	0.0	53.9	0.0	24.0	:	:
Tunisia	1.4	0.1	7.3	0.0	0.1	44.7	0.0	25.7	0.0	1.0	:	:
Other countries	6.7	6.3	92.7	6.6	15.4	125.6	3.1	122.2	1.6	17.0	:	:
USA	:	:	:	:	1.6	:	:	:	0.3	:	:	:
Canada	:	:	:	:	0.1	:	:	:	:	:	:	:
India	:	:	:	:	0.9	:	:	:	:	:	:	:
Japan	:	:	:	:	0.7	:	:	:	:	:	:	:
Stateless	1.9	0.3	11.9	0.1	0.1	:	:	0.4	:	1.0	:	:
TOTAL	142.4	27.3	1182.3	15.1	47.5	839.5	13.7	257.5	56.7	145.0	:	364.7

Notes :

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Table 4^{ter}

FOREIGN EMPLOYEES BY NATIONALITY (REG 311/76) 1991 - FEMALES

(Thousands)

NATIONALITY	B	DK	D	GR	E	F	IRL	I	L	NL	P	UK
EUR 12	40.2	4.5	152.1	3.4	14.1	225.3	6.0	23.9	28.5	29.0	:	191.8
Belgium		0.1	2.9	0.1	0.5	:	0.0	0.7	4.4	10.0	:	:
Denmark	0.1		1.6	0.0	0.4	:	0.1	0.5	0.2	0.0	:	(5.1)
Germany	1.6	1.6		0.8	2.9	:	0.4	6.0	3.0	7.0	:	15.3
Greece	1.1	0.1	38.8		0.0	:	0.0	0.5	0.1	0.0	:	:
Spain	5.0	0.2	20.0	0.0		30.3	0.2	2.0	0.4	1.0	:	8.6
France	9.0	0.4	13.4	0.3	1.9		0.3	4.5	8.2	1.0	:	11.6
Ireland	0.3	0.2	0.8	0.1	0.4	:		0.4	0.1	1.0	:	109.4
Italy	15.2	0.2	41.0	0.3	0.6	20.6	0.0		2.8	2.0	:	15.3
Luxembourg	0.3	0.0	0.3	0.0	0.0	:	0.0	0.0		0.0	:	:
Netherlands	4.5	0.4	6.4	0.3	0.9	:	0.0	1.3	0.4		:	(5.2)
Portugal	1.4	0.0	14.6	0.0	2.2	141.5	0.0	1.7	8.7	1.0	:	(5.1)
United Kingdom	1.7	1.5	12.5	1.5	4.3	:	5.0	6.4	0.3	5.0	:	:
NON-EC COUNTRIES	13.0	15.2	400.4	4.6	13.8	138.4	1.6	99.8	1.7	30.0	:	163.0
Other Europe	4.4	11.2	353.8	1.2	2.2	16.3	0.0	18.7	0.8	15.0	:	:
Yugoslavia	0.6	1.6	121.6	0.0	0.0	9.7	0.0	5.6	0.4	11.0	:	:
Turkey	2.4	2.3	167.9	0.2	0.0	6.6	0.0	0.3	0.0	2.0	:	:
African countries	5.7	0.1	3.4	0.0	1.9	59.4	0.0	7.1	0.0	7.0	:	:
Algeria	0.4	0.0	0.2	0.0	0.0	30.5	0.0	0.3	0.0	0.0	:	:
Morocco	5.0	0.1	2.1	0.0	1.4	21.5	0.0	4.6	0.0	7.0	:	:
Tunisia	0.3	0.0	1.1	0.0	0.0	7.3	0.0	2.2	0.0	0.0	:	:
Other countries	2.8	3.9	43.1	3.4	9.8	62.7	1.6	74.0	0.9	8.0	:	151.3
USA	:	:	:	:	1.5	:	:	:	0.1	:	:	:
Canada	:	:	:	:	0.1	:	:	:	:	:	:	:
India	:	:	:	:	0.0	:	:	:	:	:	:	:
Japan	:	:	:	:	0.2	:	:	:	:	:	:	:
Sateless	0.9	0.0	5.5	0.0	0.0	:	:	0.1	:	0.0	:	:
TOTAL	54.1	19.8	558.0	8.0	27.9	363.7	7.7	123.8	30.2	59.0	:	339.3

