

**CHARLES UNIVERSITY IN PRAGUE**

FACULTY OF SOCIAL SCIENCES

Institute of Political Science

**Comparison of Immigrant Integration Policies in the  
Netherlands and the Czech Republic**

Bc. Jana Hetényiová

*Master Thesis*

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Author of the thesis: Bc. Jana Hetényiová

Supervisor of the thesis: Mgr. Lucie Gladišová

Opponent of the thesis:

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## **Abstract**

Master thesis „*Comparison of Immigrant Integration Policies in the Netherlands and the Czech Republic*“ aims to give an evaluation of existing immigrant integration policies focused on the third-country nationals, from the perspective of their different socio-political historical developments and their practical functioning at the present days. This involves assessment of roles of all involved actors: the newcomers immigrants, already settled immigrants and both governmental and non-governmental actors. Conclusions of the thesis will reveal the main differences in the integration policies of the Netherlands and the Czech Republic.

## **Anotácia**

Magisterská práca „Porovnanie imigračných integračných politík Holandska a Českej republiky“ si kladie za cieľ zhodnotenie existujúcich integračných politík, zameraných na občanov tretích krajín, z pohľadu ich odlišného socio-politického vývoja a tiež z pohľadu ich súčasného fungovania v praxi. Toto zhodnotenie zahŕňa preskúmanie role najdôležitejších aktérov integračného procesu: novo prichádzajúcich imigrantov, imigrantov už usadených v spoločnosti a rovnako aj vládnych a nevládných aktérov. Záverečná časť poukáže na hlavné odlišnosti v integračných politikách Holandska a Českej republiky.

## **Keywords**

Immigrant integration policy, normative framework, foreign population, conceptional shift

## **Kľúčové slová**

Imigračná integračná politika, normatívny rámec, populácia cudzincov, koncepčné posuny

**Manifestation**

I declare that submitted thesis was compiled on my own and I used only the sources and literature mentioned in the reference list. At the same time, I give my permission to use this master thesis for study purposes and place it to the Main Library of the Charles University.

Prague, January 2, 2011

Jana Hetényiová

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# Introduction

## 1 Thematic Framework and Thesis Objectives

Policies designed to facilitate integration of immigrants into their new country of residence have become an important part, but still a relatively recent segment, of the immigration agenda. Since their fulfilment belongs to the final phase of immigration process, they are frequently compared to a litmus test, showing the configurations and functioning of the whole immigration policy. Beginning the very first days of foreigner's step into his new country of residence, he faces a task to find himself a new place, just as in the material respect, as in civic, social and cultural respect. The receiving society with its responsibilities and commitments represents the other party of the two-way integration process – the one that defines the role of an immigrant in the society.

Being a very complex set of practices, integration concerns various stakeholders - the newly arrived immigrants, already settled immigrants and last but not least, all members of the receiving society. Integration of immigrants, while involving all levels from supranational to local, is not only a topic that interests the international academic and politic authorities, but also of the last link of the chain – the citizens. On the basis of a daily mutual interaction, citizens become directly involved via regular social contact in the neighbourhoods or, since the most significant share of immigrant's incorporation to the society, takes place on the lowest civic, social and cultural level.

Focusing on the last two decades, efficient incorporation of immigrants has gained on importance. This has been a cause of the fact that the Western European states have faced increased immigration flows at the same time, when they faced unfavourable social and economic developments.<sup>1</sup> In order to avoid further deepening of the social inequalities, Western European nations had to build up a more efficient management of their migrants, corresponding with their socio-political needs. With a respect to the successful completion of the regime transitions' initial phases, the post-communist

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<sup>1</sup> Papademetriou, Demetrios, G. 2003. *Policy Considerations for Immigrant Integration*. Migrationinformation.org



countries became valid members of the Euro structures and their attractiveness has launched a rapid growth of incoming foreigners. As a consequence, former transit countries have changed into destination countries. Therefore, since all of the EU member states became stakeholders of the immigration and became interconnected in many political and civic areas, one can be legitimately expect that the management of immigrant integration will remain one of the key issue of international relations.

The fact that liberal democracies of nowadays tend to converge in their essential priorities is reflected, for instance, in the common general framework of the immigration policy and to a lesser extent integration policy, set by the EU. However, on the account of dissimilar structure of the Dutch and Czech foreign population, dissimilar institutional background and dissimilar political salience of the issue, state policies focused on immigrant integration remain varied.<sup>2</sup>

For the purpose of integration policies' evaluation, I have decided to choose an old and a new EU member state - due to their diverse historical developments and not less importantly due to their different political, social and economic developments. In spite of the dissimilar characteristics of the Netherlands and the Czech Republic, beginning the mid-nineties, both countries have been displaying shifts in character of their integration policies. Though, the Czech Republic, introduced its first integration conceptions no sooner than in the late nineties, while the Netherlands has belonged to the pioneers of a more systematic approach towards integration.

Therefore, the core part focuses on comparison of the immigrant integration legislations and conceptions. The contemporary Dutch integration policy of doesn't operate with principals adherent to multiculturalism, as it witnessed, throughout the 1990's, a substantial lean towards the civic integration model, even indicating assimilationist features in some aspects. The Czech Republic follows in a similar fashion, regardless the fact that migration situation in its territory was completely different and still have been displaying different patterns.

Further, my thesis introduces policies, determining conditions of immigrant integration in the Netherlands and the Czech Republic, showing their commonalities, resulting from the common minimal standards set by the EU, though still leaving

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<sup>2</sup> Freeman, Gary P. 2004. Immigrant Incorporation in Western Democracies. *International Migration Review*, Vol. 38, No. 3, pp. 945-6

enough space for decisions adopted on the national level, reflecting the country-specific needs. In accordance with the civic integration model, both countries deal with similar tasks – to integrate people, who are economically self-sufficient, language-aware, aware of the new society’s socio-civic functioning, but enable them at the same time access to the labour market, education system or housing. Still, the thesis works with the presumption that the integration discourse in the Europe is closely connected „with the nation state and national self- understanding.“<sup>3</sup> These aspects, though being subjects of the change, then influence the reception of immigrants to the society.

Based on the relevant literature sources and statistics, the main objective of my thesis is to reveal:

1. How is the immigrant integration defined? How were the integration conceptions of the Netherlands and the Czech Republic developed since the mid-nineties until the present time? Have the past developments influenced the succeeding implementation of the integration measures and the roles of relevant actors of the integration process?
2. What are the major similarities and differences in integration policies of the Netherlands and the Czech Republic? Do any of these relevant aspects influence the capability of integration policies to deal with the immigrants?
3. How have been the current immigration trends reflected in the policy-making of the two selected countries?

### ***1.1 Structure and Methodology of the Thesis***

With a respect to the content, this master thesis is divided into five major chapters. The first one offers a theoretical reflection of the integration discourse and introduces basic three theoretical conceptions – multiculturalism, assimilationism and civic integration – that have served as a theoretical basis for the Dutch and Czech

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<sup>3</sup> Geddes, Andrew. 2003. *The Politics of Migration and Immigration in Europe*. London: Sage Publications Ltd, pp. 23

integration policies, revealing the fundamental principles, around which the former and present policies have been built. The next three sections bring an overview of integration policies. Focused on the integration of the TCNs, they elaborate on their main tools and evaluate the changing roles of the governmental, as well as the non-governmental actors involved in the integration process. The first two chapters concern the Netherlands and the Czech Republic.

More specifically, the attention is paid to the EU, as an actor, which builds a common minimal legislative framework for integration policies of the member states on a supranational level, including the two selected countries. These sections create a foundation for the analytical part of the thesis.

The key analysis evaluates institutional and political shifts – power transfers among different actors involved in the integration process, together with the responsibility and competency transfers among vertical and horizontal levels of the process. Hence, the core part of the thesis brings an assessment of political, legislative and institutional developments of the Czech and Dutch integration policies.

The closing section corresponds to the requirements, imposed on the master thesis and recapitulates the findings, acquired during the research carried in the previous sections. It summarizes conclusions of the previous chapters in order to meet all the research objectives and reveals the crucial reasons that stand behind the different configuration of the Dutch and Czech integration policies.

Given the complexity of immigrant integration policies, for the case study of integration policies of the Netherlands and the Czech Republic, a combination of various tools was utilized, to bring well-balanced and comprehensive results – objectives of the thesis are being approached through evaluation and comparison of the implemented policies and their practical results. From the methodological respect, the thesis can be divided into two basic parts, brought together through a general research framework of the comparative analysis.

For the first part, descriptive and analytical tools were selected in order to introduce the developments, conceptions and tools – both legislative and institutional, which have influenced the decision-making and policy-making within the integration agenda. The second, analytical part, brings together characteristics examined in the previous section and evaluates the policy shifts, underwent in the past decade and a half

in the Netherlands and in the Czech Republic. The main contribution and then lies in overall comparison, resulting in assessment of integration policy tools' adequacy, advancement and ability to respond to the existing needs. It is important to take into consideration that immigrant integration is a very broad topic. Therefore, the range of socio-cultural factors, which have the potential to influence the agenda have been narrowed to the most significant ones, in order to cover the topic in its complexity.

My thesis differs in one aspect from the methodology proposed in the project of the thesis. I decided to divert from the instruments of policy analysis, as it showed up that they do not offer explanation, enough suitable for the purpose of this research – particularly when assessing the ability of integration tools to respond to the current needs.

Data used in this thesis have been collected from the primary, as well as secondary sources and correspond with the character of the researched topic. Quantitative data include mainly the statistics collected and processed by the national statistic offices or the ministries, since secondary analysis of comparable data on both countries makes a proper basis for comparison of their dissimilar models. Qualitative collection of information includes primary documents of the EU institutions - directives, agreements, communications and reports, which give an overview of integration policy normative and strategic developments on the supranational level. The documents are supplemented by academic articles from scholarly journals and relevant non-periodic sources, spying into the dynamics of immigration and integration agenda from a broader point of view. Finally, but not less importantly a wide range of online materials was used, as they often represent the most up-to date information sources.

## **2 Theoretical Models of Immigrant Integration**

In order to reach a better comprehension of the processes within immigrant integration policies and their development, following chapter will introduce three basic theoretical models that I have selected as relevant for the scope of this paper: assimilation, multiculturalism and civic integration. I lean on a classification, used by Castles and Miller, or Barša and Baršová, which focuses on the review of national policies on ethnic diversity. Although the classification has been criticised by Freeman

or Joppke for its inability to clearly delimitate division line among the models, I decided to use it because of its wide acceptance.<sup>4</sup> The classification is employed as a navigation, not as a constant determinant, since I accept Freeman's description of incorporation frameworks as „partly deliberate and partly accidenta“<sup>5</sup> and at the same time, I acknowledge the fact that current trends of immigrant integration policies indicate an increasing convergence.<sup>6</sup>

When analyzing the European immigration and integration policies, it is essential to take into consideration two relevant factors: the way, European states are organized and the concepts that define the affiliation of various population segments to these states. The sovereignty of the state and the citizenship of the state, represent the link between political authorities and the policies they create. That's also why the organization of the state and the perception of self-understanding, influence immigrant integration policy to a great extent.<sup>7</sup>

## **2.1 Assimilation**

Assimilationist model of immigrant integration became wide-spread on the turn of the 19th and 20th century and was affiliated with the political development, both in Europe and the United States. It went along with the process of nation building and preparations for the war, in the early 20th century. The Chicago School of Sociology particularly contributed to a deeper analyses of interaction between immigrants and their host societies.

The fundamental principle of the assimilationist approach is an expectation that immigrants shall go through a gradual process of change in order to adjust to the host society and boundaries, which distinguishes (or separates) them from the native population, shall fade away. Robert Park, the representative of the Chicago School, describes assimilation as „the disappearance of ethnic differences, the disappearance of

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<sup>4</sup> Freeman. 2004. Pp. 947.

<sup>5</sup> Freeman. 2004. Pp. 946.

<sup>6</sup> Joppke, Christian. 2007. Beyond National Models: Civic Integration Policies for Immigrants in Western Europe. *West European Politics*. 30 (1), pp. 1.

<sup>7</sup> Geddes, Andrew. 2003. Pp. 23

ethnic groups<sup>8</sup> in a certain time period. The process of boundaries disappearance, according to Milton Gordon, consists of several stages, beginning with acculturation, structural integration and ending up with assimilation. Although, as implied, none of the steps necessarily anticipate the following one.<sup>9</sup> The assimilation process is successfully completed, when newcomers accept the affiliation to the given civic nation and accept it as an exclusive and defining collective identity, while leaving any other political, social or cultural affiliations. Consequently, assimilation as an official state policy leaves no space for lobbies or political groups, attached to certain ethnic, cultural or regional minority, just as shown by the current French example.<sup>10</sup> Being a very complex issue, assimilation interferes with spatial, social and time dimension.

In the first half of the 20th century, most European countries broke a path for policies that offered immigrants no other choice, but to choose between being an assimilated resident and possess the rights equal to non-immigrant residents, or preserving the original way of life and become marginalized.<sup>11</sup> Such regulations were often in a service of targeted exclusion due to progressively rigorous criteria, which were modified in a way that certain population groups were unable to meet them.

In the 1990's, when the division line between integration models got less clear, most of the states set forth other than assimilationist direction. The case of France has been an exception, since its political culture is based on the legacy of „*une et indivisible*“ (the only and indivisible) civic nation.<sup>12</sup> However, taking into account an experience of failed multiculturalism two decades later, certain aspects of assimilationist model have been incorporated to the recent immigrant integration policies, albeit the official authorities avoid using the term.<sup>13</sup> The shift in perception of immigration can be best illustrated by the Dutch integration policy. Christian Joppke, while also avoiding to talk about assimilation, rather refers to national particularism, which in the case of the Netherlands means acceptance of Dutch norms and values. Put

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<sup>8</sup> Schmitter Heisler, Barbara. 1992. The Future of Immigrant Incorporation: Which Models? Which Concepts? *International Migration Review*. 26 (2), pp. 626.

<sup>9</sup> Schmitter Heisler. 1992. Pp. 625.

<sup>10</sup> Barša, Pavel; Baršová Andrea. 2005. *Přistěhovalectví a liberální stát*. Brno: Mezinárodní ústav Masarykovy Univerzity, pp. 35

<sup>11</sup> Barša, Baršová. 2005. Pp. 38.

<sup>12</sup> Barša, Baršová. 2005. Pp. 36.

<sup>13</sup> Castles, Stephen; Miller, J. Mark. 2009. *The Age of Migration*. Houndmills: Palgrave Macmillan, p. 274.

another way, the newcomers are expected to accept the „progressive outlook shared by the majority“ even before they enter the country, complying with the integration laws.<sup>14</sup>

Despite Bommes’s claim that assimilation „refers to a general condition of existence for all individuals in a modern society“, the concept undeniably suffers from several shortcomings.<sup>15</sup> Castles and Miller point out the fact that all the attempts to control the differences turned out to be inconvenient; especially after the war, when mobility of people got high in order to renew the economies. Since assimilation in many cases resulted in marginalization and social exclusion, the trend has slowly turned in a favour of civic integration. Nowadays, the French model, as a rare example within the European context, is considered the closest to the original idea of assimilation.<sup>16</sup> Thus, current diversity of Western civilization only allows assimilation to the civic nation (adoption of liberal democratic values and ability to communicate in the official language) and hinders assimilation to a particular way of life.<sup>17</sup>

Nevertheless, some aspects of such critique contributed to modification of the model. A valid question, whether it is possible to talk about assimilation into a „single mainstream culture“, has been raised.<sup>18</sup> Due to the negative response, modified approach operates rather with the term „segmented assimilation,“ when newcomers assimilate into many distinct cultures.<sup>19</sup>

## **2.2 Multiculturalism**

Multiculturalism came into use, as we know it today, as a label for a political programme in the late 1960’s and early 1970’s, when the term became used to describe the relation of host societies with immigrants. It came out as a disapproving reaction to assimilationist approaches, that time already perceived as unsuccessful. In its original

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<sup>14</sup> Joppke, Christian. 2008. Immigration and the identity of citizenship: the paradox of universalism. *Citizenship Studies*. 12 (6), pp. 541.

<sup>15</sup> Bommes, M. 2005. Transnationalism or Assimilation? *Journal of Social Science Education* IN Scott, Sam; Cartledge, Kim H. 2009. Migrant Assimilation in Europe: A Transnational Family Affair. *International Migration Review*. 43 (1)

<sup>16</sup> Castles, Miller. 2009. Pp. 247.

<sup>17</sup> Joppke, Christian; Morawska, Eva. 2003. Integrating Immigrants in Liberal Nation-States: Policies and Practices. IN *Toward Assimilation and Citizenship: Immigrants and Nation-States*. New York: Palgrave Macmillan, pp. 6.

<sup>18</sup> Scott, Cartledge. 2009. Pp. 63.

<sup>19</sup> Scott, Cartledge. 2009. Pp. 63

meaning, it was supposed to modify relations among diverse ethnicities living within multiethnic states and only later, was applied to relations with immigrants.

Examining the development of multiculturalism in Europe, it was mainly promoted by people with positive relation towards immigrants or intellectuals, connected to the political left.<sup>20</sup> However, theoretical models that would describe the structure of multicultural society more precisely, have been rather vague or completely lacking.<sup>21</sup> Within the frame of Europe, multicultural model became most influential in immigrant integration policies of Sweden and Great Britain and to a lesser extent of the Netherlands.

Multicultural model defines a nation as a „political community, based on a constitution, laws and citizenship“.<sup>22</sup> It regards immigrants as permanent members of a society, therefore it endorses the acceptance and guarantee of rights, freedoms or manifestations of culture, typical for particular immigrant groups. Yet, maintenance of the cultural differences and interethnic tolerance must be in compliance with the liberal-democratic principles and values.<sup>23</sup> Practically it means that in spite of the fact that multiculturalism poses a challenge for „fundamental principal of the nation-state: the congruence of political and cultural boundaries“, the majority is distinctly decoupled from the minorities, due to the assurance to tolerate the members of different ethnic groups, while they are living in the territory of majority.<sup>24</sup>

This has been valid foremost for the European countries that paid too much attention to the promotion of diversity at the expense of unity and as a consequence have been witnessed not only to the separation of the two (in some cases more than two) population groups - indigenous and ethnically different, but even their segregation and social exclusion.<sup>25</sup> In the case of the Netherlands, social segregation was further promoted by the structuralization of the Dutch society, divided on the bases of political and religious membership into four relatively autonomous pillars.<sup>26</sup> Because of the unfavourable social developments among immigrants and especially within the group of

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<sup>20</sup> Schmitter Heisler. 1992. Pp. 634.

<sup>21</sup> Schmitter Heisler. 1992. Pp. 633

<sup>22</sup> Castles, Miller. 2009. Pp. 45.

<sup>23</sup> Barša, Baršová. 2005. Pp. 36.

<sup>24</sup> Joppke, Christian. 1998. *Challenge to the Nation-State: Immigration in Western Europe and the United States*. New York: OUP, pp. 31

<sup>25</sup> Barša, Baršová. 2005. Pp. 170

<sup>26</sup> For further information on the pillarization of the Dutch society, see page 26.



Muslim newcomers, the government left multicultural policies in mid-nineties and focus on „group culture“ was replaced by the focus on „individual choice and neutrality of the state.“<sup>27</sup> The reason that stood behind the transition was the fact that the main concern, the religious fundamentalism, is a result of individual choice and can be only tackled by an individual approach, not by integration of communities, promoted by multiculturalism.<sup>28</sup> The neutrality of the state, on the other hand, implies that its role lies in an ability to „assure a modicum of equality for all members of society,“ referring to equal approach towards various layers of a society (men and women, their sexual orientation etc.), though necessarily in an adherence with the Dutch norms and values.<sup>29</sup>

Unlike in the USA, where immigration has been a part of the nation-building process, nation-building in Europe doesn't result from immigration and immigrants, but from ethnic implications. That is also the reason, why multiculturalism in Europe arises from the need to handle the sudden confrontation with different ethnic and cultural groups and appears only as a consequence of migration.<sup>30</sup>

In the period of its initiation, in the 1970s, multiculturalism referred to the incorporation of immigrant communities than to the incorporation of individuals to the society and therefore, immigrants were primarily viewed as members of a community. However, the two following decades revealed problematic issues of the model, such as inadequate incorporation of certain immigrant groups to the society lead to their segregation.<sup>31</sup> Such development stands behind the division of multiculturalism into two categories: communitarian and liberal.

Communitarianists aim to reach equality in diversity among people through their recognition as members of a community (community of many communities). Individuals belong to a civic nation via the particular community they belong to. On the other hand, for the liberals, the right for diversity is just a mean to recognize of people as members of a humankind (community of individual citizens). As an alternative to communitarian multiculturalism or to assimilation, successful integration rests in the ability of a nation, to absorb group diversity.<sup>32</sup>

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<sup>27</sup> Barša, Baršová. 2005. Pp. 172

<sup>28</sup> Barša, Baršová. 2005. Pp. 175

<sup>29</sup> Joppke. 2007. Pp.15

<sup>30</sup> Joppke. 1998. Pp. 36

<sup>31</sup> Barša, Baršová. 2005. Pp. 41.

<sup>32</sup> Barša, Baršová. 2005. Pp. 45.

Since late 1980s and early 1990s, voices critical towards multiculturalism began to sound loud. Jacob Levy follows up that it is not a balanced solution to promote diversity via the state policies, while it could evoke the precarious hypothesis „that one’s pre-existing culture includes the resources for judging all others in the world“.<sup>33</sup> One of the loudest critics of multiculturalism, Giovanni Sartori strongly distinguishes between pluralism and multiculturalism and claims that „pluralism requires voluntary group membership“ and mutual recognition between majority society and its immigrants.<sup>34</sup> Since multiculturalism doesn’t lean on these premises and often pays less attention to the recognition of majority by minority, it creates a society based on unconnected identities. These may lead to creation of segregated immigrant ghettos.

In a well-known piece *Pluralism, Multiculturalism and Foreigners: An Essay on Multiethnic Society*, Sartori brings forward his main objection to multiculturalism, which in his opinion fails in presenting a proper basis for coexistence of various segments of pluralistic society, already by its definition. In practice, multicultural laws, characterized by their difference-blindness, lead to creation of division lines among groups in the society - arisen involuntary, simply under the authority of belonging and creation of separate identities. Focus on the ever-growing diversity then bears a permanent danger of society’s disintegration.<sup>35</sup>

Currently, multiculturalism in European integration policy has been losing momentum in favour of civic integration policy. The loss of relevancy is connected to the negative social developments that occurred, when the multicultural policies had been actively promoted – the growth of unemployment; insufficient language knowledge, concerning also the second generation immigrants; increase in criminality of immigrants, or widening gap in social standards between foreign and indigenous population. On the top of that, contemporary Europe has been facing different challenges than two or three decades ago. The new conditions have also shifted the integration challenges and this shift is reflected by the change of focus from „different

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<sup>33</sup> Levy, Jacob. 2000. *The multiculturalism of Fear*. Oxford: Oxford University Press. IN Joppke, Christian. 2004. *The retreat of multiculturalism in the liberal state: theory and policy*. *The British Journal of Sociology*. 55 (2), pp. 238.

