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# **Betwixt and between: Integrating refugees into the EU labour market**

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Edited by  
**Béla Galgóczi**

**etui.**



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## **Introduction**

# **Main barriers to the labour market integration of refugees and asylum seekers in key EU host countries**

Béla Galgóczi

## **The European context of third country migration since 2015**

With over one million asylum seekers from the Middle East, Asia and Africa fleeing civil war oppression and failing states, in 2015 and 2016 Europe faced the greatest migration inflow since World War II. European institutions were not able to tackle this historic challenge and national governments often pursued self-serving, in certain cases obstructive, policies although a small number of countries did take up the challenge and act. Parts of the existing European legal framework were breaking down, including the collapse of the Dublin III regulation on the responsibility of member states for examining an asylum application while, for a short period, even the Schengen system of free movement was suspended.

Instead of co-operation and a common response to facing this humanitarian challenge, it created new fault-lines in Europe. A common European asylum policy has never emerged and the Asylum and Migration Pact, newly proposed by the European Commission (2020a), can be seen more as acknowledging the lack of capability to establish one in the political minefield that migration and asylum policy has become. All this at a time of strong job creation across the EU. After five years, however, it is time to take stock about how Europe and its member states have managed to accommodate the nearly two million new arrivals because, at the same time, neither has this difficult period been without its successes.

This publication focuses on the practices of the labour market integration of asylum seekers and refugees in the main receiving EU member states in the post-2015 period. Substantially, it takes a comparative approach seeking to highlight areas of good practice across the countries while looking in detail at what is going on within each one.

## **Arrivals**

The entry of asylum seekers into EU territory is usually irregular due to the lack of necessary documentation and/or the use of unauthorised border-crossing points. The statistical coverage of irregular migration flows far from delivers an up-to-date and exact picture of the events but, with all the contradictions, the major processes can be tracked.

Figures for illegal border crossings documented by the EU border surveillance agency, Frontex, refer to the mixed flows both of irregular immigrants and possible future asylum seekers. The challenge for the border authorities is that, while asylum seekers

cannot be refused entrance, the duties of the authorities also include the refusal of entry to irregular economic migrants not having the proper travel documents.

Frontex collects data concerning the illegal crossings of the EU's external borders by third-country citizens via land and sea routes. In 2015, there was a six-fold increase in illegal border crossings in comparison with 2014, as 789,000 irregular land arrivals and just over one million (1,033,000) irregular sea arrivals were recorded; in 2016, the numbers were, respectively, 146,000 and 365,000 (Frontex 2017). The agency specifies that irregular border crossings may be attempted by the same person several times in different locations, which means that a large number of those who were counted when they arrived in Greece were counted again when entering the EU for the second time through Hungary or Croatia.

The United Nations High Commissioner for Refugees (UNHCR) monitors entries at Europe's geographical borders so it has fewer problems with double accounting and reflects the actual reality rather better.

UNHCR data presented in Table 1 show sea and land arrivals (via Spain and Greece as entry points) to EU territory. Accordingly, 2015 was the peak year, with 1,032,408 arrivals in Europe, while from 2016 onwards the numbers showed a clearly decreasing trend.

Table 1 Total arrivals of migrants in the EU

2014	2015	2016	2017	2018	2019	2020 I-VIII
225,455	1,032,408	373,652	185,139	141,472	123,663	49,309

Source: UNHCR 2020. <https://data2.unhcr.org/en/situations/mediterranean>

The clearly documented sudden drop of refugee arrivals in 2016 was due to the unilateral steps taken by certain member states to close their borders by erecting border fences that led to the *de facto* closure of what, at that time, was the most important route – the so-called ‘Balkans route’.

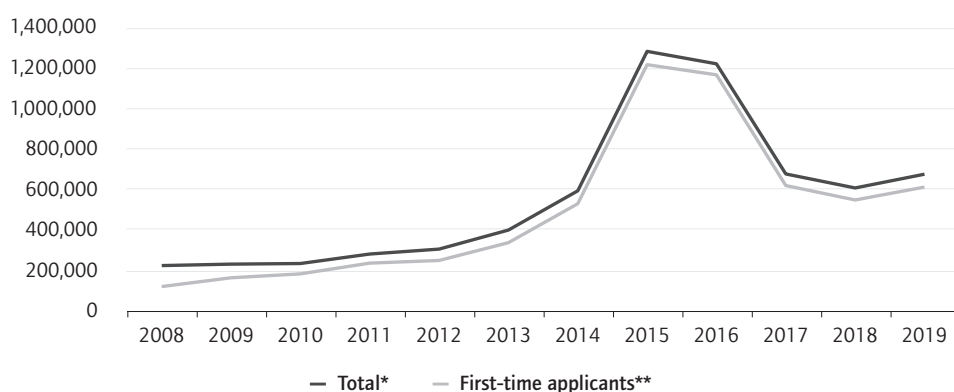
## Asylum applications

The distribution of the registration of asylum claims by member state gives an indication of the absorption of asylum seekers by individual countries, but these data also need to be regarded with caution as a result of the lack of a common registration practice at European level. Due to migrants' fear of being registered in a member state while on route to their destination country, and the often obstructive strategies of transit countries in actively forwarding refugees westwards, registration figures by transit countries do not reflect a *de facto* accommodation of migrants. To complicate the picture even further, as member states are not coping effectively with the registration of asylum seekers, there is a time shift between arrivals and registrations.

The development of first-time asylum claims in the EU-27 is shown in Figure 1 (for the EU) and Figure 2 (by member state). A first-time applicant for international protection is a person who has filed an application for asylum for the first time in a given EU member state, excluding repeat applicants (in that member state). The number of repeat applicants (persons who have lodged more than one application) in the EU-27 in 2019 made up 9.4 per cent of the total number (also shown in Figure 1).

The number of first-time applicants followed, with a time lag, the trend in arrivals, with 1.21 and 1.16 million claims in the peak years of 2015 and 2016 (Eurostat 2020), since when they have been in sharp decline at EU level (Figure 1). First-time applicants across the EU-27 fell to 620,000 in 2017 and the figures have remained broadly at that level in the last two years.

Figure 1 Asylum applications in the EU (non EU-27 citizens, 2008-2019)



Notes: \* 2008–2014: Croatia not available.

\*\* 2008: Bulgaria, Greece, Spain, France, Croatia, Lithuania, Luxembourg, Hungary, Austria, Romania, Slovakia and Finland not available. 2009: Bulgaria, Greece, Spain, Croatia, Luxembourg, Hungary, Austria, Romania, Slovakia and Finland not available. 2010: Bulgaria, Greece, Croatia, Luxembourg, Hungary, Austria, Romania and Finland not available. 2011: Croatia, Hungary, Austria and Finland not available. 2012: Croatia, Hungary and Austria not available. 2013: Austria not available.