Notes:

The sum of individual countries might not be equal to the total or subtotal due to rounding errors; B, F: 1989 data; D, GR, IRL, I: 1990 data; : not available
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Table 5

Unemployment rates (%) by nationality													Table 5	
	1987	B	DK	D	EL	ESP	F	IRL	I	L	NL	P	UK	EUR12
Nationals	10.2		5.9	6.3	7.3	20.6	10.2	18		2.2	9.4	7.4	10.9	10.5
EC nationals	21.7		(11.3)	9.6			11.7	23.5		(2.9)	14.4		12.3	12
Non EC nationals	32.7		17	14.1	(17.9)	22.4	25				31.4		13.7	17.9
Not stated									10.8				12	10.8
Total	11.3		6.1	6.8	7.4	20.6	10.7	18.1	10.8	2.5	10	7.4	11	10.8
	1989	B	DK	D	EL	ESP	F	IRL	I	L	NL	P	UK	EUR12
Nationals	7.2		8	5.4	7.5	17.3	9	16.1		1.2	8.1	5.1	7.3	8.6
EC nationals	17.4			6.7			10.2	19.2		2.1	11.8		9	9.3
Non EC nationals	31.4		21.6	10.7		25.2	23.8				37.1	(13.4)	10.5	16.1
Not stated									11.1				6.8	11
Total	8.3		8.1	5.7	7.5	17.3	9.6	16.1	11.1	1.6	8.8	5.2	7.4	9.1
	1990	B	DK	D	EL	ESP	F	IRL	I	L	NL	P	UK	EUR12
Nationals	6.3		8.1	4.5	7	16.3	8.8	14		(1.2)	7.1	4.6	6.9	7.9
EC nationals	15.8			6.5			8.9	19.4		(2.1)	9.8		8.4	8.6
Non EC nationals	26.3		24.8	9.7	(12.3)		23.8				34.3	(13.0)	10	15
Not stated									9.8				8.1	9.8
Total	7.3		8.3	4.9	7	16.3	9.4	14.1	9.8	1.6	7.8	4.7	7	8.4
	1991	B	DK	D	EL	ESP	F	IRL	I	L	NL	P	UK	EUR12
Nationals	6.1		8.8			15.9	8.6	15.7		(1.1)	6.6	3.9	8.4	9.5
EC nationals	15		(15.9)			(12.5)	9.5	21.1		(2.1)	12		10.5	10.7
Non EC nationals	25.1		20.2			19.2	22.8				32.7	10.2	13.7	20.8
Not stated									10.1				8.7	10.1
Total	6.9		9.1			15.9	9.1	15.8	10.1	1.5	7.3	3.9	8.5	9.7
Source:	The Labour Force Survey. () = not reliable													