<sup>34</sup> Joppke. 2004. Pp. 238.

<sup>35</sup> Sartori, Giovanni. 2005. *Pluralismus, multikulturalismus a přistěhovalectví Esej o multietnické společnosti*. Praha: Dokořán.

ethnic identities“ to „antagonistic religious project“ and indicates the fear of fundamentalism.<sup>36</sup>

### ***2.3 Civic Integration of Individuals***

Nowadays, „integration“ or „civic integration“ becomes a frequently favoured form of immigrant incorporation into the receiving societies of the West. It craves less for migrant’s accommodation (particularly regarding the cultural integration) than assimilation, but doesn’t offer as generous approach as multiculturalism does. Similarly to assimilation, civic integration in Europe has a form of obligation and the fulfilment of all its conditions is a requirement for residence permit obtaining. Additionally, but not less importantly, civic integration equally applies to foreigners, already settled in their new destination, but not yet granted the citizenship.

The main point of such policy is a respect towards cultural plurality and at the same time an integration into a society, taking into account the impossibility of a universal character of this process. Barša and Baršová describe the successful civic integration as an active participation in the host society, founded on liberal-democratic values embedded in a constitution (recognition of law and basic freedoms, etc.), respecting cultural plurality on one hand, though not enforcing a particular way of life, on the other hand.<sup>37</sup> In the end, integration should lead towards migrant’s autonomous participation in all aspects of life in the receiving community – social, economic and civic. According to Joppke, it is „social inclusion“ what gives the real meaning to the contemporary civic integration policies of the EU, firmly tied up with the goals of Lisbon strategy, imposing responsibilities on immigrants as well as the receiving society.<sup>38</sup>

The community of Vietnamese in the Czech republic, the country’s third largest group of foreigners, offers a good example of a relatively successful socio-economic integration - without abandoning the social schemes traditional for the community (jobs

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<sup>36</sup> Barša, Baršová. 2005. Pp. 167.

<sup>37</sup> Barša, Baršová. 2005. Pp. 49.

<sup>38</sup> Joppke. 2007. Pp. 17.

or urban settlements) and without antagonistic attitude towards national values.<sup>39</sup> In the European context, the Netherlands and its policies, originating in the late 1990's, have been the cradle of this „third-way“ integration policy. Generally, the implementation of civic integration policies differs among states and the degree of their restrictiveness depends on the national context, but there has been a consensus on their outcome: the achievement of liberal-democratic goals, via coercive methods promoted by the state. Such coercive methods, however, shall be perceived in the context of migration flows to the Europe, since most of the immigrants get in either via the asylum procedure, or under the authority of family reunification.

According to the *Common basic principles for immigrant integration policy in the EU* from 2004, integration is defined as a two-way process, determined by the rights of legally residing third country national (TCN) and his commitments to the host society.<sup>40</sup> The two-way character of the process implies that on one hand, TCNs must adhere to the criteria set by the host society, but on the other hand, the host society is bound to create an environment with opportunities for immigrants.

The Council *Directive concerning the status of TCNs who are long-term residents* has been valid since November 2003. According to this legislative act, member states are allowed to impose their national law upon the TCNs and the TCNs may be required to attend the compulsory language courses. This doesn't only involve a state, where they have obtained the long-term residency, but any other member state.<sup>41</sup> Generally, civic integration policies put a demand on immigrants to go through civic and language courses. Those usually take place after their entry, but in a case of the Netherlands even before they cross the borders. Unlike earlier, the integration courses are mandatory and disobedience of the policy brings sanctions - from financial penalty to refusal of residence permit.

Immigrants, who cross the borders in order to stay for a long-term or permanently, eminently influence the demographic development of the state, its economic and societal structures, as they are being progressively involved in the daily life. In practice, current EU legislative still puts a considerable emphasis on the

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<sup>39</sup> Barša, Baršová. 2005. Pp. 49.

<sup>40</sup> Press release of the Council of the European Union on the *immigrant integration policy in the European Union*, 14615/04 (Presse 321). Europa.eu, pp. 19.

<sup>41</sup> Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents, 23 January 2004. Europa.eu, pp. 7.

regulative role of the member states. On one hand, it is understandable that states and their institutional bodies are determinants of the integration process and immigrants are the ones who shall accept the rules of the game. However, the problem comes, when the practical result of integration measures are inhibiting „cumulative integration requirements“, instead of originally proclaimed goal to withdraw the obstructions of free movement.<sup>42</sup> What was designed to restrain the abuse of immigration laws, may lead in practice towards locking the already settled immigrants in or restrain the flows of high-skilled immigrants.

## **2.4 Conclusion**

Given the fact that integration policies represent a very complex issue, shaped by various actors and factors, they can hardly be explained by a single theoretical model. Still, theoretical models may offer a helpful framework and directory for a formulation of policies. Besides, the high dynamics of migration phenomenon means that they are a subject of constant formation and change. First of all, integration policymaking is a long-lasting process, beginning with appearance of the problem, continues through formulation of legal measures and ends with their implementation - each of the processes happening against the background of a changing migration situation.

Opening lines of this chapter, has noted that hereby introduced theoretical integration models, may not be able to explain each and every aspect of integration policies. However, there are areas of integration policy that may use the theoretical navigation in a larger extent than the others. Assessing the three main domains of integration, set by Entzinger: „legal-political (state), cultural (nation) and socioeconomic (market),“ the first two mentioned may be relatively well-assessed by the models.<sup>43</sup> In the legal-political area, formation of citizenship rules and conditions of citizenship acquisition may be provided a theoretical framework, just as well as in the area of nation and more specifically in defining the conditions of immigrant’s cultural

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<sup>42</sup> Joppke. 2007. Pp. 18.

<sup>43</sup> Entzinger, Han. 2000. The Dynamics of Integration Policies: A Multidimensional Model. In Freeman. 2004. Pp. 949.

transformation. All of the three models: multicultural, assimilationist and civic integration, do offer a navigation for these two basic policy domains.

### **3 Immigrant Integration Policies: The EU Level**

#### ***3.1 Setting the Context of the EU Integration Policies***

The post-war period has shown rapidly changing character of European immigration. New ties, based on other than colonial implications have been set up. Diversification in sending countries and also diversification in the nature of immigration have brought to light new challenges, since immigration flows have faced increase of refugees, asylum seekers and family migrants. With regards to the changing patterns of immigration, together with specificities of each member state, integration policies can undoubtedly be described as permanently developing and „context-bound“.<sup>44</sup> It is desirable that the European integration policies, in spite of being context-bound, work under general framework, since at the end of the day, actors of local level (who are the first ones to be responsible for their implementation) deal with similar issues and in consequence, policies tend to converge. The objective is to ensure an access to official institutions and enable immigrants to participate in political and economic area, although conditions or timetables may differ.

Studying the current data, collected by the Statistical Office of the European Communities (Eurostat) in January 2008, there were 19.5 million of the TCNs legally residing in the EU, which makes around 40% of all foreigners. Most of TCNs come from non-EU European country (6 million), then from African (4.7 million) and Asian (3.7 million) countries.<sup>45</sup> In the same year, a bit less than 700,000 people were granted the citizenship of an EU state, which makes approximately 2% decline, in comparison to 2007. Out of these, Moroccans and Turks traditionally constituted the largest groups, followed by Ecuadorians, Algerians and Iraqis.<sup>46</sup>

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<sup>44</sup> Penninx, Rinus. 2003. *Immigration Without Integration: A Recipe for Disaster*. AMPI Policy Brief 17. Migrationpolicy.org, pp. 2.

<sup>45</sup> Eurostat. 2009. Population of foreign citizens in the EU 27 in 2008. Newsrelease 184/2009, 16 December 2009. Europa.eu

<sup>46</sup> Eurostat. 2010. Acquisition of citizenship slightly declining in the EU. Statistics in focus 36/2010. Europa.eu

The statistics show that immigrants are a part of the European reality and that this reality is diversified. Unlike countries like Australia or the USA, where immigrants have significantly contributed to formation of national identity, European states have been steadily showing rather reserved attitude towards newcomers. Looking for an evidence, the accession of the new EU member states offers one. At that time, residents of these countries had to deal with various restrictions, particularly concerning the freedom of movement for workers. Hence, other than restrictive practice concerning immigration policy can hardly be expected, when considering the migration flows from more remote areas.

The agenda of immigrant integration is predominantly in the hands of member states, while immigration policies largely belong to EU level decision-making. Although, it is hardly possible to draw a division line between immigration and integration policies and therefore, decisions adopted in one area influence the other. As Penninx notes, most immigrants gather in large cities and thus, integration in cities becomes a litmus test for the whole integration policy agenda. If integration measures do not function at the local level, disappointing outcomes lead to negative attitudes towards immigrants and migration, which may result into „defensive immigration policies“ and voters' inclination to support of far-right parties.<sup>47</sup> Regardless of positive or negative perception of immigration and immigrants, it is unrealistic to expect that this segment of population would decrease dramatically. Establishing a well-managed integration policy, responsive to immigration policy, is therefore a condition of fruitful cohabitation between host society and newcomers.

### ***3.2 Policy Developments on Common Framework for the Integration of Third-Country Nationals***

#### ***The Treaty of Amsterdam***

The integration policy belongs to the newest agenda of the EU. A way towards the common European Union immigration policy opened up, as the *Amsterdam Treaty* took effect in May 1999 and delegated competencies regarding the area of Justice and Home Affairs (JHA) to the supranational level. Control over immigration issues was

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<sup>47</sup> Penninx. 2003. Pp. 1.

taken by the first pillar and was decided by the Community method. Herewith, the European Commission, as the main executive body became the most responsible for carrying out the decisions concerning the JHA.<sup>48</sup>

### ***The Council of Tampere***

In 2001, the Tampere Council announced integration policy for the first time an integral part of immigration policy, calling for „more vigorous integration policy“ that would guarantee the immigrants „rights and obligations comparable to those of EU citizens“. <sup>49</sup> Since then, every five years the EU adopts legally binding programmes that specify goals for the following period.

The Commission's Communication on Immigration, Integration and Employment was adopted in 2003. Apart from recognizing „the need to act collectively at EU level“, it further stressed the role of member states in integration policies implementation.<sup>50</sup> In order to reach effective integration, the holistic approach, which takes into account responsibilities of immigrants as well as host society (the two-way approach) and covers all aspects of integration, shall be applied. Moreover, the document took notice of European demographic problem, solvable as declared, through „adequate policies of entry and settlement“ that would equally pay attention to incoming migrants and settled immigrants.<sup>51</sup>

### ***The Hague Programme***

After the Tampere mandate expired in 2004, the *Hague Programme* set out new agenda for the upcoming five years. The immigrant integration was for the first time included formally, as a separate chapter of the document, which practically showed its recognition as an autonomous part of immigration policy. In contrary to Tampere program that expressed the need for fair treatment of TCNs, Hague Program aims for

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<sup>48</sup> Urth, Helene. 2005. Building a Momentum for the Integration of the Third- Country Nationals in the European Union. *European Journal of Migration and Law*, 7 (2), pp. 163.

<sup>49</sup> Presidency Conclusions of the Tampere European Council, 15 and 16 October 1999, par. 18. Europa.eu

<sup>50</sup> Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on immigration, integration and employment. COM/2003/0336 final. Europa.eu

<sup>51</sup> Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on immigration, integration and employment. COM/2003/0336 final. Europa.eu



more profound integration based on equal opportunities.<sup>52</sup> Building upon the Program, the JHA Council adopted a few days later Common Basic Principles for Immigrant Integration Policy. Eleven of them were set up to:

*„assist Member States in formulating integration policies by offering them a simple non-binding but thoughtful guide of basic principles against which they can judge and assess their own efforts,“<sup>53</sup>*

once again emphasizing the importance of a holistic approach, while recognizing that:

*„immigration is a permanent feature of European society.“<sup>54</sup>*

Establishing the framework for policy makers on national level was positively accepted and offered more details than the previous programmes. However, evaluating summary of the Migration Policy Institute reminds that only close to half of goals were accomplished as declared.<sup>55</sup> The integration policy has remained a national agenda and implementation of the Program has continued to lie in the hands of member states.

### ***The Treaty of Lisbon***

The current period of 2009-2014, being covered by the *Stockholm Program*, reflects institutional changes, arisen from the Lisbon Treaty (amending the Treaty of Rome and the Maastricht Treaty, not substituting them). The Treaty of Lisbon, which entered into force on 1st December 2009, initiated some modifications for the area of immigration policy, although the legislative competences have been altered only slightly. The biggest modification concerns the decision-making procedure, since the Treaty extends the qualified majority voting (QMV) in the Council and approves wider competencies for the European Parliament (EP). Practically, it implies that measures regulating the entry, residence and rights of immigrants, will be approved by QMV,

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<sup>52</sup> Selm, van Joanne. 2005. *The Hague Program Reflects New European Realities*. Migration Information Source. Migrationinformation.org

<sup>53</sup> Press Release of the Council of the European Union on the *Immigrant Integration Policy in the EU* 14615/04 (Presse 321), 19 November 2004. Europa.eu, pp. 16.

<sup>54</sup> Press Release of the Council of the European Union on the *Immigrant Integration Policy in the EU* 14615/04 (Presse 321), 19 November 2004. Europa.eu, pp. 15.

<sup>55</sup> Collet, Elizabeth. 2010. *The European Union's Stockholm Program: Less Ambition on Immigration and Asylum, But More Detailed Plans*. Migration Information Source. Migrationinformation.org

under the ordinary legislative procedure.<sup>56</sup> Moreover, it can be expected that greater participation of EP in the legislative process won't only bring the relocation of powers, but will also prolong already comprehensive decision-making procedure.

Investigating the measures on integration policy, article 79 paragraph 4 of the Lisbon Treaty declares that the EU:

*„[...]may establish measures to provide incentives and support for the action of Member States with a view to promoting the integration of third-country nationals residing legally in their territories, excluding any harmonisation of the laws and regulations of the Member States.“<sup>57</sup>*

The Treaty further specifies limited powers of the EU bodies, as legislative competence remain at the national level and supranational bodies don't possess legitimate authority for integration policy harmonization. Therefore, measures designated in the fourth paragraph

*„shall not affect the right of Member States to determine volumes of admission of third-country nationals coming from third countries to their territory in order to seek work, whether employed or self-employed.“<sup>58</sup>*

On the other hand, as Hailbronner states, funds of the Union are important financial sources and in order to participate in financial programmes, states must meet certain criteria that may turn into a policy harmonization.<sup>59</sup> Generally, the Lisbon Treaty has introduced only a vague legal framework for integration policy (*„measures to provide incentives and support“*), which has stayed relatively untouched by it.

### ***The Stockholm Programme***

Turning back to the *Stockholm Programme*, cooperation with the third countries has been set a priority. In connection with the Hague Program and with understanding the multidimensional character of integration process, it aims to improve awareness of immigrants on integration matters as well as host society and enable information

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<sup>56</sup> Collet. 2010. Migrationinformation.org

<sup>57</sup> Lisbon Treaty. 2008. The Lisbon Treaty. Art. 79 par. 4. Lisbon-treaty.org

<sup>58</sup> Lisbon Treaty. 2008. The Lisbon Treaty. Art. 79 par. 5. Lisbon-treaty.org

<sup>59</sup> Hailbronner, Kay. 2010. *Implications of the EU Lisbon Treaty on EU Immigration Law*. Presentation. Germany. Ucdavis.edu, pp.3.

exchange among competent stakeholders. European Integration Forum and the European website on Integration should serve as facilitators. Reflecting the problems caused by the economic crises, employment has been pointed out a central condition for successful integration.<sup>60</sup> This slight shift towards other than justice or security policies remains however rather declarative, since integration policy still is linked to immigration policy and hence JHA agenda.

### ***3.3 EU Normative Framework for Integration of Third-Country Nationals***

As mentioned earlier, integration is a multidimensional process that intervenes with political, social, cultural and economic area. Despite the absence of common integration norms on the EU level, integration process and its measures are substantially influenced by directives and regulations on family reunion, employment, legal status and so forth. These rules set basic standards for the legal residence of the TCNs, specifying their rights and duties in accordance with the Charter of Fundamental Rights of the European Union, which has become legally binding after adoption of the Lisbon Treaty (although with partial opt-outs of the United Kingdom, Poland and the Czech Republic). Seeing that the Treaty has been valid only since recently, most of the provisions were adopted unanimously, which clarifies often indistinct formulations of potentially disputable matters. This part will introduce directives that both - directly and indirectly - exercise influence on the integration issue.

Since family reunion is one of the most common sources of long-term residents, the Council *Directive on the right to family reunification for third-country nationals*, agreed in September 2003, has been of a great importance. The right applies to TCNs with a residence permit of at least one year validity and those, who have a well-grounded reason of long-term residence; namely: sponsor's spouse, or the children of

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<sup>60</sup> Council of the European Union. 2009. *The Stockholm Programme 14449/09*. Brussels, 16 October 2009. Europa.eu

the couple.<sup>61</sup> Further provisions regulating family reunification are left for decision-making at the national level.

The *Directive concerning the status of third-country nationals who are long-term residents*, was accepted in November 2003. TCNs are granted the long-term residency status after five years of uninterrupted legal residence, being able to prove:

1. the amount of resources, enabling them to live independently of states' social assistance
2. health insurance.<sup>62</sup>

Measures of the Directive fully correspond with the declarations from Tampere that immigrants shall acquire status, comparable to the status of EU citizens, although they may be required to fulfil integration conditions of a given member state. Another restriction deals with the fact that long-term residents are not equally permitted to move freely for the purpose of employment search.<sup>63</sup>

The conditions for admission of the TCNs *for the purposes of studies* (mainly higher education), *pupil exchange, unremunerated training or voluntary service* for the period longer than three month, are stipulated under the directive, approved in December 2004.<sup>64</sup> Conditions for entry particularly include adequate resources to cover related expenditures, or proper language knowledge. Gainful activities are possible, but member states may apply restrictions on the first year of migrant's stay.

In 2004, the *Directive on the residence permit issued to Non-EU Member Country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities*, was accepted. Concerned TCNs may acquire residence permit for a limited time period (minimum six month-long), corresponding with the duration of their legal proceedings. The Directive aims to combat illegal immigration to the EU territory, which represents one of the top priorities of the immigration policy agenda.

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<sup>61</sup> European Union. 2009. *Summary* on the Council Directive [2003/86/EC](#) of 22 September 2003 on the right to family reunification. Europa.eu

<sup>62</sup> European Union. 2007. *Summary* on the Council Directive [2003/109/EC](#) of 25 November 2003 on the status of non-EU member country nationals who are long-term residents. Europa.eu

<sup>63</sup> Niessen, Jan. 2004. *Five years of EU and asylum policy-making under the Amsterdam and Tampere mandates*. Brussels: Migration Policy Group. Migpolgroup.com, pp. 6

<sup>64</sup> European Union. 2007. *Summary* on the Council Directive [2004/114/EC](#) of 13 December 2004 on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service. Europa.eu

In May 2009, the *Directive specifying the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment*, was adopted. It created an important instrument – the blue card - for approaching the goals declared ten years ago in Lisbon Strategy. This announced an intention to make EU the most competitive economy in the world. One of the most recent initiatives aims for attracting the best qualified workers to work in the EU and reduce labour shortages, while boosting the competitiveness.

The „Blue Card Directive“, as it is sometimes also called, concerns highly-skilled TCNs, who wish to work in the EU for more than three months and may apply to their family members, under conditions determined by the Union. Those conditions include a work contract or binding job offer for highly qualified activity and then basic conditions imposed on TCNs, applying for a residence permit - valid travel documents, residence permit and sickness insurance.<sup>65</sup> The blue card is issued from two to four years (with the possibility of its prolonging) and should benefit the holder with faster access to labour market. As noted earlier, member states tend to protect their labour markets, only if it doesn't concern work positions that are in a high demand. Thus, having regard for labour market needs and reception capacities of the issuing member state, member states reserve the right not to grant the blue card.<sup>66</sup>

The transposition deadline of the Blue Card Directive has been appointed for June 2011. Therefore, at the moment, it is not yet possible to predict, whether its main tool – the Blue Card - will pull in the brightest brains due to admission process simplification (although curtailed by national legislative measures), or it will rather become a tool of further immigration restriction, due to rigorous admission conditions.

### **3.3.1 Tools**

#### ***Information Tools***

To support the cooperation and information ex-change among member states, an important instruments - *National Contact Points on Integration* (NCPs) - were created.

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<sup>65</sup> European Union. 2009. *Summary* on the Council Directive [2009/50/EC](#) of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment. Europa.eu

<sup>66</sup> Hailbronner. 2010. Pp. 7

In compliance with the principle of subsidiarity, competent government officials have been meeting since 2003 to harmonize national and supranational level of integration policies, under the patronage of the Commission. In order to put together good practices of member states, NCPs in conjunction with the Commission have been working on handbooks on integration and in April 2010, already the third edition of *Handbook on Integration for policy-makers and practitioners* was published, focusing on the role of media in integration process, active citizenship of immigrants and their competitiveness in the labour market.<sup>67</sup>

The *Annual Report on Migration and Integration* has been regularly issued in order to offer information on development in areas of admission and integration policies. The third edition, published in 2007, encouraged to look deeper into concepts of participation and citizenship and work upon common methodology on evaluation of immigrant integration.<sup>68</sup>

Promotion of integration awareness has been enabled thanks to creation of the European Web Site on Integration (<http://ec.europa.eu/ewsi/en/index.cfm>). Tied together with The European Integration Forum, equally built up in 2009, they provide a platform for information exchange for various stakeholders of the civil society and EU policy-makers; both in virtual and physical manner. These projects are financed by the European Fund for the Integration of TCNs.<sup>69</sup>

### ***Financial Tools***

In 2003, *the INTI* (Integration of TCNs) funding programme was launched, to cover the period of 2003-2006. Directed at the cooperation among member states with long tradition of immigration and those that have been facing immigration challenges since recently, it focused on projects, searching for the best integration practices,

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<sup>67</sup> European Commission. 2010. *Handbook on Integration for policy-makers and practitioners*. Luxembourg: Publications Office of the European Union. Europa.eu

<sup>68</sup> Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions COM(2007) 512 final, Brussels 11 September 2007. Europa.eu, pp. 10

<sup>69</sup> European Commission. 2010. *The European Integration Forum*. Europa.eu

facilitated through dialogues at the national and EU levels and migrants' empowerment.<sup>70</sup>

The successor of the INTI, *European Fund for Integration of TCNs*, which has been working since 2007, focuses on the creation of favourable conditions for immigrant incorporation. The Solidarity and Management of Migration Flows programme, set for the period of 2007-2013 provides financial support in an amount of € 825 million. € 768 million have been exempted to be distributed among member states (with an exception of Denmark, which opted out), in order to develop multi-annual strategy plans. € 57 million have been exempted for the Community purposes, to support transnational actions and actions favourable for the Community, with European Commission being the central executive body.<sup>71</sup>

The *European Social Fund* and particularly the two of its measures: EQUAL and URBAN II. represent another tool of financial assistance for integration projects. Holding by non-discriminatory, equal basis, the former is centred on participation in the labour market and struggle against social exclusion. EQUAL is performed through cofinancing of the Commission and member states, with financial assets up to € 3.274 billion over seven years.<sup>72</sup> The later pays attention to economic and social development of cities and neighbourhoods and uses the same mechanism of financing. For 2000-2006, the Community's budget for this purpose made € 1.6 billion in total.<sup>73</sup>

The *European Fund for Refugees* was originally set up for the period of 2000-2004, but its force has been further prolonged. This fund introduces the measures concerning integration, reception and repatriation of refugees and displaced persons and was created with an intention of further development into a common asylum system. Just like in the last two programmes, relevant projects are cofinanced. However, cofinancing depends on the employment methods, results and generally on the quality of

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<sup>70</sup> European Commission. 2007. *INTI - Integration of third country nationals*. Europa.eu

<sup>71</sup> European Commission. 2010. *The European Fund for the Integration of Third-country nationals*. Europa.eu

<sup>72</sup> European Union. 2005. *Summary on the Communication from the Commission to the Member States of 14.04.2000 establishing the guidelines for the Community initiative EQUAL concerning transnational cooperation to promote new means of combating discrimination and inequalities in connection with the labour market* [C(2000)853 - Official Journal C 127 of 05.05.2000]. Europa.eu

<sup>73</sup> European Union. 2005. *Summary on the Commission Communication of 28 April 2000 to the Member States laying down guidelines for a Community initiative concerning economic and social regeneration of cities and of neighbourhoods in crisis in order to promote sustainable urban development Urban II* [C(2000) 1100 - Official Journal C 141 of 19.05.2000]. Europa.eu

the work. For the period 2008-2013, the amount of resources have been settled to € 628 million, € 566 million disposable for the member states and the rest for Community actions.<sup>74</sup>

### ***Open Method of Coordination on Social Protection and Inclusion Policies***

As an instrument of the Lisbon Strategy (2000), the open method of coordination (OMC) facilitates cooperation and policy coordination among member states under a „peer review“ of mutual assessment, supplementing social policy’s legislative and financial instruments.<sup>75</sup> The development of coherent social policies should be supported via common measuring instruments and joint indicators, evaluating the progress. The Commission, being involved as the only supranational body, supervises the national action plans, forwarded by the states.