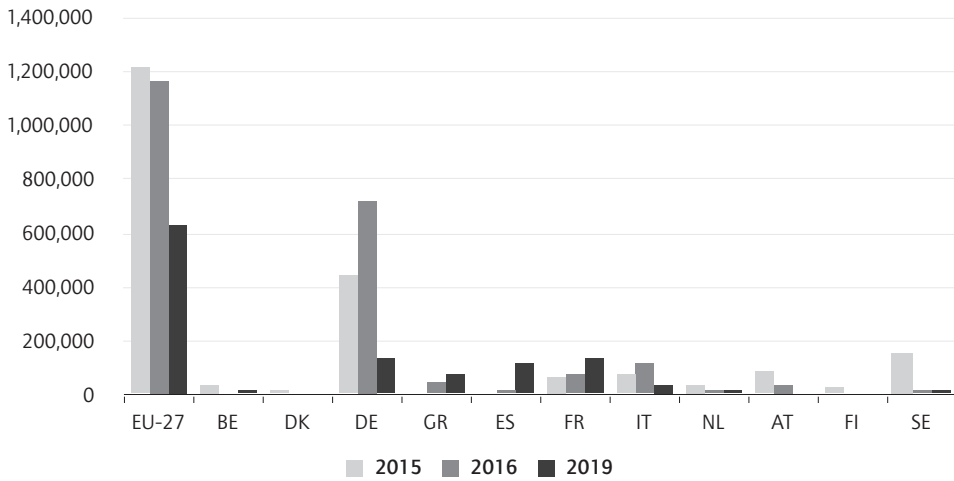
Source: Eurostat (2020).

Figure 2 shows first-time asylum applications for selected member states and the EU-27 for 2015, 2016 and 2019. Germany accounted for most asylum claims in the peak years of 2015 and 2016, with a share of 36 per cent and 60 per cent of the EU-27 total. The evolution of asylum claims by member state showed different trends, depending on the shifting migration routes as well as the varying time lags between arrivals and registrations. For Sweden and Austria the peak year was 2015; for Germany and Italy it was 2016; while for Greece, Spain and France it was 2019, when total EU asylum claims were already falling sharply. In that year, France was in second place (after Germany) even though in the peak years it had been only moderately affected.

Comparing the changes between 2016 and 2019, the most apparent is the opposing trends observed in Germany on the one hand and in Spain on the other: in 2019, asylum claims in Germany fell to one-fifth of the 2016 level whereas in Spain these were almost eight times higher in 2019 than in 2016.



Figure 2 First-time asylum applications in selected member states



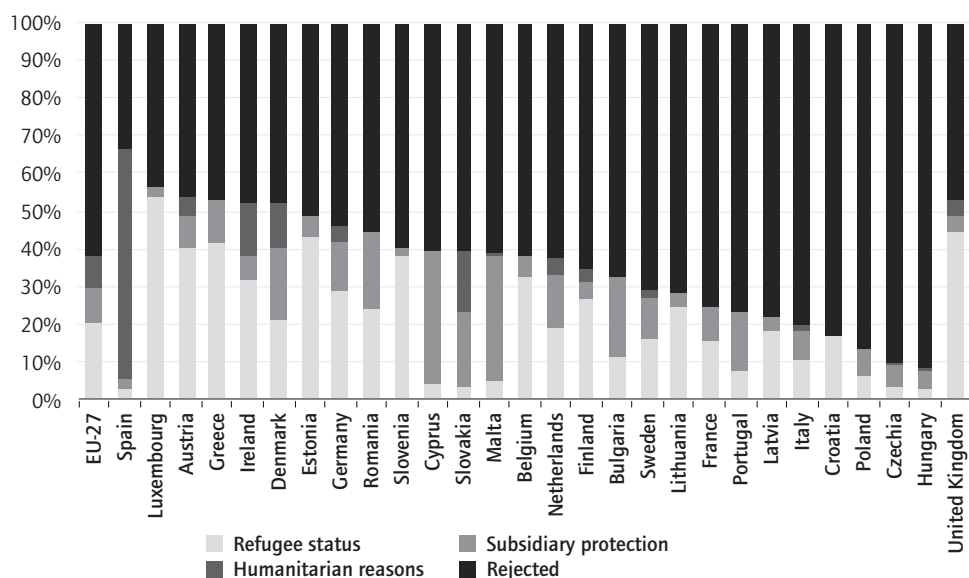
Source: Eurostat (2020).

The pattern remained the same in the whole period: asylum seekers are focused on a small number of member states, putting some under huge pressure while others are hardly affected. Most affected were those at the entry points to EU territory (Greece and Italy) and a few member states that accepted the need to make an active contribution towards managing the common humanitarian crisis (for example Germany, Sweden, Spain and Austria at the beginning).

Figure 3 shows the results of first-instance asylum decisions by member state for 2019. The high share of rejected asylum claims is the most apparent feature of the data. At the level of the EU-27, the share of rejected claims in first-instance decisions was above 60 per cent in 2019, while those granted refugee status made up 20 per cent. The picture varies by member state: rejections were lowest in Spain and highest in Hungary. Germany (with the highest number of asylum claims in 2019) had a 54 per cent rate of rejection while France (in second place that year) rejected more than three-quarters of asylum claims.

When looking at developments in the share of negative first-instance decisions since 2015, Eurostat data across the EU-27 shows these ranged between 38 per cent (2016) and 62 per cent (2018). There are no reliable data on what share of rejected asylum seekers receive a decision that they be returned and what share of the latter will actually be returned. According to a report by the Migration Policy Institute (Beirens 2020), in the period between 2015 and 2018 the share of actually returned asylum seekers from the EU-27 was between 35 and 47 per cent of the total number of those with a 'return' decision.

Figure 3 Distribution of first-instance asylum decisions by outcome (non EU-27 citizens, 2019)



Note: calculation is based on exact figures (not rounded).

Source: Eurostat (2020).

Table 2 Third-country nationals ordered to leave EU territories and returns actually implemented, 2015-18

	2015	2016	2017	2018
Return decisions	528,645	486,150	505,300	478,155
Returns implemented	196,190	228,905	189,740	170,360
Share of those returned	37%	47%	37%	35%

Source: Beirens (2020).

With decision backlogs of several years and a low share of rejected asylum seekers actually being returned, the high proportion of rejections also means that hundreds of thousands of people are getting stuck in vulnerable situations, mostly without the right to employment and with only limited access to social services.

## The lack of a common EU migration and asylum policy

Although no comprehensive EU policy framework to face the challenge was put in place, the closure of the Western Balkans route meant that the smaller wave of refugee arrivals afterwards was concentrated on the central Mediterranean route. The ‘consolidation’ since 2016 is a temporary phenomenon due mostly to the unilateral actions of certain member states and not the result of co-ordinated or successful policies at EU-wide level. Where European ‘co-ordination’ has had some effect has been in the strengthening

of migration policy towards a ‘fortress Europe’. The tightening of access to the EU with the closure of the land route through the Balkans was followed by the EU-Turkey Statement (see also the chapter by Kapsalis *et al.* in this publication).

## The EU-Turkey Statement

In March 2016, the European Council and Turkey reached a joint agreement aimed at stopping the flow of irregular migration via Turkey to Europe. According to the EU-Turkey Statement, all new irregular migrants and asylum seekers arriving from Turkey to the Greek islands, and whose applications for asylum had been declared inadmissible, should be returned to Turkey which the Statement recognised as a safe third country for refugees. The Statement also envisaged that all new irregular migrants crossing from Turkey to the Greek islands from 18 March 2016 would be returned to Turkey; and that, for each Syrian returned to Turkey from the Greek islands, another would be resettled from Turkey into the EU.