Table 6

ASYLUM SEEKERS 1990													
NATIONALITY	B	DK	D	GR	E	F	I	IRL	L	NL	P	UK	
TOTAL	12878	5282	183083		8847	54813				21208	61	22002	
EUROPE	5528	1043	101831			17549				5628	1	1780	
EUR12	3	1									1		
EFTA	2	2											
CENTRAL AND EASTERN EUROPE	3319	917				4938				4249	21	572	
of which											21		
BULGARIA	319	138	8341		290	628				512	2	133	
CZECHOSLOVAKIA	27	15	781			38						2	
HUNGARY	58	7	439			28				128		10	
POLAND	1084	128	9155		3279	678				1185	12	18	
ROMANIA	1751	511	35345		344	3312				2202	6	301	
USSR	82	120			43	250				224	1	96	
OTHER EUROPEAN COUNTRIES	2204	123				12604				1377	4	1206	
of which													
ALBANIA	50	8				510							
TURKEY	1873	41	22082			11727				797	1	1183	
YUGOSLAVIA	472	78	22114		20	363				580	3	12	
AFRICA	4223	732	24210			22121				5299	29	10816	
of which													
ALGERIA	29	23				144				103		14	
ANGOLA	287	7			561	2927				258	12	1158	
CAPE VERDE	2					409							
EGYPT	3	2				58				74		19	
ETHIOPIA	55	29	2068			68				1017		1973	
GHANA	1524	21	3788		111	1095				715	4	1020	
GUINEA BISSAU	3	2			207						1	7	
IVORY COAST	48	5										92	
LIBERIA	188	5			79					164	1		
MOROCCO	117	17				83				58	1	8	
NIGERIA	540	15	5398		422	170				901		114	
SENEGAL	32	1			491	1088						1	
SOMALIA	22	512				28				1690	1	1918	
SOUTH AFRICA	7	2			193	17						24	
SUDAN	13	4								52		254	
TOGO	58	3								73		20	
UGANDA	8	17										1903	
ZAIRE	1123	10			23	5806				186		1732	
AMERICA	131	24	402			1712				286		243	
of which													
CHILE	47	2				101						1	
COLOMBIA	30	2			39	431						172	
PERU	22	17			373	322						10	
SURINAM	3					5				286		2	
ASIA	2992	2012	80900			13335				8991	7	8840	
of which													
AFGHANISTAN	24	52	7348							568		198	
BANGLADESH	189	11				711				117		52	
CHINA	73	107				821				643	3	238	
INDIA	1032	28	5612			1087				303	1	1429	
IRAN	191	724	7271		167	362				1724		365	
IRAQ	44	503			250	110				439	1	892	
LEBANON	292	275	16229			103				1198		1018	
PAKISTAN	815	42	3983			1799				206	2	1316	
SRI LANKA	82	167	4361			2529				3010		3215	
SYRIA	77	38								695			
VIET NAM	110	31	9428			3289				90		2	
AUSTRALIA AND OCEANIA													5
STATELESS	2	1481	5820			98				1006		314	

E: data include refugees as well; D: America includes Australia
 Asia includes Australia

Table 7

REFUGEES 1990

NATIONALITY	B	DK	D	GR	E	F	IRL	I	L	NL	P	U1
TOTAL	479	3044	6518			13488				1538	30	90
TOTAL EUROPE	151	177	2537			2949				150		25
CENTRAL AND EASTERN EUROPE	88	122	344			761						1
of which												
BULGARIA	1	3	37			60						
CZECHOSLOVAKIA		1	113			30						
POLAND	2	23	120			21						
ROMANIA	80	87	52			511						
USSR	2	8				131						
OTHER EUROPEAN COUNTRIES	64	55				2188				150		23
of which												
ALBANIA	9					275						
TURKEY	51	13	1283			1819				150		23
YUGOSLAVIA	4	42	171			85						
AFRICA	108	183	344			1518				0	7	45
of which												
ANGOLA	7					183						
ETHIOPIA	6	28	125			50				103	7	11
SOMALIA	7	138				34				141		27
ZAIRE	63	5				521						1
AMERICA	12	13				587				97		2
of which												
CHILI		3				142						
COLOMBIA	5					78						1
SURINAM										97		
ASIA	209	1478	3572			8398				391	5	17
of which												
AFGHANISTAN	3	72	222			685						1
CHINA	10	64				137						4
IRAN	41	495	1990			332				299	3	4
IRAQ	17	435				90				92	2	5
LEBANON	23	172	19			38						
PAKISTAN	6		963			20						
SRI LANKA	1	85	23			2425				171	14	1
SYRIA	13	35								158		
VIET NAM	86	31	52			3204						
STATELESS		555	36			38				327		

E: data include asylum seekers as well
 Asia includes Australia