Current priorities lie in the effort to reduce poverty, particularly of children, elderly and of workers, since immigrants belong to vulnerable population segment in relation to poverty and also to social exclusion. However, as Niessen notes, immigrant integration was viewed by some member states as a failure and more responsibility was diverted to immigrants. At the same time, member states, reserved in their attitudes towards coordinated integration policies, rather influenced one another via „the exchange of experience and policy models“.<sup>76</sup>

## **3.4 Conclusion**

In spite of the fact that integration policy is closely tied with immigration policy, its character hasn’t developed into supranational direction and it is rather characterized by intergovernmental bargaining. Institutionally, this means that the main role is held by the Council of the EU, as a representative of member states. Supranational element is present due to directives, regulating measures for the area of freedom, security and

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<sup>74</sup> European Commission. 2010. *The European Refugee Fund III*. Europa.eu

<sup>75</sup> European Union. 2009. *Summary* on the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 2 July 2008 – ‘A renewed commitment to social Europe: Reinforcing the Open Method of Coordination for Social Protection and Social Inclusion’ [COM\(2008\) 418](#) final. Europa.eu

<sup>76</sup> Niessen. 2004. Pp. 51.



justice. Many of them interfere with other policy areas, particularly with social policies. Furthermore, it is possibly present in resource dependency on Community, or on administrative services of Commission.<sup>77</sup> Qualified majority voting mechanism, that is considered an important element of supranationalism, has been extended by the Lisbon Treaty, which was recently the most significant shift towards common policymaking. However, it is unrealistic to expect that supranationalism would overrule national authorities in such degree as it is present, for example, in economic cooperation, since integration policy concerns internal affairs too prominently.

## **4 Immigrant Integration Policy: The Dutch Case**

### ***4.1 Setting the Context of the Dutch Integration Policy***

The Netherlands is a country with long tradition of immigration. Although the bigger share of immigrants in the post-war period was perceived as only temporary, the repatriates, coming from the Dutch East Indies were an exception. Due to the increasing net immigration, the Dutch considered their lowlands overpopulated, but still - regulative immigration policies were applied only in a limited manner.<sup>78</sup> Main immigration flows were divided among those, who came from Dutch colonies as citizens, those who came from the former colonies (and could have been possibly given a preferential treatment), and immigrants who entered through the guest-worker system. Despite the Netherland's long immigration tradition, it was declared country of immigration only in the late nineties.

Nevertheless, not only is it a country with a long immigration tradition, but also with a long presence of minorities. Searching for its origin in the 19th century, the Dutch society was organized around four pillars: Protestant, Catholic, Social Democratic and Liberal, based on the religious and political criteria, each functioning as a rather closed unit. The system of separate institutions, designed in the times of

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<sup>77</sup> Neil, Winn; Lord, Christopher. 2001. *EU Foreign Policy Beyond the Nation – State*. New York: Palgrave, pp. 49.

<sup>78</sup> Penninx, Rinus. 2006. Dutch Immigrant Policies Before and After the Van Gogh Murder. *Journal of International Migration and Integration*. 7 (2). Pp. 242.

pillarizations, has enabled Muslim and Hindu population of various origin, to establish their own institutions, eventually with a financial assistance of the state.<sup>79</sup> The new group of minorities - the immigrants - however didn't become another pillar of the society and instead, „membership in an ethnic group and low socio-economic status began to overlap.“<sup>80</sup>

The style of immigration policies in the Netherlands has been steadily developing throughout the decades, but the two determinants - humanitarian considerations and economic demands – have been playing the main role. Dutch pragmatism is being reflected in a policymaking based on ad hoc processes, whether as an answer to an existing problem, or to a problem, which could possibly come out in the future.<sup>81</sup>

#### **4.1.1 Population of the Foreign Origin**

When examining the foreign origin population in the Netherlands, it is important to know, what lies behind the statistics and the data. In the official Dutch statistics, the status is derived from the ethnical background of the subject, not from the nationality, or the country of birth. The official authorities recognize two categories: 1. *allochtonen* and 2. *autochtonen*. Literally, the term *allochtoon* means: a person, coming from another land. Definition by the Dutch Statistical Bureau (CBS) says that *allochtoon* is „a person with a foreign background, [...] of whom at least one parent was born abroad.“<sup>82</sup> An advanced definition also differentiates between Western<sup>83</sup> and non-Western *allochtonen*<sup>84</sup> and between the first generation (born abroad) and the second generation (born in the Netherlands) *allochtoon*. On an ordinary, non-academic level,

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<sup>79</sup> Lijphart, Arend. 2004. Commentary. IN Cornelius, A. Wayne (2004) *Controlling Immigration*. California: Stanford University Press. Pp. 294.

<sup>80</sup> Muus, Philip. 2004. The Netherlands: A pragmatic Approach to Economic Needs and Humanitarian Considerations. IN Cornelius, A. Wayne. 2004. *Controlling Immigration*. California: Stanford University Press. Pp. 265.

<sup>81</sup> Muus. 2004. IN Cornelius. Pp. 265.

<sup>82</sup> Centraal Bureau voor de Statistiek. 2010. *Allochtonen*. Cbs.nl

<sup>83</sup> Western *allochtonen* originate from Europe (excluding Turkey), North America, Oceania, Indonesia and Japan. Cbs.nl

<sup>84</sup> Non-western *allochtonen* originate from Africa, Latin America, Turkey and Asia, excluding Japan and Indonesia. Cbs.nl

the term *allochtoon* is primarily used to refer to a population of non-Western background, especially the Turks and the Moroccans.

Then again, the term *autochtoon* refers to „a person, of whom both parents are born in the Netherlands, regardless the person’s place of birth.“<sup>85</sup> There has been an attempt, rising mainly from the Labour Party, to open the discussion on modification of these terms, which in their opinion may evoke further distinction between ethnic and non-ethnic Dutch.

According to the CBS, the total population of the Netherlands in August 2010 was 16,577,612. At the moment, 1,859,315 people of non-Western background and 1,502,839 people of Western background excluding the Dutch, live in the country. Altogether, they make about 20% of the Dutch population. The largest groups are the Turks (384,164), the Moroccans (349,270) and the Surinamese (342,016).<sup>86</sup> Foreign background are considered the first and the second second generation immigrants.

In 2004, the EU Family Reunification Directive got incorporated into the national legislation and have brought more restrictive requirements on the age and income – both spouses have to be at least twenty-one years old and the sponsoring citizen must earn at least 120% of the minimum wage.<sup>87</sup> Partly as a consequence, the percentage of Turkish and Moroccan immigrants that brought over the partners from their native lands fell radically from 60% in 2001 to 15% in 2007.<sup>88</sup> Nevertheless, these migrants still constitute the largest category of long-term (permanent) migrants, as high as 50%.<sup>89</sup>

Recent years have shown a decrease in naturalisation numbers, displaying the steepest decrease in 2003, when the new legislation came into force. To compare, in 2002 at about 42,000 people were granted the citizenship, while a year later, the number dropped to 24,000. Since then, the numbers haven’t been changed much. In 2009, 1/4 of naturalisations concerned people of Turkish and Moroccan origin (Annex no. 3).<sup>90</sup> General decrease in incoming migrants is mainly a result of more restrictive policies that recently came into force, but also a result of the economic crises, because

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<sup>85</sup> Centraal Bureau voor de Statistiek. 2010. *Autochtoon*. Cbs.nl (author’s translation)

<sup>86</sup> Centraal Bureau voor de Statistiek. 2010. *Population by origin*. Cbs.nl

<sup>87</sup> Immigratie-en Naturalisatiedienst. 2010. *Staying in the Netherlands*. Ind.nl, pp. 18

<sup>88</sup> Dagevos, Jaco; Gijsberts, Mérove. 2010. *Integration in ten trends*. The Hague: SCP. Pp. 13.

<sup>89</sup> Migrant Integration Policy Index. 2007. *Netherlands – Overview*. Integrationindex.eu

<sup>90</sup> Centraal Bureau voor de Statistiek. 2010. *Nearly 23 thousand naturalisations in 2009*. Cbs.nl

immigrants belong to the most vulnerable, on the labour market and markets show lesser demand for the labour.

## ***4.2 Immigration and Integration Policy Developments***

The Dutch integration policies date back to the 1980's, when the first norms, controlling the flows of incoming immigrants got implemented, together setting the agenda of Ethnic Minorities Policy. This chapter introduces the developments of integration policies since the mid-nineties, when social problems fueled by immigration, gave rise to a different style of policymaking. That-time newly presented term „inburgering“, loosely translatable as integration, pointed out the fact that while multicultural policies protected the diversity of minority groups, their members became increasingly unable to participate in the society.<sup>91</sup> What was previously perceived as a benefit, change into an obstacle.

Therefore, starting with the 1990s, tendency to respond positively towards immigration was substituted by a less tolerant attitude. This tendency was accompanied with high unemployment rate and displayed wide gap between employment of indigenous population and immigrants that was wider than in other Western countries.<sup>92</sup> In order to reverse the negative ratio, practice based upon individual responsibility became the main tool of change. This turn away from „welfare state model combined with a group-based emancipational principle“<sup>93</sup> meant a swing – in a civic and political connotation - towards assimilationist values although the government avoids using this term.

### ***4.2.1 Factors of Change: Asylum Crises and Re-politicization of Immigration***

Two issues of the 1990's turned out to have the greatest impact on change of immigration policies. Urgent need to fulfil the reform of an asylum system was the first

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<sup>91</sup> Hagendoorn, Louk; Vollebergh, Wilma (eds). 2003. *Integrating Immigrants in the Netherlands: Cultural versus Socio-Economic Integration*. Cornwall: MPG Books Ltd. Pp. 1.

<sup>92</sup> Koopmans, Ruud; Statham, Paul (eds). 2000. *Challenging Immigration and Ethnic Relations Policies*. New York: OUP. Pp. 174.

<sup>93</sup> Penninx, Rinus. 2006. Pp. 248.

one. Asylum applications to the Netherlands increased, as Germany had implemented more restrictive asylum law and the flows of asylum seekers got redirected to the neighbouring Netherlands. As a consequence, lot of asylum seekers that were not granted the status, but at the same time were not deported back, built a heavy burden on the Dutch welfare-system, as they couldn't be legally employed.<sup>94</sup> However, it is also important to keep in mind that immigration flows of early nineties were affected by armed conflict in the Balkans, since they increased the number of asylum seekers significantly. Besides, the end of the Cold War cut down the size of development aid for the Third World, for in many cases, financial assistance was politically motivated. Worsened living conditions then also resulted into increased migration flows. More substantial decrease in applications didn't occur, until the new asylum law came into force in 2001.

The other decisive factor was a repoliticization of immigration issue, launched first during the regional elections of 1995 and affirmed by the next elections, held in 1999. The speech given by Frits Bolkestein, the leader of the liberal People's Party for Freedom and Democracy (VVD), in which he denounced Islam for being a barrier of successful immigrants' integration, became an initial impetus of the repoliticization.<sup>95</sup> Nevertheless, rhetoric of Dutch politicians on an issue of immigration and minorities was much more moderate, when compared to other European leaders of these times – to be Stoiber, Chirac or Giscard d'Estaing.

#### **4.2.2 The Dutch Political Scene**

In 2000, the debate on sufficiency of integration policy was given a more public face, when the article „The Multicultural Disaster“ written by Paul Scheffer, was published by NRC Handelsblad, one of the country's leading newspapers. In this article, the member of Labour Party put the Dutch elites under harsh criticism and accused them of favouring „cultural difference [...] over [...] the principles of liberal democracy.“<sup>96</sup>

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<sup>94</sup> Penninx, Rinus. 2005. Bridges Between Research and Policy? The Case of Post-War Immigration and Integration Policies in the Netherlands. *International Journal of Multicultural Societies*. 7 (1). Pp. 42.

<sup>95</sup> Koopmans, Statham (eds). 2000. Pp. 175

<sup>96</sup> Entzinger, Haan. 2006. The parallel decline of multiculturalism and the welfare state in the Netherlands. IN *Multiculturalism and the Welfare State*. 2006. New York: OUP, p. 184.

Particularly, his discontent pointed at Muslim immigrant groups, since in his opinion, not only they contested the liberal democratic values, but were also least able to participate prosperously in the Dutch society. Despite the fact that the article aroused heated discussion, it wasn't based on an expert knowledge and drew up a biased picture, since by then, situation in the area of employment and education was improving.<sup>97</sup>

In the light of September 2001 events, immigration and Islam began to be perceived much more sensitively. Presence of anti-immigration moods in the Netherlands became evident after occurrence of some accidents, aimed against Muslim population. Therefore, the unexpectedly successful result of Pim Fortuyn List (LPF) in 2002 parliamentary elections, must be interpreted in this context.

Before establishing the LPF, Pim Fortuyn worked as a commentator for a right-wing press, where he agitated for more effective integration of already present immigrants. His criticism primarily aimed at Muslim immigrants, which he rated as a possible menace to Western values. Leaning on a neoliberal argumentation, he also criticised the size of Dutch welfare system that in his opinion didn't encourage people (also regarding the immigrants) to become responsible for their well-being.<sup>98</sup>

The elections and their result became controversial because of two, mutually connected, reasons. The first one was a death of Fortuyn, who was shot by an ecologic activist, one week prior to elections in the country, where political assassination didn't happen centuries-long. The second unexpected event was a win of the second position (succeeding the Christian Democrats) by a completely new party, established only four month before the elections, due to a successful populist campaign and Fortuyn's tragic death.<sup>99</sup> Immigration and integration debate utterly influenced the elections, result of which confirmed their new direction, as all winning parties voted for their toughening.

Even though the LPF got the post of the Minister for Immigration and Integration, the newly created coalition fell apart and Rita Verdonk of the VVD took over the post. Within the frame of institutional reform of 2002, the agenda concerning ethnic minorities coordination and hence integration, originally executed by the Ministry of Home Affairs, was shifted to the Ministry of Justice.<sup>100</sup>

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<sup>97</sup> Penninx. 2005. Pp. 42

<sup>98</sup> Entzinger. 2006. Pp. 185.

<sup>99</sup> Selm. 2005. Migrationinformation.org

<sup>100</sup> Penninx. 2005. Pp. 43.

The new government with LPF, intended to extend the strict measures, especially concerning the family reunification programme, as it became the largest source of newcomers and marriages turned into a common way for economic immigrants to get into the country.<sup>101</sup> Denied the admission of low-skilled immigrants, family reunification partly took over this immigration stream. But due to the instability of the coalition, not all proposed changes were brought into effect.

In 2004, a religiously motivated murder took place in Amsterdam. Dutch film maker, Theo van Gogh, a descendant of the painter Vincent van Gogh, was assassinated by Dutch-Moroccan citizen, due to his open critique of Islam. Publicly, the case was viewed as a reference to deficient integration of Muslim, especially Moroccan, immigrants. Despite the fact that minister Verdonk's attempt to ban a dual citizenship wasn't accepted, the integration requirements got stricter.<sup>102</sup> Van Gogh's murder, together with Madrid and London terrorist bombings, shifted perception of the integration policies and connected them to the questions of security and more specifically threats of fundamentalism.

The past decade has shown a growing tendency towards restrictive immigration policies. Comparably to other European countries, it is desirable to enable the highly-skilled immigrants to have the access the national labour market. Nonetheless, immigrants granted the status due to humanitarian reasons, or through the family reunification procedure often struggle with social and economic integration.

Performance of newcomers in the receiving society depends on national specificities, as well as on specificities of the particular ethnic minority.<sup>103</sup> In the long run, however, competent authorities deal with the same issues – to enable the newcomers access to proper housing, schools, labour market and benefits. Very accurately, Han Entzinger describes the compromise of Dutch immigration regulations as a „pragmatic approach between economic and humanitarian considerations.“<sup>104</sup>

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<sup>101</sup> Niessen, Jan; Schibel, Yongmi; Magoni, Raphaele (eds). 2003. *EU and US approaches to the management of immigration: The Netherlands*. Brussels: MPG. Migpolgroup.com, Pp. 3.

<sup>102</sup> Selm. 2005. Migrationinformation.org

<sup>103</sup> Penninx, Rinus. 2001. Immigrants and the dynamics of social exclusion – Lessons for anti-discrimination policies. IN Lindo, Flip; Niekerk, van Mies (eds). 2001. *Dedication and Detachment. Essays in Honour of Hans Vermeulen*. Amsterdam: Het Spinhuis.

<sup>104</sup> Entzinger, Haan. 2004. Commentary. IN Cornelius, Wayne. 2004. *Controlling Immigration*. California: Stanford University Press. Pp. 289.

### ***4.3 Normative Framework for Integration of Immigrants***

Different approaches to immigration policies in various countries are converging, due to increasingly common practice, defined by the EU. Indeed, the set of EU practices and norms constitute a common framework for all member states, complemented by national policies. Regarding the integration policies, however, national contexts matter more, since integration affects home affairs. Therefore, the set of integration laws regulating economic, social, political and cultural realities, primarily reflects national needs and specificities. Moreover, the adopted solutions also reflect politically motivated effort to show (short-term) solutions that are visible and appealing for voters.<sup>105</sup>

Institutionally, the process of policy change has been started in 1998, when the *Civic Integration Newcomers Act (WIN)* was introduced. With intention to make immigrants more self-sufficient, it obliged them to apply for a free civic integration course. When evaluating the outcomes from the law, in the knowledge of the Dutch language, significant progress has been made. Focusing on the two most populous minorities, the percentage of those, who „always or frequently“ speak Dutch with their children has risen from 10% in 1998, to 30% in 2006 for the Turkish minority and 15% to 40% for the Moroccan minority.<sup>106</sup>

The scope of municipalities' involvement in integration policy administration was substantially extended, as municipalities register the incoming migrants and account for implementation of related regulations. Bruquetas-Callejo very accurately describes the political shift, as a „change from group-based towards area-based policies,“ hinting at the policies' merit to shift the focus of integration policy from ethnic minorities to neighbourhoods, albeit the categories overlap largely.<sup>107</sup>

In 2000, a new stricter immigration law was introduced. *2000 Alien Act* that came into force one year later, was designed to shorten the asylum procedure and set stricter rules for admission of all immigrant categories. Under the influence of 2001 and 2002 events, when immigrant integration got on the top of political agenda, the Dutch

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<sup>105</sup> Penninx, Rinus. 2004. *The Logic of Integration Policies*. Lecture at University of Liège. Pp. 6.

<sup>106</sup> Dagevos, Gijsberts. 2010. Pp. 12.

<sup>107</sup> Bruquetas-Callejo, Maria et al. 2007. *Policy making related to immigration and integration: The Dutch case*. IMISCOE Working Paper No. 15, Uva.nl, pp. 18.



authorities launched an investigation of existing integration policies - that time widely regarded as a failure.<sup>108</sup> To fulfil the task, the Temporary Parliamentary Inquiry Committee on Integration Policy (also known as the Blok Committee) was established. The Building Bridges report<sup>109</sup>, published two years later, did not prove all the proclaimed deficiencies. The recommendations appealed to a „less voluntary character“ of policies and focused on combating the segregation.<sup>110</sup> Practically, this led to implementation of obligation for permanently settled foreigners, to participate in civic integration courses. Most of them were adopted in the very same year. Getting on track with progressively restrictive policies, Ethnic Minorities Policy was renamed Integration Policy. At the same time, the approach focusing on communities, was substituted by the emphasis on individual migrant.<sup>111</sup>

The new conception of the receiving policy, called *Integration Policy New Style*, presented in 2002 by the government, introduced institutional and political changes, generally directed to „a new distribution of responsibilities among the various partners“, including ministries, local governments, citizens and immigrants themselves.<sup>112</sup> Self-responsibility of immigrants was the key concept standing behind the change. However, irrespective of the implemented changes, until nowadays, there has still been a bulk of norms and tools adopted a decade or two ago, unmodified by national or local authorities. It contradicts the notion that immigration and integration policies were deficient and obsolete in such an extent, as presented.<sup>113</sup>

Since March 2006, there has been an obligation for prospective immigrants, to take a pre-arrival civic integration exam from their country of residence, focused on Dutch language skills and knowledge of the Dutch culture. The prerequisites, approved by the *Civic Integration Abroad Act*, mainly concerns those, who wish to migrate on the score of marrying or forming a relationship and doesn't concern knowledge migrants, or people with a work permit. The costs of this test, primarily targeting the non-EU citizens (specific exceptions are stipulated by the law), is 350 € and all the information, necessary for the examination, are available in advance, whether on websites of the

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<sup>108</sup> Penninx. 2006. Pp. 248, Marinelli et al. 2005. Migpolgroup.com, pp. 8.

<sup>109</sup> Bruggen Bouwen, commissie Blok. 2004. Kiemnet.nl (in Dutch)

<sup>110</sup> Marinelli et al. 2005. Migpolgroup.com, pp. 9.

<sup>111</sup> Entzinger. 2004. IN Cornelius. 2004. Pp. 290.

<sup>112</sup> Bruquetas-Callejo M., Mascareña B. Garcés. 2005. Policy making related to immigration and integration. The Dutch case. IMISCOE Annual Conference, Cluster 9, 9-10 September. Pp. 21.