Yet, the ‘EU-Turkey Statement & Action Plan’ did not end the crisis but merely transformed the challenges facing the interested parties. The EU became less pressured by a large number of asylum seekers at its gateways, having assumed a financial role instead. Under the EU-Turkey Statement, the Commission and member states committed €6bn in two tranches in EU assistance to refugees in Turkey for 2016-2019, delivered through the Facility for Refugees in Turkey programme. The EU also approved the funding of 72 projects worth €3bn, mostly within the framework of the ‘Emergency Social Safety Net’, an EU humanitarian programme reaching 1.5 million Syrians to provide their basic needs in terms of food, medicine and housing. The EU also agreed to release a second tranche of €3bn by the end of 2018.

From April 2016 until February 2019, 1,825 people were returned to Turkey under the EU-Turkey Statement, 2 per cent of the 84,210 refugees and migrants who arrived on the Greek islands in this period. The largest number (386) were returned in the first month, in April 2016. In the whole of 2018 the number was lower than that, with 322 people in total, less than 1 per cent of those who arrived in that year (UNHCR 2019).

## The failed relocation scheme

The difficulty in finding a European solution was most apparent with the failure of the proposed redistribution quotas. The quota system for reallocating asylum seekers more evenly among member states could not be fully implemented because of the refusal of a small number of states to participate.

On 31 May 2018, the European Commission reported that 34,689 asylum seekers had been relocated, 12,690 from Italy and 21,999 from Greece to other states participating in its second emergency relocation scheme. This is roughly one-third of the commitments legally foreseen in the Council Decisions of 98,255 asylum seekers being relocated (34,953 from Italy and 63,302 from Greece) over two years (European Parliament 2018).

Since then, EU member states have not been able to agree on how to share the responsibility for asylum seekers arriving in Europe. Some countries have taken a lead in making individual commitments, such as Portugal (hosting 1,000 refugees) and France (400), while Finland announced it would take 175 people, but the EU has backed away from the idea of relocation quotas.

More success has been achieved by the two rounds of EU resettlement programmes under which more than 65,000 persons in need of international protection have been settled in the EU since 2015. Participating member states resettling persons receive financial support from the EU budget. In the second round of the scheme (2017-2019), this contribution was set at €10,000 for each resettled person. The resettlement pledges made by member states in the second round totalled over 50,000 persons, 83 per cent of which had been achieved by the end of 2019 (European Commission 2019).

Instead of ad hoc resettlement programmes, the Commission also committed itself to frame a more permanent and structured EU policy on resettlement and announced that it would come up with a proposal in 2016. According to the UNHCR, the EU should take on at least 20 per cent of annual projected global resettlement needs, which would have meant around 250,000 people in 2017. A permanent EU resettlement programme is still blocked in the EU Council.

### Lesbos: a symbol of EU migration and asylum policy

Currently, the Greek state operates five reception and identification centres (RIC) for asylum seekers on islands in the eastern Aegean (also called 'hotspots'). The breakdown of the data by RIC presented in Table 3 highlights the main characteristics of these centres and demonstrates the major shortcoming of the entire system. The situation has been dramatically escalating in the last eighteen months, with occupancy rates far above capacity: for the largest one in Lesbos by seven-fold and, for Samos, by almost twelve-fold. In the context of the spread of the Covid-19 pandemic, overcrowded reception centres with low sanitary standards and limited health care provision pose a life-threatening emergency and present a looming humanitarian catastrophe. The devastating fire in the Moria camp on Lesbos in early September was a culmination of this tragedy.

Table 3 Reception and Identification Centres (RIC) for asylum seekers in Greece

Island / RIC	Start of operation	Capacity	Occupancy October 2018	Occupancy March 2020
Lesbos	October 2015	2,757	7,352	19,271
Chios	February 2016	1,014	2,361	5,363
Samos	March 2016	648	4,185	7,291
Leros	March 2016	860	718	2,117
Kos	June 2016	816	1,114	2,970
<b>Total</b>		<b>6,095</b>	<b>15,730</b>	<b>37,012</b>

Source: Greek Government (2020).

## EU Asylum and Migration Pact: failure at birth

The New Asylum and Migration Pact proposed by the European Commission (2020a) can be seen as an acknowledgment of its inability to establish a common migration and asylum policy framework, as suggested by the new code word ‘flexible solidarity’ – a main pillar of the Pact. The Pact tries to follow the logic of consensus building or unanimity among all EU member states within a heterogeneous and divided EU in a policy area in which the EU Treaties call for qualified majority voting with the European Parliament as co-legislator. Instead of finding common ground, this will lead to further fragmentation in European cooperation on an issue that lies at the very core of the EU’s foundations and where *common* action is essential.

Although the Pact refers to the United Nations Global Compact for Refugees (UN GCR) it already goes against its core principle in the title. The EU’s approach of linking asylum with migration disregards a core element of the UN GCR: the primacy of refugee protection. Asylum is about protection (a humanitarian obligation) while immigration, which is about controlling borders and managing migration, is driven by economic self-interest according to the priorities set by host nations along the lines of their labour market policy or demographic objectives.

It is positive that the Pact sets up an independent monitoring mechanism of border procedures in compliance with fundamental rights. The ‘solidarity à la carte’ principle underpinning the idea of ‘returns sponsorship’ (without the euphemism: ‘deportation sponsorship’) is not worthy of the term ‘solidarity’. The ETUC dismissed the Pact by saying: ‘Trade unions know the meaning of solidarity and this is not it. Fortress Europe looks stronger than ever’ (ETUC 2020). The main principle of the Pact is ‘externalisation’ – keeping the problem as much as possible at arm’s length. Humanitarian migration is thus a case for EU external relations with ‘migration partnerships’ likely to follow the dysfunctional EU-Turkey Statement.

The proposal for a fast-track screening and asylum process at the border mirrors the implementation of the EU-Turkey Statement in that accelerated procedures lead to higher rejection rates. This poses a significant risk of displaced people being wrongly denied asylum and returned to their countries of origin where their safety may be seriously threatened. The main objective of the Pact is deterrence, keeping displaced persons away from ‘fortress Europe’.

Amnesty International (2020) stated that the new Pact is ‘designed to heighten walls and strengthen fences’, adding also that it would ‘do nothing to alleviate the suffering of thousands of people stuck in camps on the Greek islands, or in detention centres in Libya’.

The result of these policies can be seen on the Greek islands and in the scandalously high loss of life in the Mediterranean Sea, the Sahara Desert and in the detention camps in Libya, as well as the violent and deadly defences against refugees and migrants at the external borders of the EU, including pushbacks.

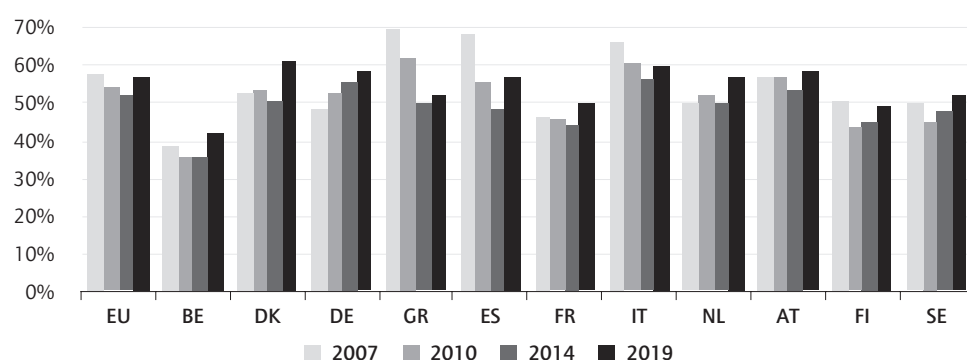
## The European labour market context

While the overall population structure by citizenship matters, and the integration practices and results of earlier migration waves can deliver lessons, the focus of this publication is the labour market integration of asylum seekers and refugees of the last couple of years; and it is this issue to which we now turn.