<sup>113</sup> Bruquetas-Callejo, Mascareña. 2005. Pp. 22.

Dutch government, or at the Netherland's Embassies.<sup>114</sup> Even so, most of the newcomers are obliged to take part in the integration programme, after they enter the country.

In January 2007, the Civic Integration Newcomers Act has been updated into *Civic Integration Act*. Obligations for newcomers, resulting from the Civic Integration Act, have been embroadened by supplementary programme to spiritual leaders and imams, in order to support civic citizenship aspects in the area of religion. As for this specific category of migrants, their visa are issued for a maximum three years. To stress the philosophy of self-responsibility, all the applicants are committed to pay the whole costs for integration course. If successful, immigrant is partly refunded of the training expenses by the state.

Immigrants, coming for non-temporary purpose, must fulfil the criteria of the Common European Framework for Modern Languages - a guideline set by the EU, in order to provide a common platform for comparison of language knowledge – the A2 level. Those foreigners, who are already settled, but non-naturilezed, must achieve the A1 level.<sup>115</sup> The A levels imply an ability to use the bases of the language.

Those, who meet all the criteria of the civic integration stipulated by the law – the five years length of legal stay, language obligations and socio-cultural orientation - close up the naturalisation process with a symbolical naturalisation ceremony, organized by municipalities. Here, the new citizens make the declaration of solidarity and formally obtain confirmation of the Dutch nationality.<sup>116</sup>

The law has significantly changed integration arrangements, when conditioned acquisition of permanent residency with fulfillment of integration exam criteria. Successful final integration examination, accomplished in the period of time stipulated by the law, is now a necessity for granting the citizenship and a successful completion of the naturalisation. Christian Joppke talks of a „coercive state involvement,“ [...]

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<sup>114</sup> Exception related to the non-EU nationals applies to: American, Australian, Canadian, New Zealandese, Japanese and Surinamese (with minimal education completed in Dutch), as well as Norwegian, Swiss, Luxemburg, Icelandic and Lichtenstein citizens.

Immigratie- en Naturalisatiedienst. 2010. *Civic integration examination abroad introduced*. Ind.nl

<sup>115</sup> Marinelli. 2005. Migpolgroup.com, pp. 10.

<sup>116</sup> Immigratie- en Naturalisatiedienst. 2009. *Naturalisation*. Ind.nl

„massively increased“ in consequence of the new law , pointing at the toughened pre-integration essentials.<sup>117</sup>

The period initialized in 2002 by the new mode of reception policy and terminated with the reforms of 2007, was the time of extensive revision of the whole integration policy agenda. Not to forget, in cooperation with the EU, the Dutch government incorporated stricter integration measures, embedded in the EU directives.

#### **4.4 Organizational Structure**

This chapter will introduce and summarize various stakeholders, involved in the process of integration policy-making, assessing their competencies, responsibilities, tools, inputs and above all their ability to influence the Dutch policies. Together with analogic chapter describing the involved integration bodies that are involved in the Czech Republic, these two chapters will provide an analytical directory for the comparison of national integration policies.

##### **4.4.1 Governmental Actors**

In the field of integration policy-making, governmental actors still dispose of the strongest legislative powers and most actively participate in the legislative process. On the other hand, under the authority of the revised WIN Act, state itself became lesser involved in integration (and pre-integration) matters, as one of its main tools – the integration courses – have been taken over by private organizations.<sup>118</sup>

In 2009, the Dutch government allotted € 254.241 million for integration of ethnic minorities, while in 2010, the allotted finance was increased up to € 439.657 million.<sup>119</sup>

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<sup>117</sup> Joppke, Christian. 2007. Beyond National Models: Civic Integration Policies for Immigrants in Western Europe. *West European Politics*. 30 (1). Pp. 7.

<sup>118</sup> Joppke. 2007. Pp. 8.

<sup>119</sup> Ministerie van Binnenlandse Zaken en Koninkrijksrelaties. 2010. *Cijfers over Wonen, Wijken en Integratie 2010*. Rijksoverheid.nl, pp. 72

Focusing on the distribution of competencies as of August 2010, they are divided among following representatives:

1. Ernst Hirsch Ballin – Minister of Justice, responsible for the admission of immigrants (executed by Immigration and Naturalisation Service), including pre-integration phase as well as direct integration.
2. Eimer van Middelkoop – Minister of Housing, Communities and Integration, responsible for social and cultural aspects of integration; mainly living standards and social cohesion.
3. Piet Hein Donner – Minister of Social Affairs and Employment, responsible for regulations undirectly affecting immigrants, mainly employment and benefits.

### ***The Ministry of Justice***

The Ministry of Justice of the Netherlands and particularly *Directorate-General for Legislation, International Affairs and Immigration*, is the main governmental body, deciding upon immigration and integration policy. Within the Directorate-General, *Immigration Policy Department (DVB)* develops Justice policies for the sphere of immigration, naturalisation and assistance for asylum seekers.<sup>120</sup> *Immigration and Naturalisation Service (IND)* determines the requests for residency and citizenship, monitors the legal settlement, deals with the illegal settlement and therefore represents the main organization for entry into the Netherlands.<sup>121</sup>

*Research and Documentation Centre (WODC)* of the Ministry of Justice is a scientific centre that contributes to assess justice policies defined by the Ministry. In 2004, it introduced an Integration Monitor to track integration of the first and second generation immigrants, in connection with demographic developments, labour participation, participation in education, social contacts, health and crime. The monitor discovered „huge discrepancies“ of non-western ethnic minorities' integration.<sup>122</sup>

*The Central Agency for Reception of Asylum Seekers (COA)* is an independent body, funded by the Ministry of Justice, responsible for the management of asylum seekers during the asylum procedure, including provision of accommodation, basic

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<sup>120</sup> Ministry of Justice. 2010. *Immigration Policy Department*. Justitie.nl

<sup>121</sup> Ministry of Justice. 2010. *Immigration and Naturalisation Service*. Justitie.nl

<sup>122</sup> WODC. 2006. *The Integration Monitor 2006*. Fact Sheet 2006-27a. Wodc.nl

goods for living, distribution of allowances and it also runs the asylum reception centres. In addition, agency fosters to prepare asylum seekers for their stay in the country.<sup>123</sup>

In 2002, ad hoc ministerial post for the area of immigration and integration was established under the administration of the Ministry of Justice. Beforehand, integration policy belonged to the administration of the Ministry of Interior and Kingdom Relations. This move in competencies illustrates the general move of integration policy, from „respect of diversity“ to „primarily a law-and-order affair.“<sup>124</sup>

### ***The Ministry of Housing, Spatial Planning and the Environment (VROM)***

Following the trend of transferring responsibility for integration on immigrants, stakeholders of the local level – municipalities – are the first ones to come into contact with them. Since 2007, municipalities have been responsible for civic examination in order to fulfil conditions stipulated by the Civic Integration Act.

Integration policy is currently executed in conjunction with housing, urban and community policies, because neighbourhoods are the smallest spatial integration units. For this purpose, minister for Housing, Communities and Integration has been assisting. According to the housing policies, government has a monitoring function in relation to housing associations, which are „non-profit organizations with a legal task to house lower incomes.“<sup>125</sup> Position of the associations in urban policies is strong, as they take over, approximately, one third of the housing stock.

The Dutch government has presented the Delta Plan for Civic Integration, a current outline of integration policy, focusing on improvement of the civic integration courses' quality, efficiency of their implementation and combat against discrimination and racism, stressing the importance of the lowest level.<sup>126</sup>

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<sup>123</sup> COA. 2010. About COA. Coa.nl

<sup>124</sup> Entzinger. 2004. Integration and Orientation Courses in a European Perspective. IN Joppke. 2007. Pp. 7.

<sup>125</sup> VROM. 2010. *Housing and Urban Development*. Vrom.nl

<sup>126</sup> VROM. 2010. *Delta Plan for Civic Integration*. Vrom.nl

### ***The Ministry of Social Affairs and Employment (SZW)***

Social policy interferes in many points with integration policy. Immigrant's position in legal system and his legal status, they both decide on the character of benefits, he may obtain from the social system. Understanding the configuration of the social system is important, as every welfare state sets different institutional conditions for social integration, depending on historical developments.<sup>127</sup>

The ministry administers Dutch social security system within the frame of the Work and Social Assistance Act (WWB) that came into effect in 2004. In the name of decentralisation, municipalities have been transferred financial responsibilities for implementation of the Act. One of the top priorities is funding of reintegration facilities, which encourage the employment flow.<sup>128</sup>

Under the General Old Age Pensions Act (AOW), the basic state pension applies to people over the age of 65, who have been living or working in the Netherlands. Although, those who came to live at a later stage or have been living abroad for a certain time period, will obtain pension 2% lower, under conditions stipulated by the AOW.<sup>129</sup> However, there is a chance to take a voluntary insurance and pay backdated contributions for the period initiating with the 15th birthday.<sup>130</sup>

Conditions for labour migration are specified in the Act on the Employment of Aliens (WAV), aiming at protection of the Dutch labour market and elimination of the illegal employment.

To sum up, the changes introduced by the ministry have brought restricted access to social assistance. Stressing the economic aspect of migration, high-skilled immigrants are the ones, least influenced by the reforms.

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<sup>127</sup> Dörr, Silvia; Faist, Thomas. 1997. Institutional conditions for the integration of immigrants in welfare states: A comparison of the literature on Germany, France, Great Britain, and the Netherlands. *European Journal of Political Research*. 31 (4), pp. 403.

<sup>128</sup> Ministry of Social Affairs and Employment. 2008. *The Work and Social Assistance Act (WWB) in a Nutshell*. The Hague: Ministry of Social Affairs and Employment, p. 9.

<sup>129</sup> Ministry of Social Affairs and Employment. 2010. *A Short Survey of Social Security in the Netherlands*. The Hague: Ministry of Social Affairs and Employment. Miniszw.nl, pp. 8.

<sup>130</sup> SVB. 2010. *Voluntary insurance*. Svb.nl

## *The Council of State*

The *Advisory Division* of the Council of the State advises the government on all legal acts introduced in the parliament (bills, international agreements, orders) and provides it with policy analysis on legal and technical aspects of the discussed issue. The House of Representatives may also ask the Council of State for an advice on bills, particularly in case they were introduced by the parliament members.<sup>131</sup>

The *Administrative Jurisdiction Division*, which is the Dutch highest general administrative court, receives most of the appeals, concerning immigration laws.

### **4.4.2 Government Advisory Bodies**

In the initial phase of legislative process, advisory players offer suggestions and remarks to be discussed and further considered. Their influence is usually greater than the influence of non-governmental actors, but certainly depends on the character of discussed matters.<sup>132</sup>

#### *The Scientific Council for Government Policy (WRR)*

The WRR is an independent think-tank and advisory body of the Dutch government, aiming to bring together academic knowledge and government policies in a long-term perspective. Opinions of the two parties don't have to follow the same line. In 2004, the report „The European Union, Turkey and Islam“ was published, talking over the consequences of possible Turkish EU membership, concluding that Turkish example could show functioning coexistence of Islam and democratic values.<sup>133</sup>

In agreement with goals of national and EU level, current programme, set for the period of 2008-2010, emphasizes individual responsibility of citizens as rational beings, provided that they are properly informed and has an access to working market.<sup>134</sup>

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<sup>131</sup> Raad van State. 2010. *The Dutch Council of State*. Raadvanstate.nl

<sup>132</sup> Niessen (eds). 2003. Pp. 19.

<sup>133</sup> Marinelli. 2005. Pp. 16.

<sup>134</sup> Scientific Council for Government Policy. 2010. *Programme: Projects in the first part of the eighth Council period (2008-2010)*. Wrr.nl

### ***The Netherlands Institute for Social Research (SCP)***

A government agency, the Netherlands Institute for Social Research (SCP), publishes reports on various social matters, used by governmental as well as non-governmental actors. Its focus includes mainly topics and policies, belonging to an agenda of more ministries, immigrant integration policies including. As a part of the Institute, *Secretariat of the Council for Social Development* is responsible for the content of publications and supports the decisionmaking in social and cultural issues.<sup>135</sup>

In 2010, a report „At Home in the Netherlands?“ was published, following the trends in integration of non-Western immigrants. A comprehensive research, set together on a request of the Minister for Housing, Communities and Integration, presented mixed results.

Participation of young Turks, Moroccans and Surinamese in higher education has improved, as it has risen from approximately 20% in the middle of 1990's to current 40%.<sup>136</sup> Also the use of the Dutch language has improved and participation of migrant women in labour market gets better, as they have less children in higher age. Other areas like criminality of particular migrant groups, or geographical and social segregation have been showing no improvement and in certain cases even worsening.<sup>137</sup>

### ***The National Ombudsman***

The main role of the National Ombudsman is to explore the actions and practices performed by administrative bodies, determining whether they are correct. However, conclusions which concern the government are not legally binding. The procedure of investigation can be launched, after the National Ombudsman receives an admissible petition, or directly, through his own initiative.<sup>138</sup>

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<sup>135</sup> SCP. 2009. *About the SCP*. Scp.nl

<sup>136</sup> Dagevos, Gijsberts. 2010. Pp. 16.

<sup>137</sup> Dagevos, Gijsberts. 2010. Pp. 7.

<sup>138</sup> Marinelli. 2005. Pp. 17.



Previously, the IND belonged to organizations, most frequently complained at, especially because of delays with residence applications and permits. The annual report of 2008 gives a data overview that show decline in the amount of complaints.<sup>139</sup>

#### **4.4.3 State Actor**

##### ***The Parliament***

The Dutch parliament consists of two legislative chambers: the Senate (Eerste Kamer) and the House of Representatives (Tweede Kamer). Unlike the latter mentioned, the House of Representatives possess the right to propose or modify laws. The Senate has the right to veto the verdicts of the other chamber and scrutinize actions of the government.<sup>140</sup>

According to immigration and integration issues, the more controversial the bills are, the greatest pressure to avoid negotiations with other (advisory or non-governmental) actors is exerted. Since the re-politicisation of immigration policy, discussion about legislative proposals in the parliament has been progressively influenced by attitudes of parliamentary political parties.<sup>141</sup>

#### **4.4.4 Non-Governmental Actors**

The Netherlands has a long tradition of civic involvement in public affairs and therefore it raises no surprise that many non-governmental players, including ethnic minorities' organizations or various interest groups, try to influence policy-making on national and local level. Generally, the major actors show good organization and high-level institutionalism and smaller players often get together to perform within an

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<sup>139</sup> National Ombudsman. 2009. *The citizen in chains*. The Hague: National Ombudsman's Office. Nationaleombudsman.nl, pp. 15.

<sup>140</sup> Parlement. 2010. *Het Parlement*. Parlement.nl

<sup>141</sup> Bruquetas –Callejo, Mascareña. 2005. Pp. 22.

autonomous umbrella organization.<sup>142</sup> Such organizations, if successful, „may become an accepted part of civil society and a potential partner in integration policies.“<sup>143</sup>

The biggest chance to influence the legislative process comes in its initial phase, when the debate on a proposal begins. In case of proposal's high salience or sensitivity, the government tries to keep off the other players. Then, the NGOs may use their contacts on affined MPs, or try to exert pressure via media.<sup>144</sup>

The section below introduces three most prominent non-governmental actors with the potential to affect integration policies and lives of immigrants.

### ***The Institute for Multicultural Affairs (FORUM)***

An independent knowledge institute FORUM, is the most prominent non-governmental actor in the realm of immigration and integration policy. Funding combines financial support from all three Dutch ministries that deal with immigration and integration policies (the Ministry of Housing, Spatial Planning and the Environment; Foreign Affairs; the Interior and Kingdom Relations and Justice), with financial support from private funds.<sup>145</sup> Since 2007, the minister of Housing, Communities and Integration is responsible for FORUM's policy.

Integration Service Centre is a programme offered by FORUM, which offers support to municipalities, councils and institutions creating integration policy (particularly migrant or social organizations). Currently, the Centre runs three projects:

1. Advice for councils – regular debates on local-level integration policies
2. Municipal integration agenda (GIA) – municipal portal on integration policy, nationally interlinked by the Integration Service Centre
3. Emancipating pool – focused on social inclusion of female migrants at local level.<sup>146</sup>

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<sup>142</sup> Niessen (eds). 2003. Pp. 20.

<sup>143</sup> Penninx. 2004. Pp. 3.

<sup>144</sup> Penninx. 2004. Pp. 21.

<sup>145</sup> FORUM. 2010. *About FORUM*. Forum.nl

<sup>146</sup> FORUM. 2010. *Integration Service Centre: Projects*. Forum.nl

### ***The National Ethnic Minorities Consultative Committee (LOM)***

LOM is a platform, bringing together minority organizations and interest groups (including refugees) with members of the Dutch government on regular meetings, held three times per year. Currently, LOM consists of eight interests groups, including the largest minority groups like Turks, Moroccans and Surinamese, but also other well-organized groups like Chinese or Carribeans.<sup>147</sup>

### ***The Dutch Council of Churches (RvK)***

The largest fellowship of churches in the Netherlands is frequently involved in public affairs, including integration or asylum issues. Amongst other goals for the period of 2010-2011, building contacts between churches of immigrants and the Dutch churches, has been announced.<sup>148</sup> Besides, in cooperation with other related parties, the RvK organizes Migrant's Week in order to foster intercultural and interreligious dialogue on topics connected to immigration, such as the employment of immigrants, or low social standards.<sup>149</sup>

## ***4.5 Conclusion***

In the last fifteen years, immigrants' self-sufficiency became the cornerstone of most of the legislative and institutional changes. Institutionally, the shift in competencies affected mainly local level, since municipalities took over the responsibility of integration requirements execution. On one hand, the state imposed tighter integration regulations, designed to reduce foremost family-migrant flows from developing world, since this population segment tend to integrate slower and more problematically. In one line with this trend, newcomers assumed financial responsibility for meeting pre-integration and integration conditions. On the other hand, the influence

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<sup>147</sup> LOM. 2010. *Wie zijn we?* Minderheden.org

<sup>148</sup> RvK. 2010. *Information in English*. Raadvancken.nl

<sup>149</sup> Niessen (eds). 2003. Pp. 18.

of the state was narrowed by „privatisation of integration“, when integration courses became administered by private sector.<sup>150</sup>

Assessing the influence of various actors on policy-making, Dutch non-governmental players, being well-organized on the national as well as the local level, hold enough power to influence the legislation. However, in the case of highly sensitive issues, when reaching a compromise gets difficult, the ability to participate actively decreases.

## **5 Immigrant Integration Policy: The Czech Case**

### ***5.1 Setting the Context of the Czech Integration Policy***

Unlike the Netherlands, experience of the Czech Republic with immigration and immigrants has been of a quite recent character, since from the 19th century until the 1990's, the country faced emigration instead.<sup>151</sup> In the first half of the 20th century, emigration flows were primarily adherent to economic issues and aimed at the improvement of social standards, while being adherent to the political issues, in the second half of the century. The latter mentioned involved those, who emigrated due to regime changes and therefore, emigration phenomenon in the Czech Republic grew into a form of reaction to the undemocratic establishments.<sup>152</sup> Although, some of those, who emigrated returned back, the number of emigrants was markedly higher and the estimated number of those, who left vary from 350,000 to 500,000.<sup>153</sup> As a consequence, the Czech Republic had experience with emigration laws, but only limited experience with either immigration or integration policy making.

Developments in the field of Czech migration policy have recorded a series of events, which have caused changes either in patterns of migration flows, or changes in policy-making. Fall of the Iron Curtain in 1989, stood behind the first more extensive

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<sup>150</sup> Joppke. 2007. Pp. 7.

<sup>151</sup> From 1867 to 1918, the Czech lands: Bohemia, Moravia and Czech Silesia, belonged to the territory of Austro-Hungarian Monarchy and since 1918 until 1992, the Czech Republic was a part of Czechoslovakia. Although the emigration, as noted, was incomparably larger, Czech territory experienced, for instance immigration flows of refugees from Russia or Germany in the first half of the 20th century.

<sup>152</sup> Barša, Baršová. 2005. Pp. 211

<sup>153</sup> Gabal, Ivan; Václavíková Helšusová, Lenka. 2002. *Migration in an Enlarged Europe*. Prague Castle Conference. Prague: British Council/The Foreign Policy Centre. Gac.cz, pp.31

migration flow in the modern Czech history, when on one hand many of those, who left the country because of regime-oriented reasons came back and on the other hand, country got appealing for migrants on the score of its liberal migration laws.<sup>154</sup> The mid-90's brought a shift in formation of immigration policies, when the new provisions were launched on the grounds of future EU accession and due to the unsuitability and obsolescence of existing legislation. Formation of conceptual and not just ad hoc immigration and integration policies, has been a matter of today's, as most of the current legislative provisions have been formulated against the background of harmonization with the EU legal framework.<sup>155</sup>

Nowadays, the Czech Republic is considered a transition as well as an immigration country, with the latter aspect being prevalent. The character of its contemporary immigration and integration policies doesn't fit a single theoretical approach and is rather „a mix of different principles and approaches.“<sup>156</sup> Some of the legislative regulations have been set up in accordance with multicultural model (multicultural education in schools), while most of the current provisions can be characterized by the features typical for civic integration (language obligations, socio-cultural awareness).

Narrowing the scope of interest to integration policy, the first conceptual approach can be found in regulations regarding the asylum seekers and the policies concerning integration of ethnically selected compatriots from abroad. Current provisions, being in line with the general European integration provisions, stress the importance of language knowledge - the main precondition for the successful socio-economic participation in the society.<sup>157</sup> Since 2008, competencies concerning the integration policy belong to the Ministry of the Interior, after they were transferred from the Ministry of Labour and Social Affairs.

Slow and gradual evolution of the Czech immigration and integration policies are accordingly reflected in the relevant academic research, which offers mostly

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<sup>154</sup> Černík, Jan. 2007. Czech Republic. IN Triandafyllidou, Anna; Gropas, Ruby (ed). 2007. *European Immigration: A Sourcebook*. Aldershot: Ashgate, pp. 59

<sup>155</sup> Though certain basic integration conceptions were formulated prior to the EU accession, they were too vague to serve as a proper practical navigation.

<sup>156</sup> Drbohlav, Dušan. 2003a. Czech Republic. IN Niessen, Jan (eds). 2003. *EU and US approaches to the management of immigration*. Brussels: MPG, pp. 1

<sup>157</sup> Ministry of the Interior of the Czech Republic. 2009. *2008 Status Report on Migration in the Czech Republic*. Prague: MI CR, pp. 59

descriptive studies, while deeper analyses still represent a rather scarce information source. On the other hand, statistical data processed by the Czech Statistical Office, collected in a tight cooperation with the Alien Police of the Czech Republic and last, but not least, the Ministry of the Interior, fulfil the highest standards and offer a very comprehensive view into the life of foreigners in the Czech Republic.

### **5.1.1 Population of Foreign Origin: The Present State**

According to the Czech legislation, a foreigner, or an alien („cizinec“) is considered „any natural person who is not a citizen of the Czech Republic, including a European Union citizen,“ including also the stateless people or people with more nationalities (excluding the Czech nationality).<sup>158</sup> Issues connected to the entry and stay of foreigners fall under the authority of the Alien Police Service (APS), the Ministry of Foreign Affairs and the Ministry of the Interior, also assisted by the Ministry of Industry and Trade, or the Ministry of Education, Youth and Sports. Before looking closer at the official statistics on the Czech foreigners, it is necessary to note that if not specified otherwise, the number of foreigners doesn't apply to people granted the asylum status, even though according to the legislation, they definitely are the foreigners.

Looking back to the mid 90-ties, the biggest increase of newcomers was registered in the period of 1994-1999 and the figures decreased only in 2000, when the new, stricter legislation went into force. Further revision of the new legislation, which again came about one year later, stood behind a slight reincrease of immigration flows. Increase of immigration rate occurred on the grounds of split of the Czechoslovakia, turning the Slovak nationals into foreigners, on the grounds of relatively liberal migration legislation and also due to the initiation of the return migration programme.<sup>159</sup> Due to increasing unemployment, toughening of the legislation on the verge of centuries had impact mainly on the issuance of work permits (Annex no. 4).

Examining the latest data of the Czech Statistical Office, the total population of the Czech Republic in October 2010, was 10,515,818. Out of this number, in May 2010 there were 426,749 legally residing foreign nationals: 184,724 holding the permanent

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<sup>158</sup> Act No. 326/1999 Coll., on the Residence of Aliens in the Territory of the Czech Republic, 28 April 2006, chapter I, section 1 (2). Unhcr.cz

<sup>159</sup> Barša, Baršová. 2005. Pp. 222, Drbohlav et al. 2009. Pp. 47

residence permit and 242,025 holding a long-term residence permit, for the period exceeding 90 days. Together, foreigners account for almost 4% of the total Czech population.<sup>160</sup> The Ukrainians remain the largest group (128,636), followed by the Slovaks (71,392), the Vietnamese (60,931) and the Russians (31,037).<sup>161</sup> The group of Vietnamese nationals has been showing the highest growth in residence permit obtaining and in addition, most of them also hold the permanent residence permit. This has been occurring due to combination of several reasons: demand for low-skilled labour, ability to accommodate flexibly to changing demands of the market and high degree of community's organization, used by labour recruitment agencies.<sup>162</sup> Concerning the territorial dispersion of immigrants, the district of the capital city of Prague displays the highest concentration of foreigners and also the largest total increase.<sup>163</sup>

In 2008, approximately one third of the foreigners were the EU nationals (or the nationals of Norway, Iceland, Switzerland and Lichtenstein, who enjoy the equal treatment), which makes 33.4% of all the foreign nationals.<sup>164</sup> This group of immigrants, however, isn't the main target group of integration policy, since the integration strategies aim at provision of socio-cultural and socio-economic orientation within Czech society, which in the case of EU nationals display less significant asymmetries. The TCNs, to whom are the integration policies addressed foremost, usually enter the country on the ground of two reasons: by reason of employment for those, holding the long-term residence permit and by reason of family reunification, for foreigners granted the permanent residence status. In the category of permanent residence holders, men are slightly prevailing.<sup>165</sup>

Recent years were showing an increase in immigration rates – from 0.6% of total population in 1999, to 3.9% in 2008.<sup>166</sup> However, since 2009 the number of foreigners has been stagnating. On one hand, the Government of the Czech Republic

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<sup>160</sup> Český statistický úrad. 2010. *Vývoj počtu cizinců s povolením k pobytu v ČR (stav k 31.12.2008)*.

Czso.cz

<sup>161</sup> Český statistický úrad. 2010. *Počet cizinců v ČR*. Czso.cz

<sup>162</sup> Drbohlav, Dušan et al. 2009. *The Czech Republic on its way from emigration to immigration country*. Idea Working Papers No. 11, May 2009, pp. 90

<sup>163</sup> Ministry of the Interior of the Czech Republic. 2009. Pp. 45

<sup>164</sup> Ministry of the Interior of the Czech Republic. 2009. Pp. 44

<sup>165</sup> Ministry of the Interior of the Czech Republic. 2009. Pp. 47

<sup>166</sup> Český statistický úrad. 2010. *Vývoj počtu cizinců s povolením k pobytu v ČR (stav k 31.12.2008)*.

Czso.cz

has issued measures aimed at protecting the domestic labour market, which has practically brought a reduction of long-term visa issuance. On other hand, the government has continued in the Programme of Assisted Voluntary Returns, enabling the immigrants to return to their homeland, without administrative delays and also without giving any notice to the local authorities and introduced the Green Cards project, aimed at acquisition of qualified labour.<sup>167</sup>

## ***5.2 Immigration and Integration Policy Developments: From the Mid-Nineties, till the Present Time***

The very beginnings of the Czech integration policies date back to 1991, when the government adopted its first regulations on the integration of recognized refugees, followed by the norms on repatriation of the Czech compatriots, which entered into force throughout the 1990's.<sup>168</sup> The period we examine, beginning in the mid-90's up till present, has been influenced by external as well as internal factors. The following section will closer introduce the main causes that stood behind conceptual and consequently political change.

### **5.2.1 Internal and External Factors of the Political Change**

In the first half of the 90-ties, country's transition, particularly in the economic area, went relatively well. However, the second half of the decade revealed „an economic disequilibrium“ - worsened economic situation, involving the decrease of wages, growing unemployment and disappointing illegal immigration rates.<sup>169</sup> Problems with illegal migration flows turned up as one of the consequences of obsolete and inadequate migration legislation, when many economic migrants attempted to enter the country in virtue of weekly controlled employment and entrepreneur regime for

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<sup>167</sup> Ministerstvo vnitra České republiky. 2010. *Zpráva o realizaci Koncepce integrace cizinců v roce 2009*. Mvcr.cz, pp. 10

<sup>168</sup> Originally used category of „recognized refugees“ has been replaced by a wider formulation „people under international protection,“ which among other beneficiaries includes the refugees.

<sup>169</sup> Drbohlav, Dušan. 2003b. Immigration and the Czech Republic. *International Migration Review* 37 (1), pp. 201



foreigners. On the background of unfavourable developments it came gradually out that inappropriate immigration legislation had in the end lead to a high number of unintegrated foreigners.

These socio-economic influence factors were the first that contributed to the increase of immigration legislation's restrictive character and decrease in the number of incoming migrants. Regarding the loose labour migration regime, issuance of work permits by Czech labour offices got stricter, towards the end of nineties.<sup>170</sup> Under the authority of 1999's Act on the Residence of Aliens in the Territory of the Czech Republic (in force since 2000), family migration rules got tighter given that applications for permanent residence permit have been issued only for those, who attempt to reunite with holders of the Czech citizenship.<sup>171</sup>

Accession of the Czech Republic to the EU in 2004 meant a break-through in migration policy, as the membership has extended the volume of workers, allowed to enter the country, void of restrictions. Regarding the fact the majority of adopted norms on immigration policy was tightly connected to the policy-making on the supranational level, „Europeanization“ of migration policy can be considered the most remarkable impact factor. However, in the situation when existing experts were fully employed with the EU agenda, the expert capacities of a state apparatus were overloaded.<sup>172</sup> Bearing in mind the complexity of immigration agenda, the required legislative changes didn't always succeed in taking into account specific developments on the Czech territory and as a result, some of the adopted changes were lacking coherency and had to be amended later. This, for instance applied to conditions of foreigner's residency status, or introduction of basic ideas for selection of highly qualified migrants.<sup>173</sup>

Regarding the earlier period of migration policies creation, the topic didn't belong to top priorities, as the main focus laid on other issues, whether concerning the disintegration of Czechoslovakia, or issues connected to the economic and political transformation of the country. Some scholars hold the view that the lack of priorities and goals in immigration policies, accompanied for almost a decade by the lack of

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<sup>170</sup> Drbohlav et al. 2009. Pp. 47

<sup>171</sup> Act No. 326/1999 Coll., on the Residence of Aliens in the Territory of the Czech Republic, chapter IV, section 87(1). Unhcr.cz

<sup>172</sup> Barša, Baršová. 2005. Pp. 223.

<sup>173</sup> Drbohlav et al. 2009. Pp. 49

control mechanisms, made the whole agenda rather inadequate.<sup>174</sup> Though the Czech integration policy has been developing since the mid-nineties, it was not until 2008, when the „modest signs of politicization“ appeared within the immigration agenda - during the discussion on the Green Card Project.<sup>175</sup> Though aiming to support the legal migration streams, up till the present time, the project hasn't brought much contribution (neither for the area of immigrant integration), due to a very low involvement of foreigners, which are in the position of employees.

### ***5.3 Immigrant Integration and the Czech Political Scene: Issue of the Day?***

Redistribution of competencies came through the public administration reform in 2001. Municipal advisory bodies for integration of immigrants were newly established in order to analyze the situation of residing foreigners. However, the advisory organs terminated their activity already one year later, due to the institutional changes facilitated through the municipal reform.<sup>176</sup> Despite the declared intention to involve actively the local actors, there has been no such regulation adopted, which would oblige the municipalities to deal systematically with specific integration issues. The existing cooperation has been therefore only of an informal character and desirable decentralisation of competencies practically has not happened, yet.

The post-reform period has shown that competency shift from national to regional level froze up in the designation of expert state consultants for integration issues, whose role has been only marginal, with no institutional fundaments. Practically, the agenda is executed via rather rare work positions established within municipal offices, frequently connecting the integration agenda with the much more general agenda of national minorities, justifying the situation by issue's marginality.<sup>177</sup>

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<sup>174</sup> Drbohlav, Dušan. 2005. *The Czech Republic: From Liberal Policy to EU Membership*. Migrationinformation.org

<sup>175</sup> Drbohlav et al. 2009. Pp. 46

<sup>176</sup> Ministerstvo práce a sociálních věcí. 2006. *Koncepce integrace cizinců v roce 2005 a její další rozvoj*. Cizinci.cz, pp. 10

<sup>177</sup> Comissions for National Minorities have been established by municipalities in areas, where national minorities' population reaches at least 10% of the total population.

Hence, cities and municipal authorities, which are practically the first entities dealing with incoming foreigners and therefore would have had a great potential for action, do not possess adequate institutional or competential powers. This shortcoming has been particularly apparent with regard to the council housing and social housing – often already absent for the indigenous population.<sup>178</sup> Besides, in some cases, permanent residence permit may be requested as a condition of the rent, or the allocation of flats is being executed in the form of a selection procedure, with no evidence of applications.<sup>179</sup> Foreigners therefore need to seek for solution in the frame of options, offered by the free market, or in the case of social deprivation, permanent residency holders may, under conditions stipulated by law, apply for a social security contribution for housing.<sup>180</sup>

As a consequence, the role of cities or municipalities remains limited to integration projects' co-financing or coordination. Their involvement has by large appertained to areas with denser foreign population. In 2009, the government allocated 6,901,000 CZK for social services with local or regional scope of activity, where also integration of foreigners belongs.<sup>181</sup> In the very same year, all integration Emergency Projects of the Ministry of the Interior were implemented by local actors – be they municipal districts (MD) within the capital city of Prague, or statutory cities of Plzeň, Havlíčkův Brod and Pardubice.<sup>182</sup> They represent a new tool of integration policy, designed to enable a prompt reaction to crises, or other unexpected situations connected

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Rákoczyová, Miroslava; Trbola, Robert. 2008. *Lokální strategie integrace cizinců v ČR I*. Praha: VÚPSV, pp. 37

<sup>178</sup> In the case of recognized refugees, the situation is slightly different, as they are incorporated into the State Integration Programme run by the Ministry of the Interior, which includes a subsidized housing. The Programme doesn't apply to the TCNs.

Rákoczyová, Trbola. 2008. Pp. 45-46

<sup>179</sup> Ministerstvo pro místní rozvoj. 2009. *Bydlení v České Republice: Informativní brožura pro cizince*. Domavcr.cz, pp. 5

<sup>180</sup> Conditions are stipulated by the Act. No. 117/1995 Coll. on State Social Support, chapter III.

Podnikatel.cz

<sup>181</sup> Ministerstvo vnitra české republiky. 2010. *Zpráva o realizaci Koncepce integrace cizinců v roce 2009*. Mvcr.cz, pp. 20

<sup>182</sup> Emergency projects: Integration of foreigners from outside of the EU, with specific focus on integration of children and youth in MD Prague 12, Support for integration of foreigners in MD Prague 14, Integration of children of foreigners at schools constituted by MD Prague-Libuš, Integration of foreigners on the level of municipalities – solution of problem of people, migrating for work in the area of Plzeň, Support for integration of foreigners (Pardubice), Social inclusion of foreigners in the area of Havlíčkův Brod. Complete list of projects implemented in 2009, can be found in *Zpráva o realizaci Koncepce integrace cizinců v roce 2009*, pp. 42-51.

to migration, in localities with high density of foreigners, at the same time aiming for prevention of segregated communities. All in all, in 2009, the Ministry supported the Emergency Projects with the amount of 6,194,778 CZK.<sup>183</sup>

*Foreign Nationals Integration Centres*, also active since 2009, represent another specific project, where the Ministry of the Interior have been holding control of NGOs or municipal authorities, who have been running the Centres. Therefore, their status remains rather blurred. The role of Centres rests in fostering the practical socio-cultural integration developments in cooperation with the non-governmental actors and with the financial support of the European Fund for the Integration (EIF) of the TCNs. However, resources of the Fund, are available only until 2013, which lays another question to the way of project's further continuance.<sup>184</sup> In the field of social integration, municipalities are in the charge of social benefits' administration.

It was already mentioned that immigration and related issues didn't belong to the most salient issues, which also means that the topic wasn't misused for political purposes. The first attempt to raise an issue connected to migration happened no earlier than in 2001, when the Czech government, lead by the social democrat Vladimír Špidla, introduced a *Pilot Project for the Active Selection of Qualified Foreign Workers*, which came into effect in 2003 and was active under the guidance of the Ministry of Labour and Social Affairs until 2008. After the initial five-year period, the government approved its continuation and opened it up for TCNs of 51 countries. The points based project intended to cover the empty spots on the Czech labour market - be it a certain work position or geographical region - and contribute to solution of problems connected to ageing population, albeit it can be only a one part of the whole plan. Foreigners that meet all the required criteria may apply in return for the permanent residence permit after a shortened, 1.5 year period (in case of highly qualified workers), or 2.5 year period (in case of qualified workers), instead of original ten years and current standard period of five years.<sup>185</sup>

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<sup>183</sup> Ministerstvo vnitra České republiky. 2010. Mvcr.cz, pp. 44-45

<sup>184</sup> Tošnerová, Barbora. 2010. *Integration in the Czech regions – Regional Integration Centres*. Migrationonline.cz

<sup>185</sup> Seven basic criteria considered age, vocational experience, present employment, education, language knowledge, former living in the Czech Republic and family members. Legal Migration Open Chance. 2010. *Project Selection of Qualified Foreign Workers*. Imigrace.cz

One of the programme's focus groups has been the foreigners studying (on a secondary school or university) in the Czech Republic, since they may participate in the programme, irrespective their nationality. In 2007/2008, the percentage of foreigners, involved in higher education, or more specifically studying at the Czech universities, reached 8% of all students. From that, 67% of foreigners are Slovak, 5% Russians and 3% Ukrainians.<sup>186</sup> The number of foreign students has been steadily increasing – from 13,126 in the school year 2003/2004 to 31,218 in 2008/2009.<sup>187</sup> In the case of foreigners studying in the Czech Republic, their chances for successful socio-economic integration are better, mainly due to the „pro-Czech oriented social capital,“ which they acquire during their studies.<sup>188</sup> Such „capital“ usually involves knowledge of Czech language, orientation within the society, existence of social networks, or easier integration to the labour market.

According to one of the latest researches of immigrant integration in the Czech Republic, aside from language abilities, education accounts for another influential integration factor, as it helps to build important social networks and ties within the Czech society.<sup>189</sup> Unfortunately, exact data on the TCNs, who had been studying in the Czech Republic and afterwards have decided to settle down, are not available.

Despite the desirable step to more systematic approach towards immigrants, the Qualified Foreign Workers Selection programme was criticised for it's configuration, as it didn't offer a helping hand either with the job seek, or the seek for housing.<sup>190</sup> These objections have implied a justified concern, whether the motivation to press for legal residency would be strong enough to combat effectively illegal migration streams. Though, the fact that the benefits of the programme applied only for a narrow segment of incoming migration, shall also have been put to account of other immigration-related legislative provisions. According to the latest information from the press agency of the

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<sup>186</sup> Český statistický úrad. 2008. *Vzdělávání – popis aktuálního vývoje*. Czso.cz

<sup>187</sup> Český statistický úrad. 2010. *Vzdělávání – datové údaje*. Czso.cz

<sup>188</sup> Rákoczyová, Miroslava; Trbola, Robert (eds). 2010. *Vybrané aspekty života cizinců v České republice*. Praha: VÚPSV. Cizinci.cz, pp. 28

<sup>189</sup> Rákoczyová, Miroslava, Trbola, Robert. 2009. Sociální integrace přistěhovalců v České republice. Praha: Sociologické nakladatelství. IN Morávková, Hana. 2010. *Recenze knihy M. Rákoczyové a R. Trboly (eds.) „Sociální integrace přistěhovalců v České republice“*. Migraceonline.cz

<sup>190</sup> Barša, Baršová. 2005. Pp. 231

Ministry of Labour and Social Affairs, the project will be closed down with the last day of 2010.<sup>191</sup>

Although the world economic crises started to influence the Czech economics already in 2008, situation in the field of immigration remained unchanged until 2009.<sup>192</sup> By-that-time stable migration indicator (increase of permanent residence holders) began changing, as the government adopted protective measures on mitigation of economic crisis' impacts, which limited flows of incoming foreign labour. For the first time in the decade, the number of foreigners with long-term residence permits dropped, including the EU nationals, as well as the TCNs. Up to now, some of the limitation have been already ceased, while other limitations on long-term visa issuance have been still in use.<sup>193</sup>

The use of a new financial resource, the EIF, has been the latest novelty of integration agenda. Created for the period 2007-2013, it helps to co-finance projects aimed at integration of the TCNs into member states and development, implementation and evaluation of integration strategies.<sup>194</sup> Thanks to the newly created fund, the focus of Czech integration policies has been modified, as their hitherto scope has been broadened from those, who have been resident for at least one year to all the newcomers TCNs, who enter the Czech territory.<sup>195</sup> Despite the fact that the scope of integration agenda has been broadened, the situation of foreigners hasn't enjoy an extra portion of political attention, also on account of the fact that most of them don't dispose of the right to vote.<sup>196</sup>

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<sup>191</sup> Ministerstvo práce a sociálních věcí. 2010. *Projekt "Výběr kvalifikovaných zahraničních pracovníků" končí*. Mpsv.cz

<sup>192</sup> Ministerstvo vnitra České republiky. 2010. Pp. 10

<sup>193</sup> The limitations on long-term visa issuance applies primarily to the nationals of Mongolia, Moldavia, Ukraine, Uzbekistan and Vietnam.

Ministerstvo vnitra České republiky. 2010. Pp. 10

<sup>194</sup> European Commission. 2010. *The European Fund for the Integration of Third-country national*. Europa.eu

<sup>195</sup> Ministerstvo vnitra České republiky. 2010. Pp. 11

<sup>196</sup> Only the settled foreign nationals, holding the EU nationality, are granted the right to vote in municipal elections and elections to the European Parliament. Other groups of foreigners don't possess the right to vote in any Czech elections.

#### ***5.4 Normative Framework for Integration of Immigrants***

In 1994, the *State Assistance Programme for Integration* was launched in order to assist the refugees in housing at first and later, the counselling services were added. In 2000, considerable changes have entered into force through the *Act on Residence of Aliens in the Territory of the Czech Republic*, based on the *Principles of Policy for the Integration of Foreigners within the Territory of the Czech Republic*, adopted in July 1999. Fifteen of them emphasize the social dimension of integration, stressing the leading role of the state bodies, enabling immigrants to participate socially, economically and institutionally in the Czech society.<sup>197</sup>

According to the Act, the TCNs coming to the Czech territory have been obliged to acquire the appropriate visa already in their country of origin; either via the Czech embassy, or the consulate.<sup>198</sup> On the ground of this change, number of incoming migrants dropped down. Furthermore, following the line of tighter regulations, the Act imposed an obligation for long-term immigrants to possess a valid health insurance and to be in a possession of adequate financial backing for the whole period of the stay. Additionally, the TCNs had to hand in the criminal record from the Czech Republic and equally from their mother country.<sup>199</sup>

Theoretical framework of the document leans on premises adherent to civic integration and communitarian multiculturalism, also promoted by the Council of Europe at that time. Multicultural aspect is noticeable, when introducing the „immigrant communities“ – culturally different, coherent groups, supposed to participate in a mutually beneficial partnership with the receiving society.<sup>200</sup> Such definition leaves enough space for migrant’s development in a way, inherent with the life-style of his community, but at the same time in a way, enabling his participation in the majority society. The latter point represents a clear reference to the principles of civic integration.

From a conceptual point of view, integration of our target group – the TCNs – has started under the umbrella of the Ministry of the Interior on the verge of the

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<sup>197</sup> Usnesení vlády České republiky ze dne 7. července 1999, č. 689 + 2P, o Zásadách koncepce integrace cizinců na území České republiky a o přípravě a realizaci této koncepce. Vlada.cz

<sup>198</sup> Drbohlav. 2005. Migrationinformationsource.org

<sup>199</sup> Drbohlav (eds). 2009. Pp. 48

<sup>200</sup> Barša, Baršová. 2005. Pp. 234

centuries, via the *Strategy for the Integration of Foreigners in the Czech Republic*. In the initiatory phase of its creation, international organizations and institutions, especially the Council of Europe, played the role of motive power not only in a formal respect, but also regarding its content.<sup>201</sup> The Strategy for the Integration of Foreigners got finally adopted in 2000, modifying the integration policy fundamentals within a very short time and revealing the progressing turbulent processes in the Czech legislation. The Strategy abandoned a reference to the integration of communities and in one line with the political premises of 1999 Tampere Conclusions, stressed the role of individual civic integration and moved the national policy-making closer to the EU level.<sup>202</sup> The document makes an explicit allusion to civic integration, declaring that „it's not possible to tolerate attitudes and behaviour, contradictory to the Czech national law“ in any aspect of life, be it religious, cultural or discriminatory practices.<sup>203</sup> Therefore, the policy shift took place in two levels: from communitarian to individual and from multicultural to civic.