### A wave of newcomers in a period of job creation

The big challenge for countries hosting refugees and asylum seekers will be their integration into the labour market. Numerous factors are at play in determining employment levels among non-EU nationals, such as the labour market situation in the host country and the socio-demographic characteristics of migrants. There are no comparable data available on the labour market participation of specifically refugees. We should keep in mind that, between 2014 and 2019, the EU experienced strong labour market recovery, creating a total of 7.5 million jobs (after job losses of c. 5 million between 2007 and 2014). This means that the increase in non-EU employment in this period is not only due to the new arrivals, but to greater employment for non-EU citizens already residing in the EU. As background, Figure 4 shows Eurostat data on the employment rates of non EU-28 citizens by main host country for 2007, 2010, 2014 and 2019. These figures include all non-EU nationals, not only refugees. In 2019 the employment rates of non-EU nationals in most of the member states shown in Figure 4 were close to 50 per cent or above (highest in Denmark, Italy and Austria), while Germany was the only one among these countries that saw a continuous increase in non EU-28 employment between 2007 and 2019. Greece, Spain and Italy had significantly lower non EU-28 employment rates in 2019 than they had in 2007.

Figure 4 Employment rates of non EU-28 citizens in selected member states



Source: Eurostat (2020).

It is also interesting to look at the change in absolute numbers for non EU-28 employment and for the non-EU population of working age for the period between 2014 and 2019 (Table 4). In the EU-27 (without UK) the non-EU working age population grew by 2.5 million while employment for this group grew by 2.1 million. The highest

increase, both for the population as a whole (1.1 million) and the numbers in employment (750,000) was recorded by Germany. Sweden also had a high increase (and the highest in per capita terms), both in non-EU population and employment. France saw the second highest increase in the working age population of non-EU citizens in this period, but Spain had the second highest value in terms of employment. This also means that Spain created more jobs for non-EU nationals (407,000) than it had as new arrivals (365,000), as did Italy (125,000 vs 51,000). Denmark saw a small decrease in the non-EU population during 2014 and 2019, but it created some new jobs for non-EU citizens. In Greece, both the non-EU population and employment fell during this period.

Table 4 Change in non-EU working age population and persons employed (in thousands)

	Employed	Working age population
	2014-2019	2014-2019
EU-27 (excl. UK)	2,108,500	2,549,200
Belgium	26,200	15,200
Denmark	15,400	-5,400
Germany	749,800	1,136,100
Greece	-14,900	-46,700
Spain	407,400	364,800
France	289,000	396,200
Italy	124,700	50,800
Netherlands	54,800	63,700
Austria	66,700	82,500
Finland	13,700	20,400
Sweden	110,000	193,000

Source: Eurostat.

## Main findings of the national chapters

The chapters of this publication take a close look at national-level policies for the labour market integration of refugees and asylum seekers in eight EU member states that have played a key role as host countries in the period after 2015. Integration barriers and labour market outcomes are also examined in detail. This summary follows the structure of the chapters according to three main topics, followed by some general conclusions on integration policies. These include (i) the national context of migration as regards migration history, population structure and labour market situation; (ii) the main policies of national governments and their changes regarding particular issues such as, for example, access to welfare services, equal treatment and access to employment; and as broken down by legal status (asylum seeker, refugee, international protection beneficiary, tolerated status after a rejected asylum claim); and (iii) labour market access and barriers by migrant status in terms of legal access, then actual employment numbers also taking stock of different types of barriers: legal, administrative and financial. This element also includes the role of NGOs, particularly where governments have outsourced assistance and support measures instead of relying on public institutions.

## National context of migration

Each member state has different history, traditions and perceptions in dealing with migration. One common feature, however, for most of the host countries examined, was that, until very recently, their status of being an ‘immigration country’ had not been explicitly recognised and corresponding migration policy frameworks were largely missing. Italy, Spain and Greece – but also Finland – had been countries of emigration for a long period and neither public opinion nor the political administrative institutions were prepared for larger-scale immigration and ready to accommodate and integrate a high number of people seeking refuge. Paradoxically even Austria and Germany were not prepared despite these countries being host countries for migration over several decades. France, on the other hand, does have significant historical experience with immigration but, due to difficulties in absorption and integration, the country experienced some sort of ‘migration fatigue’ during the last decade.

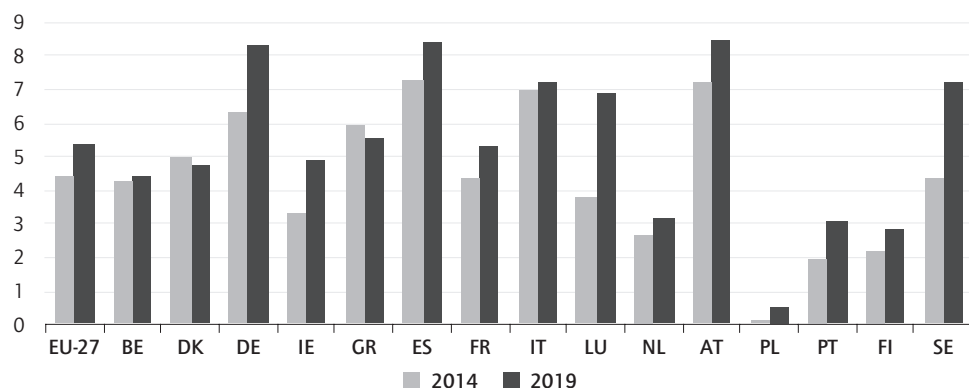
In 2014, the EU-27 (without UK) had a share of non-EU nationals in its working age population which reached 4.4 per cent, while by 2019 this had grown to 5.4 per cent. Member states do show significant differences, however, as Figure 5 shows. Central Eastern European countries are least affected, as Poland demonstrates with 0.15 per cent and 0.51 per cent respectively.<sup>1</sup> In 2019 Austria, Spain and Germany had the largest share of non-EU nationals in the working age population, with shares of 8.44, 8.4 and 8.3 per cent respectively. Apart from Luxembourg, Sweden had the highest increase between 2014 and 2019, from 4.3 to 7.2 per cent, while Denmark was the only country in which the share of non-EU citizens decreased during this period. The actual figures are thus not necessarily in line with the perceptions or with the state of readiness to deal with the challenge. Austria, Germany, Italy and Spain all already had above-average shares of the non-EU population before the 2015 migration wave. France and the Netherlands (traditional immigration countries, not least due to their colonial pasts) actually have lower than average non-EU population shares but a high sensitivity to the issue. Both have tried to keep a low profile in terms of receiving new arrivals.