The Strategy for Integration of Foreigners has been updated in 2005 and confirmed by the *Czech Government Resolution No. 126 of February 8 2006*. The emphasis on the social dimension of integration was further reinforced by moving the integration agenda from the Ministry of Interior, to the Ministry of Labour and Social Affairs. Updated version claimed to create such legal instruments that would be able to respond directly to the needs of migrants and would react on the up-to-date developments in the Czech migration.<sup>204</sup> In other words, it has called for creation of a coherent long-term solution for civic integration, defining the minimal standards of social cohesion. Multicultural aspect has been present only in a declared aim to promote multicultural and intercultural education in order to build environment, ready for acceptance of foreigners, since the immigration rates have been showing either increasing tendency or stagnation, but expectation of immigration numbers decrease is

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<sup>201</sup> Černík. 2007. IN Triandafyllidou, Gropas (ed). 2007. Pp. 65

<sup>202</sup> Baršová, Andrea. 2005. *Integrace přistěhovalců v Evropě: od občanské integrace k multikulturalismu a zpět?* Konference Soudobé spory o multikulturalismus a politiku identit, 24. ledna 2005. Ecn.cz, pp. 10

<sup>203</sup> Usnesení vlády České Republiky ze dne 11. prosince 2000, č. 1266. o realizaci Zásad koncepce integrace cizinců na území České republiky a o návrhu Koncepce integrace cizinců na území České republiky. Mvcr.cz, pp. 28

<sup>204</sup> Ministerstvo práce a sociálních věcí. 2006. Cizinci.cz, pp.6



clearly unrealistic.<sup>205</sup> Nevertheless, the new education programme is oriented towards recognizing the commonalities, not towards promotion of diversity.

Similarly to the developments in other EU member states, since the beginning of 2009, the Czech Republic has also adopted the measures, requiring immigrants that have applied for the permanent residence permit, to reach a certain language knowledge. In the Czech Republic, it is the A1 level of a Common European Framework of Reference for Languages (CEFRL). The basic A1 level implies an ability to communicate in every day situations, since communication in the official language became a crucial component of the social integration.<sup>206</sup> Within the frame of language obligations, valid since January 2009, every applicant is offered a voucher, issued by the local offices of the Ministry of Interior and financed by the state, entitling him to take part in the language examination. In case of exam repetition, 1,500 CZK must be defrayed. Equally, preparations for the exam are covered by migrants themselves.<sup>207</sup> The obligation to fulfil the language criteria does not apply to the EU nationals, their family members and other specific cases, stipulated by the law. Such provisions confirm individual responsibility for integration, which is viewed as an „adoption and fulfilment of a contract between an immigrant and a host society,“ or in other words as a mutual definition of conditions.<sup>208</sup>

Thus, a new civic integration approach, expressed through an individual effort of immigrant has been introduced, being based not just on the length of a hitherto residence, but equally on migrant's ability to manage with the complex process of integration.<sup>209</sup> Generally, the strategies designed from the second half of the decade, try to replace the former ad hoc approach with more systematic policy-making, proceeding „from general to particular,“ not the other way round.<sup>210</sup>

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<sup>205</sup> Ministerstvo práce a sociálních věcí. 2006. Cizinci.cz, pp. 25

<sup>206</sup> Language obligation came into force under No. 379/2007 Coll., amending the Act No. 326/1999 Coll. on the Residence of Foreign Nationals. Mvcr.cz

<sup>207</sup> Čeština pro cizince. 2010. Časté dotazy. Cestina-pro-cizince.cz

<sup>208</sup> Baršová, Andrea. 2005b. *Multikulturalismus a politiky integrace přistěhovalců v Česku*. Migraceonline.cz

<sup>209</sup> Baršová. 2005b. Migraceonline.cz

<sup>210</sup> Barša, Baršová. 2005. Pp. 225

## ***5.5 Organizational Structure***

### **5.5.1 Governmental Actors**

In the case of the Czech Republic, position of governmental bodies is very strong. Not only that they hold the main legislative competencies and hold the responsibilities for the conceptual scheme of integration policy, but also redistribute financial resources for non-governmental players, which have become heavily dependent on them. In 2009, the Czech government allocated in total 23,512,500 CZK for immigrant integration policies.

Since 2008, the legislative powers are primarily divided among three institutional bodies and their representatives, here at downwardly named according to the scope of their competencies and importance:

1. Radek John – Minister of the Interior and Tomáš Haišman - head of the Department for Asylum and Migration Policy (DAMP) of the Ministry of the Interior. DAMP is responsible for conceptual, executive and controlling fashion of integration programme and for its coordination with other authorities. Section for Integration of Foreigners and Asylum Seekers then directly accounts for integration policies (together with the contribution of Section for Conceptions and Analysis).
2. Jaromír Drábek – Minister of Labour and Social Affairs, responsible for regulation of social benefits and employment, particularly the Section of Social Services and Social Inclusion.
3. Karel Schwarzenberg – Minister of Foreign Affairs, responsible for admission of foreigners and visa administration.
4. Last but not least, the Ministry of Education, Youth and Sports, together with the Ministry of Industry and Trade and the Ministry for Regional Development also participate in the integration agenda.

## *The Ministry of the Interior*

Czech integration policy is run by the state to a very large degree. Since 2008, the *Department for Asylum and Migration Policy*, as permanent unit subordinated to the Ministry of the Interior, has again become the main organizational body of the Czech migration and integration policy, both in the development of strategies and their practical implementation. The competency shift - back from the Ministry of Labour and Social Affairs - was accomplished in the light of making closer ties between immigration and integration policies, since the number of incoming migrants was constantly growing.<sup>211</sup> Practically it implies that the Ministry has been fully responsible for collection of personal data on foreigners, issuance of permanent residence permits and the Green Cards and also conclusion of international agreements and treaties.<sup>212</sup>

Responsibilities of the Ministry have been extended in favour of the Department for Asylum and Migration Policy, after a long-running critique based on the fact that execution and character of integration policy is highly repressive, as it largely fell under the authority of Alien Police Service.<sup>213</sup> Alien Police couldn't successfully serve as a facilitator of integration, not only from its definition of a repressive organ, but also due to inadequate or lacking tools for execution of social integration.

Since 2009, the foreigners may use an option to apply for a special long-term residence permit for the purpose of employment. The so called Green Card has been created to simplify the administrative procedures, as it combines work and residence permits. Green Cards, designed to match the empty spots of the Czech labour market with the needs of employers and accessibility of foreign labour, include a demand for the „key personnel“ (the highly-skilled workers) as well as for the low skill jobs.<sup>214</sup> So far, the project hasn't been very successful, since only 51 foreigners took an advantage of the green cards until December 31, 2009, out of 230,709 employed foreigners.<sup>215</sup>

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<sup>211</sup> The number of immigrants with the legal residency was growing until 2008. Since 2009, this number has been stagnating, as a consequence of labour restrictions implied on the score of economic crises.

Ministry of the Interior of the Czech Republic. 2009. Pp. 58.

<sup>212</sup> Ministry of the Interior of the Czech Republic. 2009. Pp. 13

<sup>213</sup> Ministerstvo práce a sociálních věcí. 2004. *Analýza postavení cizinců dlouhodobě žijících v ČR a návrh optimalizačních kroků*. Pracovní studie. Praha: Ivan Gabal Analysis & Consulting. Mpsv.cz, pp. 3

<sup>214</sup> Ministry of the Interior of the Czech Republic. 2009. Pp. 22

<sup>215</sup> Ministerstvo práce a sociálních věcí. 2010. *Statistická ročenka trhu práce v České republice 2009*. Praha: Odbor analýz a statistik. Mpsv.cz, pp. 47

## *The Ministry of Labour and Social Affairs*

In the period 2004 - 2008, the responsibility over the integration policy agenda arose under the competencies of the Ministry of Labour and Social Affairs. The transfer of integration agenda was enforced to stress the social dimension of integration process. Currently, the Ministry helps to coordinate the integration policy and in cooperation with the Ministry of the Interior, runs the website aimed at improvement of newcomers' awareness in social orientation ([www.cizinci.cz](http://www.cizinci.cz)). A special executive branch of the Ministry - *Commission of the Minister of Labour and Social Affairs* – had been formed in order to develop and implement governmental integration policies, but its activity was ceased along with the agenda shift in 2008.<sup>216</sup>

In a matter of legislative competencies, the Ministry deals with issues, mainly concerning the employment of foreigners and their social security. According to the Act No. 435/2004 Coll. on Employment, until 2009 the validity of work permits was set for one year and when they expired, it was necessary to renew them. The amendment of the Act has prolonged the validity to two years.<sup>217</sup>

Besides, the Ministry is also involved in the Green Card agenda, as it administers the central database of job vacancies, available for the Green Card holders. The Research Institute for Labour and Social Affairs is a public research institution, founded and co-financed by the Ministry of Labour and Social Affairs. At present, it has been involved in the INTERFACE project<sup>218</sup>, centred on a research of the role of family - a possible basic facilitator of the integration process. Since it is a project of pan-European meaning, it has been financially supported by the EU.<sup>219</sup>

### **5.5.2 Non-Governmental Actors**

Non-governmental organizations, involved in integration of foreigners in the Czech Republic, still operate mainly in large cities like Prague or Brno, which represent

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<sup>216</sup> Ministry of the Interior of the Czech Republic. 2009. Pp. 59

<sup>217</sup> Act No. 382/2008 Coll. amending Act No. 435/2004 Coll. on Employment  
Ministerstvo vnitra České republiky. 2010. Pp. 21

<sup>218</sup> Full name of the project is: Immigrants and National Integration Strategies: Developing a Trans-European Framework for Analysing Cultural and Employment-Related Integration

<sup>219</sup> Ministry of the Interior of the Czech Republic. 2009. Pp. 62

the main catchment area regarding the immigrants. The latest developments have shown, however, that the organizations also tend to expand to other areas and often make up for unsatisfactory activities of local actors.<sup>220</sup>

The Czech NGOs offer mainly assistance and counselling services for long-term migrants and recognised refugees and the scope of their activities is fairly similar. The largest share of their income comes from the state funds, and the European funds, which are also distributed by the state apparatus. At the same time, the state and the EU are the authorities, which define the rules of immigrant integration. Therefore, integration projects of the Czech NGOs often represent only an extended hand of the state, as they foremost react on grants offered by the state organs. The developments of the last years have shown that this dependency seems to be increasing.<sup>221</sup>

Similarity of activities and dependence on the same financial resources not infrequently tend to turn into a reason of mutual rivalry among the organizations. Besides, there is also a permanent tension between the state and NGOs, resulting from different approaches to problem-solving and frequent scarcity of finance. Following section gives an example of non-governmental organizations, involved in integration of the TCNs.

### ***The Centre for Integration of Foreigners (CIC)***

Activities of the Centre, aimed at all types of the long-term migrants, have been launched in 2003. Since then, social counselling for foreigners, being the main field of action, has been supplemented by courses of the Czech language, employment advisory or volunteer service. In addition, CIC provides coaching for new personnel, involved in integration of immigrants.<sup>222</sup>

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<sup>220</sup> Rákoczyová, Trbola. 2008. Pp. 42

<sup>221</sup> Szczepanikova, Alice. 2010. *Mezi státem a klienty – Nevládání neziskové organizace pracující s uprchlíky a migranty v ČR*. Migraceonline.cz

<sup>222</sup> Centre of Integration of Foreigners. 2010. *Projects*. Cicpraha.org

### ***The Association for Integration and Migration (AIM)***

The Association is a joint project of the Counselling Centre of Refugees and the Centre for Migration Issues, after they merged into a single organisation. Scope of activities of the Association is similar to those of CIC, however, social advisory is accompanied with services of legal advisory. Therefore, the current projects deal with employment and health-care orientation or prevention of illegal residency. It also works on public awareness in topics connected to migration.<sup>223</sup>

### ***Caritas Czech Republic***

Caritas CR is a non-governmental organization, working under the patronage of Roman Catholic Church. In the area of integration, since 1994, Caritas tightly cooperates with both – state bodies, particularly Aliens Police Service and the Department of Asylum and Migration Policy and NGOs, including Poradna pro integraci, or Multicultural Centre Prague. The provided aid concerns mainly refugees, but as well offers counselling, assistance, leisure time and practical integration courses activities for immigrants with various types of residence. Carita's priority integration projects are the Multicultural centres, which serve as meeting points for settled foreigners and as contact points between foreigners and majority society.<sup>224</sup>

Unlike its NGO partners, the organisation primarily finance its activities via gifts and is able to make its own resources from sales of own work and goods. The remaining amount consists of state grants or municipal funds.<sup>225</sup>

### ***The Counselling Centre for Integration***

The Counselling Centre is active in social and legal counselling for long-term migrants. Currently, most of the projects are focused on combat against social exclusion, whether it is a project on education of children or integration into the labour

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<sup>223</sup> Association for Integration and Migration. 2010. *Current projects*. Uprchlíci.cz

<sup>224</sup> Caritas Czech Republic. 2008. *Migration*. Charita.cz

<sup>225</sup> Charita. 2006. *Annual Report SČKCH 2006*. Charita.cz, pp. 33

market. Additionally, courses of Czech and English language for foreigners and organisation of public cultural events put a finish touch on activities' portfolio.

The activities are financed through the subsidies of the Czech ministries, city budgets, European Social Fund and Integration Fund and also by private foundations.<sup>226</sup>

### **5.5.3 Inter-Governmental Actor**

#### ***IOM***

IOM Czech Republic has been active in the area of TCNs' integration since 2003, when the information website designed for foreigners ([www.domavcr.cz](http://www.domavcr.cz)) has been launched, covering all the topics relevant for social, economic and cultural integration. Since then, IOM has facilitated several central projects. In cooperation with the Insurance Company of General Health Insurance Company (PVZP a.s.), it ran an information project on health insurance, focused on the most populous national minority - the Ukrainians. Besides, a digital stories library, covering experience of immigrants in the Czech Republic, has been developed and so was the project on immigrant integration support and support of associations dealing with foreign communities. The latter mentioned aimed at prevention of social exclusion of foreigners through strengthened building of ethnic communities' capacities.<sup>227</sup>

### **5.5.4 State Actor**

#### ***The Parliament***

The main legislative body of the Czech Republic consists of two chambers: the Lower House (the Chamber of Deputies) and the Upper House (the Senate). The bills or amendments go to the Lower House, after an agreement on a ministerial level was reached. Usually, the legislative procedure consists of three readings and in the case of

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<sup>226</sup> Poradna pro integraci. 2010. *Projekty*. P-p-i.cz

<sup>227</sup> International Organization for Migration. 2010. *Integration of Foreigners*. lom.cz

a successful third reading and successful passing in the Senate, it is finished with the president's ratification of the new law.

Non-governmental players aren't directly involved in the legislation process and may influence it only during the discussion on the ministerial level, when they are invited to make comments.<sup>228</sup> In 2003, the Subcommittee on Migration Issues was established in the Parliament, being a part of the Committee for Defence and Security, but its activity was terminated.

## **5.6 Conclusion**

Within the last fifteen years, legislative developments in the Czech Republic have undergone a long way, when at first the country have been passing through the process of regime transition and then through the process of integration to the Euro-Atlantic structures. Thus, the integration of the third-country nationals didn't belong to the top priorities of the Czech government throughout the 1990s and formation of policies on integration of the TCNs occurred as a „by-product“ of the country's accession to the EU. Harmonization of the legislation included also the regulations on the integration of the TCNs, which were new not only in the Czech context, but also on the supranational level.<sup>229</sup>

Therefore, the formation of legislative framework was for a long time a reactive ad hoc process, often lacking the long-term perspective or paying little attention to the country-specific needs. Institutional and competential policy changes mostly happened within the national level, as the development of the Czech integration policies is characterized by the „top-down“ approach, although the latest organizational shifts have signaled an attempt to modify the trend.<sup>230</sup> The role of national government remains dominant, while the role of local actors has been significantly lagging behind, since foreigners haven't been recognized by the municipalities as a key focus group, yet. This situation has been a combination of more reasons: extremely low involvement of

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<sup>228</sup> Drbohlav. 2003a. Pp. 19

<sup>229</sup> It should be stressed that the novelty of integration measures concerns the category of the TCNs, since integration of recognized refugees had been started earlier - in the mid-nineties, independently of accession to the EU.

<sup>230</sup> Rákoczyová, Trbola. 2008. Pp. 13



foreigners in the Czech politics; with an exception of big cities – low number of residing immigrants; unlike in the Netherlands, the TCNs haven't been perceived as a socially problematic society segment. It shall also not be omitted that institutional structure for integration of immigrants in municipalities generally underdeveloped. The allotted finance is immensely limited and political salience of the immigrant agenda is not very high in most of the Czech cities. Even though, the recent developments have shown a tendency to shift the competencies to the lower levels, this process is in its initial phase.

The role of non-governmental players has improved along with the progress in formation of the Czech civic society, although most of them are increasingly dependent on the state subsidies.

## **6 Immigrant Integration Policies: Evaluation**

For the purpose of this study, two countries, representing two EU member states with very different experience of migration flows were chosen, in order to compare developments of their immigrant integration policies. A founder member of the European Union - The Netherlands - represents a country with long tradition of immigration and with a longer practical experience of related legislation and policies, than most of the Western countries. The Czech Republic is representative of the new member states with different historical developments, signaling also different developments of immigration policies. Since the country holds only a limited past experience with respect to incoming foreigners, creation of its immigration and integration policies belongs to relatively recent legislative acts, especially when focusing on integration of the TCNs.

With a view to assess the immigrant situation in both countries, the assessment of the historical roots facilitates a better comprehension of the present circumstances. In the Dutch case, immigration has been a centuries-long developing phenomenon, mainly because of the close ties with its colonies, but also due to the implications, stemming from the guest-worker system. On the one hand, the Dutch society has been for decades culturally heterogeneous and therefore used to deal with minorities. On the other hand, the position of immigrants was a bit contradictory, as the recognition of the „minority

group“ status went hand in hand with the process of cultural differences flattening.<sup>231</sup> As a result, the immigrants were not recognized as a single minority group, but rather as the new minority groups emerging within the foreign-born population. The new stratification of the Dutch society was primarily based on the socio-economic standards and immigrants, representing a vulnerable segment of the society, often fell within the group of people, confronted with a material hardship. Regarding the long-term Dutch experience with immigrants and high degree of social diversity, it is paradoxical that the official recognition of the Netherlands as a country of immigration has been a process of a gradual identification and dates back.<sup>232</sup>

With an exception of the two return-migration waves (1918-1920 and 1945-1949) and Russian and German refugees (often taking the Czech territory as a transit station), the Czech experience with the immigration relates only to the period of previous twenty-one years, starting with the fall of communism in 1989 and gradual dissolution of the Eastern Bloc. This has also been the reason, why the structure of the Czech society remained rather homogeneous even in the years after the country's successful completion of the initial phase of regime transition and after the migration flows have started to display more extensive growth. The official political conceptions of 1990's towards the integration of foreigners were almost exclusively focused on refugees and repatriation of the Czech compatriots.

Despite the substantial differences in the background of immigration situation and developments of immigration agenda, both countries share an experience of policy shifts in the frame of past ten or fifteen years. This chapter offers an analysis of the major aspects affecting the integration of immigrants in the Netherlands and the Czech Republic - be it the population structure, various local level policies, or other country-specific factors. As the main focus of this thesis lies in research of relations among relevant actors and the research of the factors that have influenced them, the final part of the analysis summarizes transfer of competencies evolved from conceptual shifts, revealing the main dissimilarities between the two countries.

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<sup>231</sup> Muus, Philip. 2004. *The Netherlands: A pragmatic Approach to Economic Needs and Humanitarian Considerations*. IN Cornelius. 2004. *Controlling Immigration*. California: Stanford University Press, pp. 265.

<sup>232</sup> Bruquetas-Callejo et. al. 2007, pp. 23

## 6.1 Population

When assessing the composition of population and general situation of the foreign population in any state, one certainly must not avoid explaining, what exactly is to be understood under the terms: „foreign-background population,“ „foreigners“ or „immigrants“. The definition of a Dutch term „allochtoon“, derived from the person’s descent, is wider than the Czech definition of a „foreigner“ and is usually applied to refer to immigrants, as well as their descendants – the first and the second generation immigrants. The term „foreigner“, commonly used by the official Czech authorities, is derived from person’s residency status and applies to people of other than Czech nationality.

To point out the difference in population structure, the percentage of foreigners in the Czech Republic reaches 4%<sup>233</sup>, while in the Netherlands, the percentage of people of other than Dutch background (the „allochtonen“) reaches 20%.<sup>234</sup> Even when taking into account the terminological difference explained above and consequently the difference in absolute numbers, it is obvious that immigrant integration represents a much hotter issue in the Netherlands, where the population is more heterogeneous. Besides, a significant share of the Czech foreign population is of the Slovak nationality, which means that the second largest group of foreigners represents a culturally very similar segment of the society, closely interlinked with the Czech history and culture. In contrast, the share of non-Western allochtonen in the Netherlands makes 11.2% of the total population and mainly regards Turks and Moroccans, who belong to the groups of the TCNs, coming from a culturally distinct background.<sup>235</sup>

Comparison of the most recent statistical data shows dissimilar results in developments of the Dutch and Czech foreign population. Even though evaluation of all the factors with a potential to influence the structure of foreign population would have required a much deeper analysis than the scope and aim of this thesis allows, certain partial influences have been identified. Regarding the Czech Republic, the immigrant

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<sup>233</sup> Czech Statistical Office. 2010. *Vývoj počtu cizinců s povolením k pobytu v ČR (stav k 31.12.2008)*. Czso.cz

<sup>234</sup> To compare, the Czech population accounts for 10,526,685, distributed on cca 79,000km<sup>2</sup>, while the Dutch population accounts for 16,652,323 and is distributed on cca 42,000km<sup>2</sup>.

Statistics Netherlands. 2010. *Population by origin*, Czech Statistical Office. 2010. *Home*.

<sup>235</sup> Statistics Netherlands. 2010. *Population by origin*. Cbs.nl

population has been showing stagnation since 2009. This trend has been influenced by new legislative measures, adopted on the grounds of economic crisis, which have restrained the number of incoming TCNs.<sup>236</sup> In spite of the fact that more restrictive legislation has been implemented throughout the last five years, the Dutch population of non-Western foreign background has been steadily displaying a growth, which can be mainly explained by the growing second-generation immigrants of Turkish, Moroccan, Surinamese or Antillean origin.<sup>237</sup>

## ***6.2 Integration Policies: Shift in the Key Positions and the Rules***

### ***The Netherlands***

The early Dutch integration policies, built on the foundation of multiculturalism, were largely promoted by the state, taking over the essential responsibilities for the entire process of integration. On the score of negative socio-economic scenario, the state-driven multicultural model, then widely blamed for the unfavourable development, was abandoned. Immigrant's self-responsibility replaced a group-focused emancipation criteria and became a key component of the new policy style. Though, as it often happens in the politics, executed modifications of the theoretical fundamentals happened to be one step ahead of the practice, since „policy practice [...] changes less quickly and less pervasively than discourse“ and some of the original provisions remained active under the authority of a new policy.<sup>238</sup>

In practise, the policy shift have implied that obtaining the residence permit requires a completion of an integration exam already from abroad and funded by the applicant (in case of its completion, partly refunded by state). The new legislation replaced former regulations, according to which the acquirement of a residence permit was based on the participation in civic integration and language courses, funded by the state. Besides, preparations for the integration exams also remain a full responsibility of

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<sup>236</sup> Ministerstvo vnitra České republiky. 2010. *Zpráva o realizaci Koncepce integrace cizinců v roce 2009*. pp. 10

<sup>237</sup> Centraal Bureau de Statistiek. 2010. *Annual Report on Integration 2010: Summary*. Statistics Netherlands: The Hague/Herleen, pp. 11. Cbs.nl

<sup>238</sup> Penninx. 2006. Pp. 248

an immigrant. Together with the EU Family Reunification Directive, which has applied stricter rules on the family migration and was incorporated into the Dutch legislation in 2004, the current efforts have led up to boosting numbers of those people, who can actively contribute to national economy.<sup>239</sup>

### ***The Czech Republic***

While conceptual shifts in the Netherlands originate mostly from the internal factors, particularly domestic political or economic situation, developments in the Czech Republic have been predominantly shaped by the external factors, particularly the country's accession to the EU. This has been a consequence of the fact that due to a relatively low importance of the immigration agenda, the degree of its politicisation (both in positive and negative connotations) has also been low – mainly due to the low immigration rates (to compare, the TCNs make up 3.9% of the EU27 and UK population, 5.8% of the German population, 2.9% of the Belgian and 2.1% of the Czech population) and also due to the low active involvement of the foreigners in the Czech politics (according to the Czech laws, only the EU citizens are allowed to vote in municipal elections).<sup>240</sup>

The official Czech integration conception, initially designed in cooperation with external international actors, firstly with the Council of Europe and afterwards with the European Commission, have drifted away from the multicultural ideas, originally based on the integration of the communities to civic integration bases. What has remained unchanged is the fact that the integration policies are still merely promoted by the state, though with the supplementary role of the NGOs – involved also financially.<sup>241</sup> In other words, responsibilities for creation, as well as implementation of the integration policies, have persistently stayed under the authority of the national government in spite of the trend to shift the competencies to lower levels, since this process is in its initial phase.