The policy environment and public attitudes in most EU member states were generally not favourable to migration across the entire period. Eurobarometer surveys (European Commission 2020b) reveal that, in 2016, almost 60 per cent of EU citizens had a negative view on third country immigration to Europe (Figure 6). Citizens of Spain and Sweden had the least negative view, while those from Greece, Italy and Finland the most negative. By 2019, the picture had become slightly improved as the share of negative views in the EU had fallen to 45 per cent. At over 70 per cent, it was Greece that had by far the highest share of negative views among the examined countries. Right-wing xenophobic parties emerged in all member states during this period and tried to capitalise on the concerns of the population. There was only a handful of countries in which these parties managed to become part of the governing coalition, but they have had an impact on government policies in all of them.

1. The latest increase in the non-EU population in Poland is due to the employment of Ukrainian citizens filling labour market gaps and not due to the take-up of refugees or asylum seekers. Apart from Estonia, due to its Russian population, no CEE country has a significant non-EU population share.

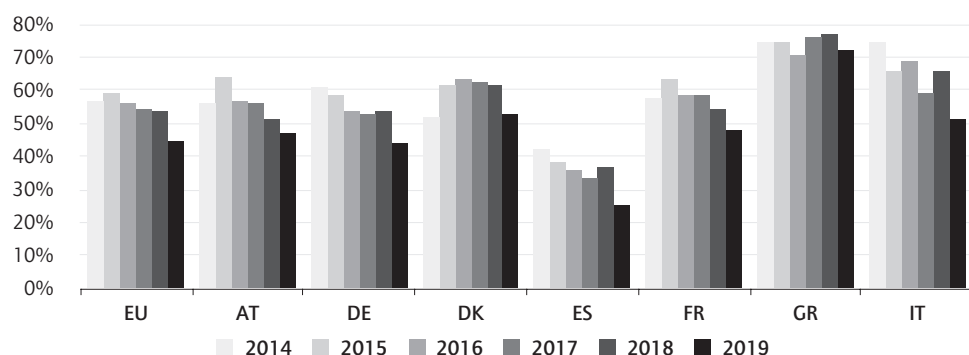


Figure 5 Share of non-EU nationals in the working age population



Source: Eurostat.

Figure 6 Changes in the share of the population with a negative attitude towards non-EU immigration (2014-2019)



Note: sum of the share of answers 'fairly negative' and 'very negative' to the question: 'Please tell me whether "Immigration of people from outside the EU" evokes a positive or negative feeling for you'.

Source: European Commission (2020b).

While the tense political environment and the strong concerns expressed in public opinion can be attributed, to a large extent, to the long-lasting effects of austerity policies in the wake of the 2008 crisis, the arrivals peak and subsequent absorption did coincide with a strong recovery in EU labour markets with millions of jobs being created across the EU.

### National migration policy frameworks and their changes – the swinging of an asymmetrical pendulum

With some exceptions, the general trend across the countries covered by this study is that national policy frameworks for migration have become more stringent over time. Sudden policy shifts due to changes in governments have resulted in frequent amendments to

the legislation and have also led to discontinuities in migration and integration policies. Even in countries with political continuity (for example, Germany) migration policies have become stricter as a result of the pressures of right-wing fringe parties.

In certain of the countries covered here, changes in governments have had a substantial impact on migration policy.

In *Austria*, asylum legislation has been reformed in several waves in the wake of the inflow and transit of asylum seekers during 2015. According to these new regulations, the period of protection/residence of recognised refugees (according to the Geneva Convention) has been limited to three years, after which people are expected to return if the country of origin can be considered safe for the person in question. Those with subsidiary protection status receive a one-year residence permit.

The labour market integration of refugees was an important concern for the then grand coalition government and benefited from appropriate levels of funding up to 2017 but, when the centre-right coalition took office, the funding of policies for both recognised refugees and people with subsidiary protection were made more restrictive. Basic care provided for asylum seekers was cut and, since September 2018, asylum seekers can also be requested to contribute financially to the basic care they receive during the asylum procedure. For recognised refugees, the provision of a needs-based minimum income was replaced by ‘social assistance’ with the primary objective of sanctioning child-rich refugee families. During its period in office, the centre-right coalition also pursued a deliberate policy of the non-integration of refugees. Funding for labour market integration was reduced (including cuts to language courses), while the possibility for asylum seekers up to the age of 25 obtaining an employment permit for an apprenticeship in a shortage occupation was cancelled in 2018. At the same time, an ‘integration’ law was passed that, instead of providing integration support, made integration a ‘duty’, including proper German language skills as a condition of receiving full social assistance.

The Conservative/Green coalition from 2019 has brought only minor policy changes. According to human rights organisations, more than one-half of the political announcements and measures of the current government may be assessed as ‘non-integrationist’ and less than one-third as ‘integrationist’.

A similar development took place in *Denmark*. The ‘refugee crisis’ of 2014-2015 resulted in major reforms to refugee integration and employment policies, with a tripartite agreement reached in 2016 setting an ambitious target of a fifty per cent employment rate for refugees and family-reunified migrants. The most important changes included a shift in active labour market policies to encourage faster and more intensive job placement (work experience programmes) and stricter job search requirements. The employment rate of male refugees increased from 30 per cent in 2015 to 58 per cent in 2018, while the employment rate of female refugees increased in the same period from 6.5 per cent to 18.5 per cent. Impact evaluations indicated that the reform of the integration and employment policies targeted at refugees had a significant and positive employment effect.

However, less than three years after the reforms were introduced, the major political parties decided to implement a fundamental change in migration policies under which the objective of migration law has become the promotion of the repatriation of refugees rather than their integration. The respective law transmits conflicting signals to refugees and the public authorities as well as to employers. The migration authorities are instructed to avoid issuing permanent residence permits and to seek to repatriate refugees to their countries of origin as soon as the grounds for humanitarian protection cease.

In *Finland*, the centre-right government (2015-2019) tried to follow its international legal obligations and did not close the country's borders when the numbers of irregular border crossings from both Sweden and Russia increased dramatically in 2015. At a later stage, however, the government took measures to make it more difficult for asylum seekers to receive refugee status. This tightening of policy was also the result of the composition of the multi-party coalition government changing to include the populist Finns Party, which succeeded in steering asylum policy changes that have negatively affected the rights of asylum seekers. The internal practices of the Finnish Immigration Service also resulted in more decisions becoming unfavourable to asylum seekers, leading to an increased number of undocumented migrants in the country. The legal changes enacted by the 2015-2019 government were also unfavourable to the labour market integration of asylum seekers.

Following the 2019 parliamentary elections, Finland has been governed by a centre-left coalition of five parties. The new government has made some changes in asylum policy that have, according to human rights organisations, improved the rights of asylum seekers although not to the extent expected.

*Italy* had three political cycles during this period with massive changes as the political pendulum swung back and forth.

The first tightening of the existing policy framework for (economic) migration came in the form of a right-wing legislative change as far back as 2002 that made the possession of an employment contract a condition for applying for a residence permit and permitted refoulement within extra-territorial waters based on bilateral agreements between Italy and other countries.

Specific legislation on asylum seekers and refugees represented a clear gap in the Italian legislation that was filled only in 2015. The Legislative Decree, enacted by a centre-left government, incorporated European regulations and directives on the subject and set out the main competences of the levels of administration within the Italian reception system. During the most acute phase of the refugee crisis, a new decree aimed at speeding up the asylum procedure reduced the legal rights of asylum seekers to appeal and extended the network of detention centres for irregular migrants. The Decree also 'introduced' volunteering for asylum seekers in the local communities in which they are hosted, although it did not allocate resources in support.

The next centre-left government in 2017 introduced a code of conduct for NGOs engaged in search and rescue operations concerning migrants at sea, putting their role somewhere between the humanitarian level and that of assisting the judicial and police authorities in combating illegal immigration.

Despite the sharp decline in the numbers of refugees and asylum seekers, the government established by the 5-Star Movement and the right-wing *Lega* in June 2018 placed strong legislative and administrative restrictions on the reception of migrants. The restrictive but pragmatic practice of previous centre-left governments was changed towards one that was hostile to asylum seekers and which criminalised helpers and volunteers. The regulations imposed criminal and financial sanctions on rescue ships that did not operate in conjunction with the Italian authorities. Additionally, the legislative package reshaped the Italian reception system and, by excluding asylum seekers from secondary protection, it abolished the category of ‘humanitarian protection’, which represents about two-thirds of residence permits granted in respect of international protection in Italy. All this was accompanied by administrative measures to reduce the resources allocated to centres for asylum seekers and the consequent downsizing or elimination of socialisation activities, language training, legal support, mentoring, psychological and health assistance, etc.

In the meantime, several independent observers (NGOs, civil rights lawyers and trade unions) have complained about the negative consequences of the new legislation in terms of the increase in irregular migrants. The government installed in September 2019 (consisting of the 5-Star Movement, the Democratic Party and a smaller left-wing party) has changed the most controversial parts of those decrees by December 2020.

The above cases demonstrate a peculiar migration policy ‘pendulum’ in which swings to the right are much greater than swings to the left. Once a right-wing government comes into power, sweeping restrictions in migration policy are enacted while a subsequent left-wing change usually results in late and reluctant policy moves back, if at all. Another common feature of the tightening of policy frameworks has been the implicit objective (in particular in Austria and Denmark) of making supporting measures less attractive for future migrants in the hope they would move to other countries instead.

The cases of France, Spain and Greece – while being very different in many ways – share the feature of how governments have looked to NGOs in the key fields of asylum policy and indeed, become reliant on them.

*France* had no public policy for the occupational integration of refugees, other than the actions of a few NGOs, until 2015. The so-called ‘refugee crisis’ sparked fresh policy attention towards the integration of refugees. Even though the national authorities are careful not to create incentives for asylum seekers to choose France or remain in it, they have now accepted the idea that, having specific needs and facing specific challenges, refugees should be targeted with dedicated measures. This change has resulted in focused funding and a centralised strategy that builds on the actions of NGOs and on those of other actors at local level. These either provide individual support in accommodation centres or run dedicated regional programmes.

In *Spain*, immigration flows, together with asylum requests, have increased notably in the most recent years, basically since the recent economic recovery. These have seen a large number of migrations from Syria, Ukraine and Venezuela amidst more restricted migratory policies in other EU countries. These events caught the Spanish refuge and asylum system rather unprepared. In this context, the main government strategy for managing integration processes has been to decentralise them to the non-profit sector. Given the increase in the number of asylum seekers, there is obviously a greater workload for those NGOs which are supposed to tackle the integration of an increasing number of asylum seekers at a time when such capacities in public institutions have been systematically cut. This decentralisation approach is typical of business process outsourcing models and fits the broader austerity strategy which Spanish governments have continued to apply in the wake of the 2009 crisis in terms of outsourcing the basic functions of public administration.

Public employment services demonstrate significant inadequacies when it comes to adapting to the vulnerable situations that asylum seekers face. Delays in the resolution of applications also generate uncertainty both for asylum seekers and their potential employers.

The recent progressive centre-left Spanish government has continued this heritage from its conservative predecessor. The key to understanding this is a debate over whether the government considers the recent surge in asylum requests as temporary or whether it anticipates that maintaining a precarious reception and integration system will work as a disincentive to future asylum requests.

*Greece* is a case by itself. It is the main entry point for asylum seekers into the EU but, given the lack of a common and co-ordinated European policy approach, has been left mostly on its own. The question of the labour market integration of refugees and asylum seekers appears to be defined by the context of the fear of entrapment and, thus, by a large amount of self-regulation. Due also to the controversial EU-Turkey Statement, tens of thousands of asylum seekers have been abandoned in the Greek islands under conditions of geographical immobility and lack of social freedom.

For new entrants after 2015, the dominant form of employment has been undeclared work limited to sectors such as tourism or the rural economy with occupational immobility.

One common feature with the Spanish case is that Greek immigration policy is also subject to a privatisation which is being promoted as ‘refugee management’. Consequently, it is NGOs and individual professionals, often with ‘rights’ backgrounds, which have been the ones which have mostly become engaged in initiatives on the reception and integration of refugees. In the face of the pressures stemming from increases in demands and needs, concerns have been raised by trade unions as to whether NGOs are sowing the seeds of poor working relationships with their employees, dominated by insecurity and short-term contracts.

*Germany*, which has hosted roughly one-half of the asylum seekers arriving in Europe since 2015, is also a distinct case with clear priorities and a rather coherent asylum strategy. What distinguishes Germany from other host countries is political continuity and a reliance on strong public institutions. While the political climate – as in other countries – has not been particularly favourable to the hosting and integration of a large number of new arrivals, and policies have also been tightened over the years, German asylum policy has preserved its humanitarian approach. However, by recognising the importance of labour market integration it has followed a pragmatic approach from early on. With an ageing society and a dynamic economy, German unemployment rates have been at a record low and labour shortages across the economy have been characteristic. The labour market integration of refugees and asylum seekers has thus also been driven by self-interest. Governments at all levels (federal, state and municipal) have invested significant resources in programmes to achieve the public policy aim of language acquisition and employment training.

Germany has followed a strategy of early labour market integration for those refugees who have a high likelihood of remaining in the country, but at the expense of those asylum seekers who have less good prospects. Labour market integration has thus relied on a differentiated approach. This pre-existing stratification was further developed during the 2015-2018 period with political reforms concerning eligibility for language courses, occupational training and access to the labour market.

This phenomenon of boundary drawing and classification is one that is typical of labour migration policies. The result of this duality is a refugee reception infrastructure and environment that combines humanitarian motivations, liberal-utilitarian approaches, restrictionism and structurally-racist perceptions of refugees. Sometimes all of this is visible within the same organisation which, self-evidently, makes it difficult for refugees to find room for manoeuvre.

## Labour market access and integration

Even though the recent surge of non-EU arrivals since 2015 has taken place in a period of intense job creation and, in certain countries, labour shortages, the labour market integration of asylum seekers and refugees has been anything but smooth. As described in the previous section, the status of hundreds of thousands of asylum seekers has not been clarified and, while waiting for a final decision, they have no or only limited access to employment in most receiving countries. First we look at the situation facing asylum seekers and then at integration policies more broadly.

### **Asylum seekers**

Asylum seekers' right to work is a critical issue in European countries in the wake of the recent 'refugee crisis'. In contrast to the position for refugees, the United Nations Refugee Convention does not oblige countries to grant asylum seekers the right to work, with each individual country being free to determine whether or not to grant such a right and to set any conditions for doing so. The EU Reception Conditions Directive

(European Union 2013), however, requires member states to grant asylum seekers access to their labour market after nine months of waiting for a decision.