An individual responsibility of a migrant has been implemented through the obligation to pass the language exam, necessary for acquirement of the permanent

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<sup>239</sup> Joppke. 2007. Pp. 8

<sup>240</sup> Eurostat. 2009. *Population of foreign citizens in the EU27 in 2008*. Europa.eu

<sup>241</sup> Barša, Baršová. 2005. Pp. 234

residence permit, preparations to which are financed by immigrants themselves. Unlike in the Netherlands, however, the exam is covered by the state funds.

### ***6.3 Transfer of Responsibilities: From „the State“ to „the Private“***

Introducing the institutional framework of the integration policies in the Czech Republic and the Netherlands, their assessment provided in previous chapters showed different extent of state involvement in integration matters on both levels – national and local. Although creation of the integration policy measures continues to be a privilege of the state apparatus in both states, in the case of the Netherlands, the trend of integration policy’s „privatization“ has been detected. After the integration policy reform of 2006, the transfer of responsibility from the administration of the state to the administration of the private actors occurred and private organisations ruled over the realization of integration and language courses, making the immigrants financially liable.

Nevertheless, there are two reasons, why the influence and the role of state in integration policy can’t be described as diminishing. To begin with, both immigration and integration policies - regarding the measures regulating the entry or the stay – became stricter, which was reflected in the decrease of immigration rates, particularly in 2004 and 2005.<sup>242</sup> Secondly, although the private organisations deal at the present time with the task of integration policy implementation, they persistently fall under the control of state and in consequence, foreigners as their clients, indirectly do as well. A direct link between incoming foreigners and the state has been, however, left aside. There has been no such evidence detected in the Czech case and the integration policy has been continuously run by the state. It has been noticed that rather the opposite has been happening, as the most influential non-governmental actors, active since the very late 90’s, got increasingly dependent on the state subsidies. Because of this, their final

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<sup>242</sup> Since 2006 onwards, the immigration rate has been slowly increasing and so has the proportion of a population with non-western background. However, the increase is mainly a consequence of the rising second generation and not a matter of more extensive immigration flows. Centraal Bureau voor de Statistiek. 2010. *Migration flows to and from the Netherlands*. Cbs.nl

outputs often reminded a contract work ordered by the state, nowadays influenced with the budget, limited on the grounds of the economic crises.

#### **6.4 Housing Policies: Showing the Difference**

##### ***The Netherlands***

The suitability and availability of housing has a significant potential to influence the result of integration process, due to its direct link to the receiving society. Therefore, the Dutch and Czech housing policies have been selected to show the different configuration of their integration policies.

The Netherlands possesses a very distinct system of public housing, developed along with the process of the Dutch welfare-state.<sup>243</sup> Beginning the early period of Dutch integration policies, housing policies have been assisted by the government. The public housing in the Netherlands, though controlled by the government, is practically administered via the private housing associations. In spite of the fact that the share of housing, controlled by the housing agencies, has been regressing due to the liberalisation of the public housing market, they still own a large share of low-rented social accommodation. Besides, according to the current developments, number of immigrants, taking the advantage of social housing has been steadily increasing, partly as a consequence of the fact that previously settled quotas on the number of immigrants using the public housing, have been withdrawn.<sup>244</sup>

Taking into account the longstanding ties with particular immigrant groups (esp. Surinamese and Indonesians), one of the main determinants of the Dutch immigration policies - humanitarian considerations and instrumental development of the Dutch housing policies, the government has been promoting special housing schemes for certain immigrant groups (particularly refugees and asylum seekers with holding a long-term residency) - a housing placement policy, also known as housing dispersal policy. It

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<sup>243</sup> Boelhouwer, Peter. 2002. Trends in Dutch Housing Policy and the Shifting Position of the Social Rented Sector. *Urban Studies*. Vol.39, No. 2, pp. 219. Ceteulike.org

<sup>244</sup> The unofficial quotas were settled by landlords of the housing units, in order not to lose the indigeneous clients, who frequently tended to moved away from neighbourhoods, densely inhabited by foreigners.

Kullberg, Jeanet; Nicolaas, Han. 2010. Housing and neighbourhoods. In: Gijsberts, Mérove, Dagevos, Jaco. 2010. At home in the Netherlands? The Hague: SCP, pp. 190.

has been based on the principal of preventing segregation, also aimed at lowering the pressure for accommodation in the cities. This kind of state assistance has been reflected more positively than the similar activity towards the Czech refugees, since the options to find a country-wide placement on the labour market have been more favourable.<sup>245</sup>

However, similarly to the strongest position of Prague and Brno within the Czech Republic, the four largest Dutch cities (Amsterdam, Rotterdam, The Hague and Utrecht) equally represent the densest immigrant networks. Equally being a cause and a consequence, not only they represent the most common residential areas of immigrants, who decide not to use an advantage of an offered social housing, but social housing in the four largest municipalities in 2006 was, at the same time, taken by the immigrants by almost 50%.<sup>246</sup>

The segment of the society with a migrant background has developed into a valuable clientele of the private housing associations, offering a better affordable accommodation for the foreigners, as the free market prices are rather high.<sup>247</sup> On the one hand, the current trends show a positive development in terms of social housing accessibility and transparency of the system. On the other hand, the degree of state subsidies in the Netherlands is relatively high, which goes hand in hand with the high degree of regulation and creates a wider stable gap between the owners of the properties and people, who rent them.

### ***The Czech Republic***

The urban and housing policies fall, to a large extent, under the responsibility of local authorities. As has been proved earlier, the present state of local integration policies, with an exception of the largest cities, shows underdevelopment – in the respect of institutional grounding, as well as in the practical implementation of the integration programme. Although the lacking activities of poorly prepared municipalities have been partly substituted by the NGOs, truly efficient integration policies must get together provisions, designed for both local and national level. Prague

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<sup>245</sup> Kullberg, Jeanet, Nicolaas, Han. 2010. Housing and neighbourhoods. In: Gijsberts, Mérove, Dagevos, Jaco. 2010. At home in the Netherlands? The Hague: SCP, pp. 174.

<sup>246</sup> Kullberg, Nicolaas. 2010. Pp. 191

<sup>247</sup> Housing associations are popular not only among the foreigners, but also among the natives. As a result, people, who search for a decent accommodation, frequently have to wait several years in order to obtain it.



and Brno, being the two most prominent immigrant receivers, represent the locations, which have made the biggest progress in the area of integration, mainly thanks to the more extensive funding resulting in larger human and material resources – the lack of which is considered the greatest obstacles of the local integration.<sup>248</sup> On the other hand, large cities, being the primary destinations of foreigner, have to deal with the greater pressure on the housing demands.

Existence of the housing policies for foreigners in the Czech Republic, has been limited to asylum seekers, who may use the benefits of state subsidies and communal flats, which are though often situated in geographical locations with little potential to offer an employment. Since 1994, 310 refugees and their families have been provided with the integration housing, together in an amount of 29 million CZK.<sup>249</sup> According to the treatment of other groups of foreigners, no equal provisions have been implemented and they must rely on their own abilities to find a proper housing – whether via the real estate agencies, advertisements or very often via the social networks established within the communities of foreigners. Besides, the practise in the Czech Republic shows that due to the scarcity of the council housing, its availability seems to be problematic not only for the foreigners, but also for the indigenous population. Moreover, renting of a council housing has been, in some cases, conditioned with a permanent residence permit within the given municipality.<sup>250</sup>

## ***6.5 Funding***

Comparing the situation in the Netherlands and the Czech Republic, financial resources, allotted for the integration of immigrants differ significantly. As was noted, the two countries differ in perception of the integration agenda's salience. In the Netherlands, the TCNs have been recognized as one of the key focus groups of the national and local policy-making. Also, the political salience of immigrant integration has been rather high.

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<sup>248</sup> Rákoczyová, Trbola. 2008. Pp. 7.

<sup>249</sup> Ministerstvo vnitra české republiky. 2008. *Integrace specifických skupin imigrantů v České republice*. Mvcr.cz

<sup>250</sup> Ministerstvo pro místní rozvoj ČR. 2008. *Bydlení v ČR*. MMR: Praha, pp. 5.

Although the volume of allotted resources have corresponded with the prominence of the issue, the side effect of politicization (in the negative connotation of a political misuse and populism). The extent of policy provisions, implemented in the Czech Republic, signalizes heightened political endeavour for a more systematic management of the immigration/integration agenda. Though, also on the account of the fact the TCNs haven't been distinguished as a socially problematic minority, issues connected to the integration of immigrants are lesser financially supplied.

## **Conclusions**

This thesis aimed to provide an overview of immigrant integration policies focusing on the integration of the TCNs in the Netherlands and the Czech Republic, with objective to reveal functioning of their legislative and institutional tools.

Evaluating all of the previous sections, it has been argued that immigrant integration policies converge – in the context of the legislative and political developments on the EU level; in the context of the international political situation, in which states react to the similar security challenges and also in the context of new member states' socio-political convergence to the old member states. With a respect to the fact that the newest most important legislative changes got into effect only recently - in 2007 in the Netherlands and 2009 in the Czech Republic – a complex assessment of their impacts requires a bit more time to pass. Though, it can be concluded that political elites in both states perceive and approach the immigrants differently.

Firstly, unlike in the Netherlands, immigrants in the Czech Republic haven't been recognized as a socially problematic segment so far. Secondly, political importance of the integration matters differ, while not only the share of the TCNs in the Czech and Dutch population differ, but immigrants in the Czech Republic are granted almost no right to vote, which implies lesser political attention paid to the integration issue. As a consequence, different approach towards creation and implementation of immigrant integration policies can be noted.

The shifts in conceptions of integration policies that have been detected in both countries, have revealed the trend to converge towards the common perception and the common expectations, regarding the final results of the integration process. In both

cases, strengthening of the immigration and integration policies has been observed. In the Czech case then, toughening of the legal measures has been accompanied with the effort to lower inadequately high barriers that hinder the process of naturalisation, so the compulsory waiting period has been shortened, since 2006, from fifteen to ten years.<sup>251</sup> In the Netherlands, the waiting period for a legally residing foreigner has been set for five years.<sup>252</sup> Also, there has been noticed a general tendency to encourage particular long-term immigrants – the group of highly skilled – to enter via the simplified administrative procedures.

The „securitization“ of a whole immigration agenda, launched by US terrorist attacks of the 2001 and furthered by the European terrorist attacks of the 2004 and 2005, contributed to a more sensitive perception of integration connected issues. The aspect of securitization and consequently the aspect of sensitivity have conducted to modification of the conceptions and policies on immigrant integration. The modified conceptions reemphasized migrant’s commitment to accept norms and values inherent with the receiving society in all aspects of life, instead of previously acknowledged opinion, which advocated respect for the group plurality.<sup>253</sup> Observation outlined in the first chapter - that state sovereignty always was and still remains a decisive factor in a relation to sensitive policies - has been confirmed by the developments in the area of immigrant integration. It has remained dominant in the Netherlands, as well as in the Czech Republic, regardless the fact that both countries have transferred part of responsibilities for integration commitments on immigrants themselves.

In addition, the largest share of responsibilities and competencies remains a matter of national decision-making, since the integration agenda relates to country-specific problems and consequently country-specific solutions,. However, the international political scene has witnessed, in the last decade, shifts in the distribution of powers among all relevant actors of the immigrant integration process; the Netherlands and the Czech Republic being no exception. Taking into account the different historical developments, different population structure and no less different socio-politic configurations, patterns of change in the two selected countries differ.

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<sup>251</sup> Drbohlav. 2009. pp. 55

<sup>252</sup> Immigratie-en Naturalisatiedienst. 2010. *Conditions in respect of Naturalisation*. Ind.nl

<sup>253</sup> Barša, Baršová. 2005. Pp. 166

In the case of the Dutch integration policies, one can observe the transfer of competencies and responsibilities outwards the national level in three directions:

1. The shift towards the supranational level regards decision-making competencies in the area of the family reunification, legal residency or employment, which are binding for all EU member states. The EU also sets a general normative framework and minimum standards defined by the Common Basic Principles, creating a shared normative basis for national legislations.

2. The shift towards the local level concerns formation and implementation of region-specific strategies, reflecting the variety of local needs. Dutch municipalities have been responsible for obligatory registration of immigrants, implementation of housing policy and social assistance measures.

3. The shift towards the individual level regards responsibility of the immigrants themselves for the process of their naturalisation, as the financial and practical responsibility for meeting the criteria defined by civic integration have become their own task.

4. Completing the mapping of competential transfers, it is necessary to mention one more modification, which cuts through the upper mentioned vertical levels – most notably national and local level - though still affecting the rest. It is a competential shift between public and private sphere, observable in „privatisation“ of the civic integration instruments by private companies and also in a relatively high degree of non-governmental organizations' involvement.<sup>254</sup>

Compared to the Netherlands, transfer of competencies in the Czech Republic, displays relatively different patterns. By and large, it has been a consequence of the fact that a substantial share of the integration measures has been a matter of recency. To put it another way, a considerable part of the normative shifts in the integration of the TCNs did not emerge as a result of the process of change, but rather a result of the process of their creation.

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<sup>254</sup> Joppke. 2007. P. 7

1. On the grounds of the EU membership, the shift towards supranational level has been shared by all member states, which makes the foregoing first point equally valid for the Czech Republic.

2. The local level reveals perhaps the most extensive differences in implementation and administration of integration policies, as almost no practical competential shift has happened and local actors continue being unprovided with both competencies and instruments for the realization of integration policies. So far, their role has been limited to the administration of social benefits and scarce council housing. Involvement in integration projects is highly dependent on the national government.

3. Though the implementation of civic integration obligations to the Czech legislation adverts to a shifts towards migrants' self-responsibility, the shift has been less extensive than in the Netherlands. In order to fulfil the integration requirements, foreigners are assisted by the state (the compulsory language examination is financed and executed by the state). The fact that one of the most influential conditions of immigrant integration – the housing – has been left for migrant's own responsibility (and practices of the free market), is not a result of responsibility transfers, but it rather reflects a general situation of the public housing.

4. With respect to the responsibility shift between the state and the private sphere, the Czech Republic has not witnessed any significant shifts of this kind and all important instruments remain in the hands of the government. Even though the non-governmental actors have made a progress extending the scope of their activities and the degree of involvement in the decision-making process, they still haven't reached the involvement level of their Dutch counterparts.

## Resumé

Cieľom mojej diplomovej práce, nazvanej Komparácia integračných politík voči imigrantom v Holandsku a Českej republike, bolo porovnať nástroje integračných politík v oboch krajinách, zhodnotiť ich aktuálnosť a celkové fungovanie. Napriek rozdielnemu charakteru imigrácie - v kontexte historickom aj politickom, v oboch krajinách došlo v uplynulých rokoch k zmenám koncepcie imigračných a aj integračných politík. Z hľadiska medzinárodných vzťahov je efektívna a fungujúca integrácia cudzincov dôležitá preto, lebo predstavuje posledný krok imigračného procesu, regulujúceho veľkú časť populácie, migrujúcej z krajiny pôvodu do nového prostredia. Na úspešnom zvládnutí integrácie imigrantov v konečnom dôsledku závisí aj úspešnosť celej imigračnej politiky.

Z metodologického hľadiska bola práca rozdelená do dvoch hlavných blokov. Prvá časť bola sústredená na empiricko-analytický výskum legislatívneho a inštitucionálneho rámca integračných politík a druhá časť, už čisto analytická, pracovala s poznatkami získanými v prvej časti, ktoré boli porovnané a následne zhodnotené.

Z hľadiska obsahového bola diplomová práca rozdelená do piatich väčších kapitol. Prvá kapitola ponúkla teoretickú reflexiu integračného diskurzu a predstavila základné teoretické koncepcie – multikulturalizmus, asimilacionizmus a občiansku integráciu - z ktorých Holandsko aj Česká republika pri tvorbe svojich integračných politík vychádzali. Nasledujúce tri kapitoly priniesli prehľad vývoja integračných politík, zameraných na integráciu občanov tretích krajín, ukázali ich základné nástroje a zhodnotili meniace sa role hlavných vládnych aj nevládnych aktérov integračného procesu. Pozornosť bola venovaná aj EÚ, ako aktérovi, ktorý na supranacionálnej úrovni vytvára spoločný minimálny legislatívny rámec pre integračné politiky jej členských štátov a zároveň oboch štátov, na ktoré je táto práca zameraná.

Kompetenčné a koncepčné zmeny, v podobe presunu právomocí medzi rôznymi úrovňami integračného procesu, a tiež medzi rôznymi aktérmi v rámci rovnakej úrovne, boli témou analytickej časti. Zhodnotenie zmien, ktoré v oboch krajinách prebehli, sa opieralo najmä o historickú skúsenosť oboch krajín s imigráciou, štruktúru populácie

imigrantov a legislatívne nástroje upravujúce vstup (podmienky získania víz, dlhodobých a najmä trvalých pobytov) a pobyt (zákonom stanovené podmienky občianskej integrácie, či sociálnej podpory na rôznych úrovniach) cudzincov na územie štátu.

Po preskúmaní charakteru integračných politík v oboch krajinách, dospela moja práca k záveru, že tieto politiky konvergujú - v rámci legislatívne-politického vývoja na pôde EÚ; medzinárodne politickej situácie, v ktorej krajiny reagujú na spoločné bezpečnostné výzvy a aj v rámci sociálne-politického približovania sa nových členských štátov EÚ k starým. Vzhľadom na to, že posledné významné zmeny legislatívy, meniace charakter integračných politík sa odohrali nedávno - v roku 2007 v Holandsku a 2009 v Českej republike – komplexné posúdenie ich dopadov si žiada dlhší časový odstup. Avšak, je možné skonštatovať, že imigranti sú politickými elitami v Holandsku a v Českej republike vnímaní odlišne, čo má za následok odlišný prístup k tvorbe integračných politík.

## **Acronyms**

AIM - Association for Integration and Migration

AOW - General Old Age Pensions Act

APS - Alien Police Service

CBS - Dutch Statistical Bureau

CEFRL - Common European Framework of Reference for Languages

CIC - Centre for Integration of Foreigners

COA - Central Agency for Reception of Asylum Seekers

DAMP - Department for Asylum and Migration Policy

DVB - Immigration Policy Department

EIF - European Integration Fund

EP – European Parliament

EU – European Union

IOM – International Organisation for Migration

IND - Immigration and Naturalisation Service

INTI – Integration of the Third-Country Nationals

JHA – Justice and Home Affairs

LOM - National Ethnic Minorities Consultative Committee

LPF – List Pim Fortuyn

MD – municipal district

NCP - National Contact Points on Integration

NGO – non-governmental organisation

OMC – open method of coordination

PVZP - Insurance Company of General Health Insurance Company

QMV - qualified majority voting



RvK - Dutch Council of Churches

SCP - Netherlands Institute for Social Research

SZW - Ministry of Social Affairs and Employment

TCN – third-country national

VROM - Ministry of Housing, Spatial Planning and the Environment

VVD - People's Party for Freedom and Democracy

WAW - Act on the Employment of Aliens

WIN - Civic Integration Newcomers Act, Netherlands

WODC - Research and Documentation Centre of the Ministry of Justice

WRR - Scientific Council for Government Policy

WWB - Work and Social Assistant Act

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Appendix No. 3: Number of naturalisations in the Netherlands (graph)

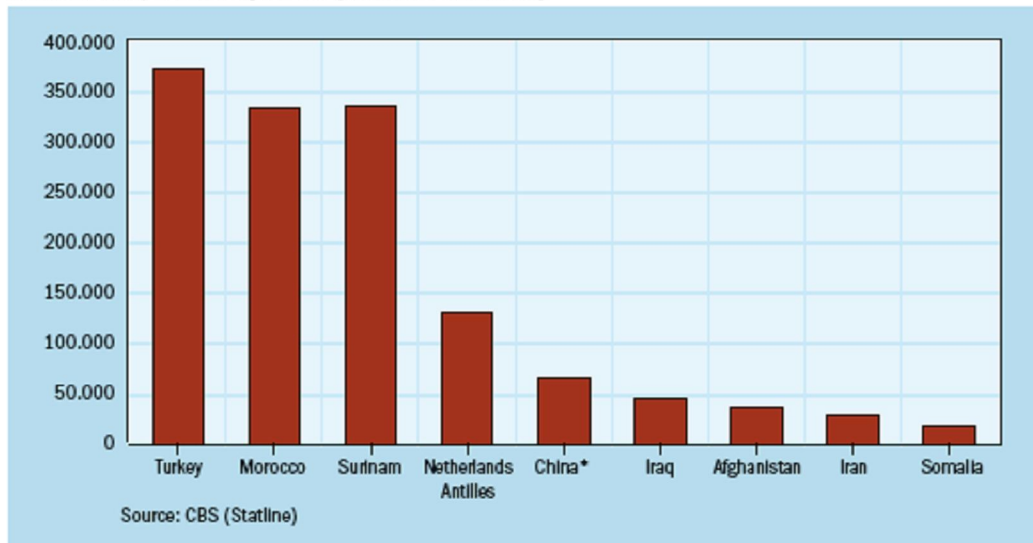
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Appendix No. 1:

Countries of origin of the largest groups of people of non-Western foreign origin in the Netherlands, 1 January 2008 (absolute numbers)