The country chapters of this publication provide an insight as to how individual member states deal with the access of asylum seekers to employment.

*Austria* provides limited access for asylum seekers to seasonal work (in narrowly defined sectors) but, from 2018, it has abolished the option of allowing them to take up apprenticeships in shortage occupations. Delays in the asylum procedure continue to hamper the integration of asylum seekers into the labour market.

*France* allows asylum seekers to take up employment six months after their asylum claim was submitted, on the condition of obtaining a special work permit, but, due to the complicated administrative procedure, most asylum seekers do not enter the legal labour market.

In *Finland*, asylum seekers are generally allowed to work three months following the submission of an asylum application; however, for those without a valid travel document at the time of the application, the right to employment starts only after six months. Unlike in most host countries, in Finland asylum seekers may receive some elementary services from the state in terms of preparation for the labour market, i.e. language training. On top of that, NGOs and civil society actors are providing further help to asylum seekers in labour market integration.

In *Italy*, access to work for asylum seekers is allowed sixty days after the date of submission of their application. At the same time, there are no dedicated services targeted at their inclusion into the labour market. They can, however, make use of the active policy tools aimed at 'weak' labour market subjects as well as avail themselves of public services for work and the social benefits and allowances provided to all workers legally employed in Italy.

The case of *Greece* is again special, as asylum seekers trapped in reception centres on the Greek islands are excluded from any form of employment. Asylum seekers generally obtain the right to work six months after filing their application for refugee status. Up to that point, their employment can only take place in the context of undeclared work, the same as all those who will not be recognised as refugees but remain in the country undocumented. In addition, the relocation of those who are recognised as refugees to areas of mainland Greece is hardly ever accompanied by state policies for the recognition of professional skills or vocational training, while NGOs' action at this level is extremely rare and on a very limited scale.

*Germany*, on the other hand, has introduced a two-track asylum procedure with an early labour market integration strategy for those refugees who have a high likelihood of remaining in the country. While this sounds a pragmatic approach, it comes at the expense of those asylum seekers who are categorised as having insufficiently good prospects.



In *Spain*, asylum seekers are forced administratively to remain in certain assigned territories in order to maintain economic support, despite the obvious regional differences in employment opportunities. This administrative limitation is incomprehensible considering that geographical mobility is a fundamental tool in situations of unemployment. In addition, public employment services demonstrate significant inadequacies when it comes to adapting to the vulnerable situations asylum seekers face in the context of massive delays in the resolution of applications as well as ignorance of the law among asylum seekers themselves, generating uncertainty and distrust among potential employers.

## Refugees

The labour market integration of refugees can be discussed both from a supply-side and a demand-side perspective. The supply-side approach focuses on the capacity of refugees for integration into the labour market of a host country considering potential individual barriers, such as inadequate language skills, low or insufficient education, mental or physical challenges, limited work experience and low motivation to work. The objective of public intervention is, therefore, mainly to prepare refugees for the labour market by improving their skills, qualifications and motivation.

On the demand-side, barriers regarding refugees may include (direct and indirect) discriminatory practices and low incentives for employers to recruit refugees. Policies addressing the demand-side focus on encouraging and providing such incentives, which may range from ‘hard regulation’ (anti-discrimination laws, employment quotas and sanctions) to ‘soft regulation’ (wage subsidies and communications and other campaigns).

Matching labour market demand and supply in this specific context should consider the information asymmetries on both the supply and demand sides of the labour market and the inability of public employment services to facilitate matches between refugees and potential employers. Refugees often have insufficient information about the new host labour market and inadequate personal networks to gain access to employers’ informal recruitment channels. Some employers, on the other hand, lack information about the productivity, qualifications and competencies of refugees and are reluctant to recruit them. Public employment services may assist by providing credible information to both sides.

In *Austria*, refugees and people with subsidiary protection status are, in principle, entitled to the entire range of support offered by the Public Employment Service (AMS). In order to match their specific needs, targeted projects have been launched and most often delivered by NGOs focusing on German language courses, coaching, counselling or labour market access support.

One important programme is ‘Competence Check’, a tool used to assess the skills, qualifications and language knowledge of recognised refugees whose competences are not apparent from their documents. The aim is to recognise existing skills and qualifications and to define the need for additional qualifications.



Survey results on the impact of integration programmes in Austria show that the use of language and other integration courses has been beneficial to refugees in the sense that participants have been able to acquire new skills, improve their education and have their formal education or previous work experience recognised. The main obstacle is the low take-up of such programmes. While it is clear that learning the German language is of key importance in gaining a foothold in Austria, the number of German language courses has declined significantly following the former federal government's decision to stop financing German courses from autumn 2018.

In *Denmark*, an Expert Committee on the labour market integration of disadvantaged jobseekers paved the way for the changes to come resulting from the unfolding 'refugee crisis' from late 2014. The Committee had been appointed by the government to provide recommendations for the reform of public employment services for jobseekers regarding unemployment insurance benefits and other types of public income support. An official government target was set of a fifty per cent employment rate, meaning that one-half of all refugees and family-reunified migrants should be in employment after three years of residency in the country.

Previously, the integration programme consisted primarily of language courses and municipal training programmes; now, these have been combined, marking a shift from a 'human capital' policy to a 'jobs first' policy. The main instrument in the toolbox is a work experience programme (*virksohmhedspraktik*) with a duration of typically 13 weeks under which refugees (and the unemployed in general) provide work for an employer. The employer does not pay any wages to the individual directly, with the participant instead receiving welfare benefits. Furthermore, employment programmes were both started earlier and intensified compared to previous practice. Two to four weeks after refugees transfer from the asylum centre to the municipalities, they begin employment programmes and participate throughout the year, with a maximum break of six weeks between periods of activation.

The results are clearly shown in the statistics. However, even though these new integration and employment programmes seemed to have been working, the former (liberal) and current (social democratic) governments decided to engage in a 'paradigm shift' in regulation and integration policies, shifting the focus from integration towards repatriation. This paradigm shift was enacted by the former liberal government in February 2019 but the general approach has been maintained after the change in government in June 2019. While public employment services and employers are supposed to continue their efforts to integrate refugees into the Danish labour market, employers' associations, trade unions and civil society organisations have all criticised these repatriation policies for potentially undermining achievements in labour market integration.

In *Finland*, beside the legal barriers, the comparatively low labour market participation of refugees is also due to their lack of human capital relevant in the Finnish context (e.g. Finnish/Swedish language skills; and formal education). It is not entirely clear what relevant labour market skills are possessed by those who are newly-arrived; therefore, some steps have been taken by the authorities and private actors for the mapping of their skills such as, for example, the 'Startup Refugees' programme.

At the same time, structural racism in the labour market also works as a barrier. Therefore, in order to facilitate labour market integration, efforts to counteract discrimination in recruitment are needed on top of the existing measures to create equal opportunities in the labour market. Moreover, the difficulties facing refugees in finding employment may partly be explained by a lack of social networks, aggravating the problem of matching labour market demand and supply. It is also clear that the tightening of the policy framework that was carried out by the 2015-2019 government was unfavourable to refugees' labour market integration.