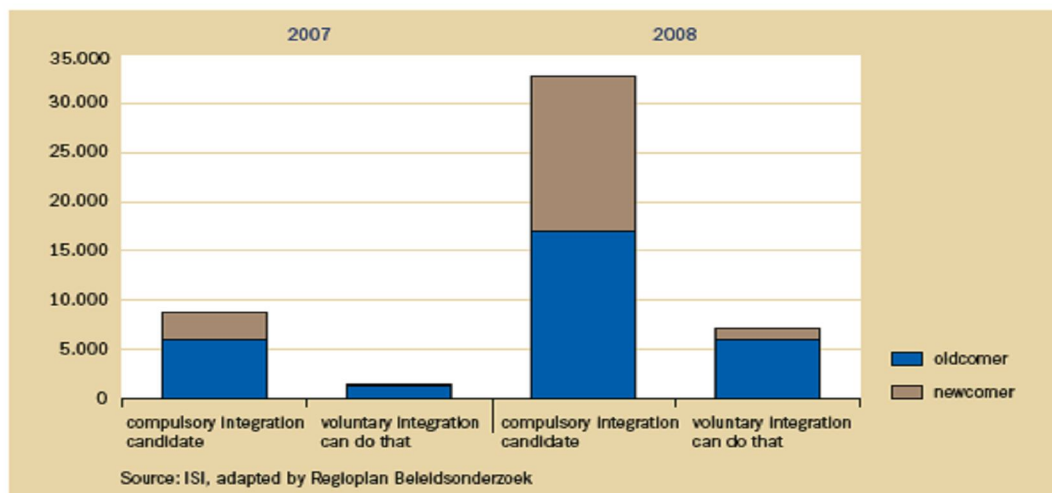


Source: Ministry of Security and Justice. *Building inclusion: Housing and integration of ethnic minorities in the Netherlands*, pp. 16

<http://english.wodc.nl/onderzoeksdatabase/overmutual-learning-on-social-inclusion-and-social-protection.aspx> (Retrieved December 2010)

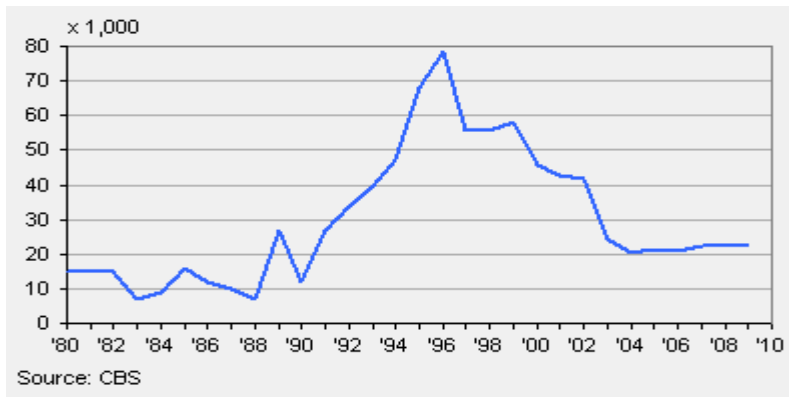
Appendix No. 2:

Civic integration programmes for oldcomers and newcomers, by compulsory and voluntary integration candidates, 2007 and 2008 (in absolute numbers)



Source: SCP. 2010. *At home in the Netherlands? Trends in integration of non-Western migrants*. Annual Report on Integration 2009. The Hague: SCP, pp.74

Appendix No. 3: Number of naturalisations in the Netherlands

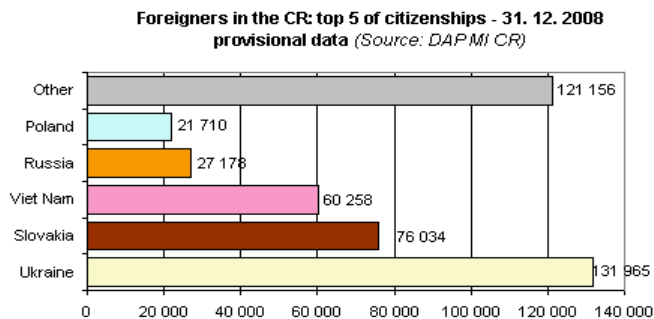
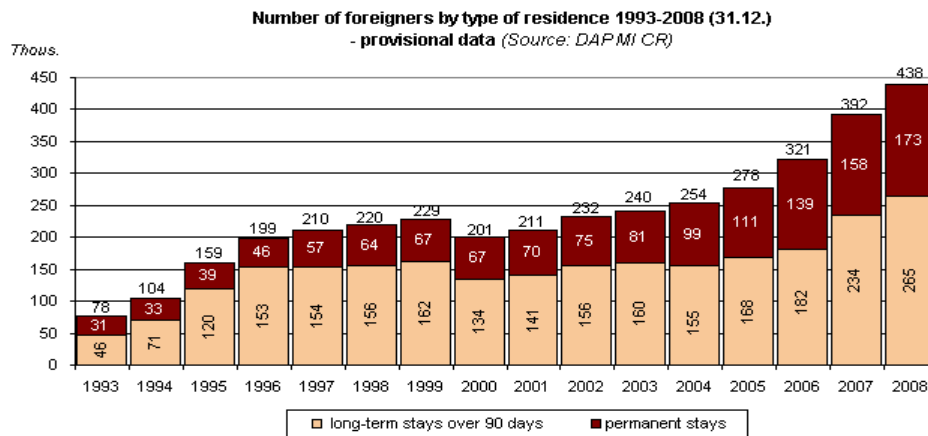


Source: [http://www.cbs.nl/en-](http://www.cbs.nl/en-GB/menu/themas/dossiers/allochtonen/publicaties/artikelen/archief/2010/2010-3282-wm.htm)

[GB/menu/themas/dossiers/allochtonen/publicaties/artikelen/archief/2010/2010-3282-wm.htm](http://www.cbs.nl/en-GB/menu/themas/dossiers/allochtonen/publicaties/artikelen/archief/2010/2010-3282-wm.htm)

(Retrieved December 2010)

Appendix No. 4: Foreigners in the CR



Source: CZSO. 2010. *Number of Foreigners in the CR.*

[http://www.czso.cz/csu/cizinci.nsf/kapitola/ciz\\_pocet\\_cizincu](http://www.czso.cz/csu/cizinci.nsf/kapitola/ciz_pocet_cizincu) (Retrieved December 2010)

ZKOUŠKA Z ČESKÉHO JAZYKA pro trvalý pobyt v ČR (úroveň A1 podle SERR)

3

Čtení s porozuměním - Modelová verze

ÚLOHA 1

Nabízíme pokoje pro jednoho nebo pro 2 studenty v bytě 3+1 bez balkonu.

Společná je kuchyň, WC a koupelna. V obývacím pokoji je nábytek, televize a internet.

Potraviný jsou asi 5 minut pěšky. V centru Brna, 6 000 Kč/pokoj měsíčně. Volejte denně

13:00 – 17:00 na telefonní číslo 541 325 612.

*Čtěte text a vyberte 1 správné řešení pro úkoly 1 – 6. Číslo 0 je příklad. 6 bodů*

**0. Kdo může v bytě bydlet?**

A) Rodina a malé zvíře.

B) Mladá rodina.

C) Důchodci.

D) Studenti.

**2. Co v bytě není?**

A) Kuchyň.

B) Obývací.

C) Internet.

D) Balkon.

**3. Kde je ten byt?**

A) V Brně.

B) V Praze.

C) Blízko Brna.

D) Blízko Prahy.

**4. Co je blízko bytu?**

A) Restaurace.

B) Obchod s jídlem.

C) Zastávka tramvaje.

D) Zastávka autobusu.

**5. Kolik korun musíte každý měsíc platit za pokoj?**

A) Pět tisíc.

B) Šest tisíc.

C) Sedm tisíc.

D) Čtyři tisíce.

**6. Chcete odpovědět na inzerát. Kdy tam můžete telefonovat?**

A) Ráno.

B) Dopoledne.

C) Odpoledne.

D) V sedm hodin.

Source: Czech for Foreigners. 2010. *A Brochure with a Model Version of the Examination*. [http://check-your-czech.com/index.php?p=ke-stazeni-3&hl=en\\_US](http://check-your-czech.com/index.php?p=ke-stazeni-3&hl=en_US)  
(Retrieved December 2010)

*Appendix No. 6:*

## **COMMON BASIC PRINCIPLES FOR IMMIGRANT INTEGRATION POLICY IN THE EUROPEAN UNION:**

The explanations provided are intended to give direction to the common basic principle. The description is indicative, by no means exhaustive and will be further developed in the future.

### **1. Integration is a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States.**

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

### **2. Integration implies respect for the basic values of the European Union.**

Everybody resident in the EU must adapt and adhere closely to the basic values of the European Union as well as to Member State laws. The provisions and values enshrined in European Treaties serve as both baseline and compass, as they are common to the Member States. They include respect for the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law. Furthermore they include respect for the provisions of the Charter of fundamental rights of the Union,

which enshrine the concepts of dignity, freedom, equality and non-discrimination, solidarity, citizen's rights, and justice.

Member States are responsible for actively assuring that all residents, including immigrants, understand, respect, benefit from, and are protected on an equal basis by the full scope of values, rights, responsibilities, and privileges established by the EU and Member State laws. Views and opinions that are not compatible with such basic values might hinder the successful integration of immigrants into their new host society and might adversely influence the society as a whole. Consequently successful integration policies and practices preventing isolation of certain groups are a way to enhance the fulfilment of respect for common European and national values.

**3. Employment is a key part of the integration process and is central to the participation of immigrants, to the contributions immigrants make to the host society, and to making such contributions visible.**

Employment is an important way for immigrants to make a visible contribution to Member State societies and to participate in the host society. At the workplace integration of immigrants can be promoted by the recognition of qualifications acquired in another country, by training opportunities that provide skills demanded at the workplace and policies and programmes that facilitate access to jobs and the transition to work. It is also important that there are sufficient incentives and opportunities for immigrants, in particular for those with the prospect of remaining, to seek and obtain employment.

The targeting of measures to support immigrants in the European Employment Strategy is an indication of the important influence of employment on the integration process. It is important to make greater use of the European Employment Strategy and the European Social Inclusion Process, backed up by the European Social Fund (ESF), including the lessons learnt from the Equal Community Initiative to reach the Lisbon targets and to promote the combat against all forms of discrimination at the workplace. It is important that Member States, in cooperation with the social partners, pay particular attention to and undertake effective action against discrimination in the recruitment policies of employers on the grounds of ethnic origin of the candidates.



**4. Basic knowledge of the host society's language, history, and institutions is indispensable to integration; enabling immigrants to acquire this basic knowledge is essential to successful integration.**

The importance of basic linguistic, historical, and civic knowledge is reflected in the increasing emphasis placed by several Member States on introductory programmes that focus on putting together the most appropriate toolkit to start the integration process. Pursuing such programmes will allow immigrants to quickly find a place in the key domains of work, housing, education, and health, and help start the longer-term process of normative adaptation to the new society. At the same time, such programmes become strategic investments in the economic and social well-being of society as a whole. Acquiring the language and culture of the host society should be an important focus. Full respect for the immigrants' and their descendants' own language and culture should be also an important element of integration policy.

**5. Efforts in education are critical to preparing immigrants, and particularly their descendants, to be more successful and more active participants in society.**

Education is an important way to prepare people to participate in society, especially for newcomers. However, lifelong learning and employability are not the only benefits of education. Transferring knowledge about the role and working of societal institutions and regulations and transmitting the norms and values that form the binding element in the functioning of society are also a crucial goal of the educational system. Education prepares people to participate better in all areas of daily life and to interact with others. Consequently, education not only has positive effects for the individual, but also for the society as a whole.

Educational arrears are easily transmitted from one generation to the next. Therefore, it is essential that special attention is given to the educational achievement of those who face difficulties within the school system. Given the critical role played by education in the integration of those who are new in a society – and especially for women and children –, scholastic underachievement, early school-leaving and of all forms of migrant youth delinquency should be avoided and made priority areas for policy intervention.

**6. Access for immigrants to institutions, as well as to public and private goods and services, on a basis equal to national citizens and in a non-discriminatory way is a critical foundation for better integration.**

If immigrants are to be allowed to participate fully within the host society, they must be treated equally and fairly and be protected from discrimination. EU law prohibits discrimination on the grounds of racial or ethnic origin in employment, education, social security, healthcare, access to goods and services, and housing.

Consequently, transparent rules, clearly articulated expectations and predictable benefits for law-abiding immigrants are prerequisites to better immigration and integration policies. Any legal exceptions to this accessibility must be legitimate and transparent.

Access also implies taking active steps to ensure that public institutions, policies, housing, and services, wherever possible, are open to immigrants. These steps need to be in accordance with the implementation of the Council Directive concerning the status of third-country nationals who are long-term residents. It is important to monitor and evaluate the success of public institutions in serving immigrants, and that adjustments are being made on an ongoing basis.

Conversely, uncertainty and unequal treatment breed disrespect for the rules and can marginalise immigrants and their families, socially and economically. The adverse implications of such marginalisation continue to be seen across generations. Restrictions on the rights and privileges of non-nationals should be transparent and be made only after consideration of the integration consequences, particularly on the descendants of immigrants.

Finally, the prospect of acquiring Member State citizenship can be an important incentive for integration.

**7. Frequent interaction between immigrants and Member State citizens is a fundamental mechanism for integration. Shared forums, inter-cultural dialogue, education about immigrants and immigrant cultures, and stimulating living**

**conditions in urban environments enhance the interactions between immigrants and Member State citizens.**

Integration is a process that takes place primarily at the local level. The frequency and quality of private interactions and exchanges between immigrants and other residents are key elements of greater integration. There are many ways to encourage interaction. An important aspect is a greater focus on promoting the use of common forums, intercultural dialogue, spaces, and activities in which immigrants interact with other people in the host society, and on the sustained education of the host society about immigrants and immigrant cultures. Good cooperation among the different involved actors is necessary in order to stimulate these processes.

Furthermore, implementation of active anti-discrimination policies, anti-racism policies, and awareness-raising activities to promote the positive aspects of a diverse society are important in this regard.

The level of economic welfare in neighbourhoods, the feeling of safety, the condition of public spaces, and the existence of stimulating havens for immigrant children and youngsters and other living conditions are all aspects that affect the image of the people who live in these areas. In many Member States, immigrant population groups are often concentrated in poor urban areas. This does not contribute to a positive integration process. Positive interaction between immigrants and the host society and the stimulation of this interaction contribute to successful integration and are therefore needed. Therefore, improving the living environment in terms of decent housing, good health care, neighbourhood safety, and the availability of opportunities for education, voluntary work and job training is also necessary.

**8. The practice of diverse cultures and religions is guaranteed under the Charter of Fundamental Rights and must be safeguarded, unless practices conflict with other inviolable European rights or with national law.**

The cultures and religions that immigrants bring with them can facilitate greater understanding among people, ease the transition of immigrants into the new society and can enrich societies. Furthermore, the freedom to practice one's religion and culture is guaranteed under the Charter of Fundamental Rights. Member States have an obligation

to safeguard these rights. Furthermore, EU law prohibits discrimination in employment or occupation on the grounds of religion or belief.

However, Member States also have a responsibility to ensure that cultural and religious practices do not prevent individual migrants from exercising other fundamental rights or from participating in the host society. This is particularly important as it pertains to the rights and equality of women, the rights and interests of children, and the freedom to practice or not to practice a particular religion. Constructive social, inter-cultural and inter-religious dialogue, education, thoughtful public discourse, support for cultural and religious expressions that respect national and European values, rights and laws (as opposed to expressions that violate both the letter and spirit of such values and rights), and other non-coercive measures are the preferred way of addressing issues relating to unacceptable cultural and religious practices that clash with fundamental rights. However if necessary according to the law legal coercive measures can also be needed.

**9. The participation of immigrants in the democratic process and in the formulation of integration policies and measures, especially at the local level, supports their integration.**

Allowing immigrants a voice in the formulation of policies that directly affect them may result in policy that better serves immigrants and enhances their sense of belonging. Wherever possible, immigrants should become involved in all facets of the democratic process. Ways of stimulating this participation and generating mutual understanding could be reached by structured dialogue between immigrant groups and governments. Wherever possible, immigrants could even be involved in elections, the right to vote and joining political parties. When unequal forms of membership and levels of engagement persist for longer than is either reasonable or necessary, divisions or differences can become deeply rooted. This requires urgent attention by all Member States.

**10. Mainstreaming integration policies and measures in all relevant policy portfolios and levels of government and public services is an important consideration in public-policy formation and implementation.**

The integration of immigrants is deeply influenced by a broad array of policies that cut across institutional competencies and levels of government. In this context particularly consideration needs to be given to the impact of immigration on public services like education, social services and others, especially at the level of regional and local administrations, in order to avoid a decrease in the quality standards of these services. Accordingly, not only within Member States but also at the European level, steps are needed to ensure that the focus on integration is a mainstream consideration in policy formulation and implementation, while at the same time specifically targeted policies for integrating migrants are being developed.

Although Governments and public institutions at all levels are important actors, they are not the only ones. Integration occurs in all spheres of public and private life. Numerous nongovernmental actors influence the integration process of immigrants and can have an additional value. Examples in this respect are, trade unions, businesses, employer organisations, political parties, the media, sports clubs and cultural, social and religious organisations. Cooperation, coordination and communication between all of these actors are important for effective integration policy. The involvement of both immigrant and the other people in the host society is also necessary.

**11. Developing clear goals, indicators and evaluation mechanisms are necessary to adjust policy, evaluate progress on integration and to make the exchange of information more effective.**

Irrespective of the level of integration policy efforts, it is important to know whether these efforts are effective and make progress. Although it is a process rather than an outcome, integration can be measured and policies evaluated. Sets of integration indicators, goals, evaluation mechanisms and benchmarking can assist measuring and comparing progress, monitor trends and developments. The purpose of such evaluation is to learn from experience, a way to avoid possible failures of the past, adjust policy accordingly and showing interest for each others efforts.

When Member States share information about their evaluative tools at European level and, where appropriate, develop European criteria (indicators, benchmarks) and gauges for the purposes of comparative learning, the process of knowledge-sharing will be

made more effective. The exchange of information has already proven to be useful within the National Contact Points on integration. Exchanging information provides for taking into account the different phases in which Member States find themselves in the development of their own integration policies and strategies.

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**Univerzita Karlova v Praze**

Fakulta sociálních věd

Institut politologických studií

**Projekt diplomové práce**

na tému

**Komparácia integračných politík imigrantov v ČR a Holandsku**

Jméno: Jana

Příjmení: Hetényiová

Odbor: Mezinárodní vztáhy

Semester: LS 2009

Konzultantka: Mgr. Lucie Gladišová

V Praze dňa 14.6. 2009 spracovala Jana Hetényiová

## Úvod:

Integrácia imigrantov predstavuje posledný, no dôležitý krok v procese migrácie. Jej úspešné zvládnutie je významným faktorom pre fungovanie akéhokoľvek štátu. V rámci migračnej dynamiky sa mnohé v minulosti zdrojové krajiny stávajú krajinami prijímacími. Medzi ne môžeme zaradiť aj ČR, ktorá sa v posledných rokoch ako členská krajina EÚ teší rastúcej obľube imigrantov nie len už ako tranzitná, ale cieľová destinácia. Naopak, Holandsko je krajina s dlhodobou tradíciou zaobchádzania s ekonomickými imigrantmi aj žiadateľmi o azyl.

Problémy s integráciou imigrantov v Európe viedli v posledných rokoch k prehodnocovaniu politík v danej oblasti. Vo väčšine prípadov to znamenalo posun od modelu multikultúrnej spoločnosti a príklon k modelu asimilácie, prípadne posilnenie asimilačných tendencií. Taktiež prišlo k zmene legislatívy a koncepcií integrácie imigrantov v takých krajinách, pre ktoré otázka integrácie nepredstavovala akútny problém, napríklad ČR.

Medzi najnovšie zmeny v tejto oblasti patrí presun kompetencií z celoštátnej úrovne na kraje v ČR. To zahŕňa zaistenie prístupu cudzincov na trh práce a ku vzdelávaniu, integračné opatrenia v oblasti zamestnávania a tiež bytové politiky. Sprísňuje sa aj sledovanie jazykových znalostí.

## Ciele práce:

Cieľom tejto práce bude predstaviť komplexný obraz integračných politík cudzincov v kontexte zmien, ktorými prešli od konca 90. rokov dve vybrané zeme. V Českej republike ako krajine, ktorá ich koncepcie začala vytvárať až v 90. rokoch a Holandsku, ktoré v poslednej dekáde zaznamenalo výrazný odklon smerom od multikulturalizmu. Jadro práce bude zamerané na porovnanie legislatív a koncepcií týchto dvoch krajín.

Integračná politika Holandska už v súčasnej dobe nevychádza zo zásad multikulturalizmu a vytvára úplne nový model so silno asimilačnými prvkami. Česká republika tieto kroky nasleduje, a to napriek tomu, že vychádza z inej migračnej situácie na svojom území.

Cieľom bude nájsť odpovede na nasledujúce otázky, ktorých pozadie bolo popísané v predošlých riadkoch.

1. Ako sa vyvíjali koncepcie integračných politík ČR a Holandska od konca 90. tých rokov? Čo ich ovplyvňovalo?
2. Ako sa aktuálne trendy v politikách integrácie cudzincov prejavujú v prípadoch Českej republiky a Holandska?

Predpokladaná osnova práce:

Úvod

Teoretické modely integrácie imigrantov (multikulturalizmus, asimilácia...)

Definícia konceptu: *integrácia imigrantov* – vládny a nevládny sektor (spôsob integrácie a jej výsledok)

- súčasné trendy v integrácii imigrantov

Zmeny v integračných politikách imigrantov od konca 90. rokov – ČR a Holandsko – nové legislatívne predpisy a iné opatrenia, zmeny v integračných koncepciách

Porovnanie integračných politík imigrantov – ČR a Holandsko

Ako sa aktuálne trendy v integrácii prejavujú na príklade ČR a Holandska?

Záver

## Metodológia:

Zameranie tejto práce je empiricko - analytické. Za obecný výskumný rámec som si zvolila komparatívnu analýzu, doplnená bude deskripciou, nevyhnutnou pre priblíženie vývoja koncepcií integračných politík. Porovnávanie vytvára analytický rámec pre skúmanie a vysvetlenie sociálnych a kultúrnych rozdielností a špecifik pri tvorbe imigračných integračných politík. Jedná sa o prácu, ktorej cieľom nie je odhaľovať kauzálne vzťahy, ale hodnotiť existujúce politiky, teda *policy analysis*.

Česká republika bola vybraná ako krajina s novo sa vytvárajúcou koncepciou integračných politík, rastúcou atraktívnosťou pre potenciálnych migrantov ako nová členská krajina EÚ. Holandsko bolo vybrané ako zakladajúca krajina EÚ, na rozdiel od ČR majúca významné skúsenosti s imigrantmi a dlhodobo vytváranou koncepciou integračných politík (ktorej súčasná funkčnosť je otázna). V tomto ohľade je zaujímavý poznatok, že pri počiatkoch tvorby integračných politík v ČR slúžil holandský model ako jeden zo vzorových modelov.

Dáta použité v tejto práci vychádzajú z primárnych aj sekundárnych zdrojov. Kvantitatívne dáta zahŕňajú najmä oficiálne národné štatistiky, keďže sekundárna analýza porovnateľných dát oboch krajín ponúka vhodný základ pre komparáciu ich rozdielných modelov. Kvalitatívny spôsob zberu dát zahŕňa články z odborných časopisov, relevantnú knižnú literatúru a internetové zdroje.

Jazykom tejto práce bude angličtina.

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