For *France*, the key challenges to labour market integration identified include legal, institutional, economic and social factors. Several professions are only accessible to French or EU citizens which means any non-EU citizen is excluded. A lesser French language proficiency among recent refugees (compared to earlier non-EU migration from mostly francophone countries) – due also to bottlenecks in language training – is identified as one factor hampering their labour market prospects. The generally challenging matching between labour demand and supply is aggravated by mismatches in housing and employment offers across France, taking also into account the geographical concentration of refugees. Moreover, the legal and practical obstacles to the recognition of qualifications and diplomas results in overqualification among refugees who do find a place on the labour market.

In *Italy*, the progressive degradation of public immigration services, characterised by large gaps and underfunding as well as by occupational disqualification, unsatisfied occupational training needs and, in some cases, worker precarity have all contributed to the perception and an emerging narrative of a country under pressure and in a condition of presumed permanent emergency.

The inclusion of refugees in the Italian labour market demonstrates a series of critical points on which there has been continuity over a period of years. This includes uncertainty, hardship conditions, low wages and the weak opportunities offered by the active labour market. The window of opportunity for change has narrowed – from a political point of view – because of the priority given to the relative peak in refugee numbers during 2015-2017; this was the point at which Italy lost its chance to improve its systems of reception and integration for refugees as well as those influencing their subsequent inclusion in the labour market.

In *Germany*, governments at all levels have been investing significant resources in labour market policy programmes to achieve the public policy aim of language acquisition and employment training. Countless profit and non-profit labour market training projects are playing a major role in delivering the infrastructure required by the active and early labour market integration strategy. The courses are almost all (many of them fully) subsidised by the state. The state infrastructure is, compared to other countries, quite well-equipped although without the voluntary support of millions of citizens, refugee reception would not have taken place in such an orderly way. This is also the case for labour market participation where many volunteers are using their own networks to find jobs for refugees, provide help with job applications and furnish translation during interviews with bureaucracies or with potential employers.

While the early labour market integration strategy applied in Germany for those asylum seekers with a high likelihood of remaining in the country has its clear advantages, it also hampers the prospects for a successful asylum outcome of those who are classified as having poor prospects. Policy reforms introduced in the 2015-2018 period were built on this pre-existing stratification and reflected in the eligibility criteria for language courses, occupational training and access to the labour market.

The German vocational training system plays a major role for younger refugees who will, upon completion, have a solid base for good employment prospects. Employers, especially in sectors with labour shortages, are very open to taking on refugees for vocational training; however, the large amount of bureaucratic hurdles and, sometimes, the insecurity of investing in a person's education, without knowing whether s/he will remain in Germany or be deported, makes it difficult for employers to make longer term commitments. In addition, refugees face challenges in taking on apprenticeships since, for example, the German language taught in integration classes deviates from the language skills necessary in occupational settings.

For refugees, incorporation into the labour market is often perceived to be difficult in terms of the relevance of sound language knowledge, the matching of skills and qualifications with the job and the recognition of education and job credentials, but due also to the very human experiences of loss of status and of racism. From the perspective of decent work, the mode of labour market integration leaves some dark blots on the statistics that, otherwise, tell a success story: here, we should note the high number of refugees who are employed via staffing agencies or under precarious conditions in low-wage sectors.

The tone of refugee labour market integration in the 2015-2018 period is one of differentiated integration. This is in line with the overall policy orientation in Germany of combining a security-based approach with a neoliberal, or utilitarian, one while meeting the international responsibility of receiving humanitarian migrants.

*Spain* has two parallel processes for managing asylum requests (under the Home Office) and integration (under the Ministry responsible for Labour and Migration) and this tends towards higher levels of bureaucratisation, complexity and delay. Applicants whose asylum requests are accepted for evaluation are subject to a reception and integration system which follows a standard process composed of three successive phases: temporary reception; integration; and autonomy. Each of these generally takes six months. The first phase takes place in accommodation centres provided by the government or by NGOs (temporary reception), with support and technical advice delivered by the non-profit organisations that also provide education services, including language courses. In the second phase (integration) asylum seekers must seek a place to live; and, while access to training services is maintained, they must also not seek employment. In the third phase (autonomy) economic support is practically cut although work and residence permits, and the technical advice from non-profit organisations, are maintained. The Ministry requires individualised labour market integration programmes to be drawn up during the implementation of the three phases of the integration process. This implies a study and evaluation of the labour

market potential of each person, alongside the required counselling and monitoring elements.

If an application is unfavourably resolved, the applicant is forced out of the integration process and may face a situation of losing both work and residence permits and pushed into an irregular status of high vulnerability.

The development of programmes targeted at the labour market integration of asylum seekers and refugees has been decentralised to certain non-governmental organisations according to their reception capacity, territorial coverage and specialist area. This decentralisation process reflects austerity strategies in Spain that have promoted the outsourcing of underfinanced public services.

In 2019, a number of non-profit organisations submitted a review of current practices to identify required changes in the integration model. The main deficiency identified in the Spanish system is that a combination of difficulties with the validation of qualifications, the lack of access to apprenticeships and the absence of flexible validation systems for previous work experience represents a major obstacle to labour market prospects. Similarly, the lack of systems to identify and capture the qualifications and skills of refugees hinders the matching process between labour supply and demand.

In *Greece*, occupational immobility is the issue that is more or less dominant in respect of the situation facing all new entrants after 2015. The lack of resources and insecurity draw a bleak employment future for the victims of the humanitarian crisis which marks the position in Greece: integration into the labour market will be a strictly personal affair, implemented in a precarious fashion and on the basis of mostly undeclared terms in dirty, dangerous and demeaning jobs in a limited number of sectors. This is probably not the result of a failure or insufficiency of Greek immigration policy but rather a reflection of how this policy has tacitly been pursued.

### **Labour market outcomes**

It does need to be emphasised once more that the period 2014-2019 was one of intense job creation in the EU with a total of 7.5 million new jobs being created while the non-EU working age population grew by 2.5 million and the non-EU workforce by 2.1 million. When looking at labour market outcomes for non-EU nationals and specifically refugees by country, we find some common patterns but also major differences.

The combined number of workers from Afghanistan, Iran, Iraq, Russia and Syria rose significantly in *Austria* in the decade up to 2018 (from 6,892 in 2008 to 28,490). Employment increases were particularly strong for citizens from Afghanistan and, even more so, from Syria after 2015. In terms of foreign female labour market participation, Russia (mainly women from Chechnya) had the highest level (55 per cent) followed by Iraqis (17.4 per cent). The lowest share of women in employment is amongst Afghans (10.5 per cent) and Syrians (9.5 per cent), pointing to the most serious challenge in labour market integration.

In *Denmark*, where there was a specific target for the employment rate of refugees and family-reunified migrants, there has indeed been significant progress with employment rates increasing from 20 per cent to 43 per cent between 2015 and 2018. The achievement of a 58 per cent male refugee participation rate in 2018, surpassing the government target, nevertheless highlights that the challenge again lies with the employment rate for female refugees which stands at just 19 per cent. The tripartite agreement and the new integration and employment policies in place since 2016 have certainly helped, although the focus on labour market integration has been conceded in favour of making repatriation the main policy target from 2019.

In *Finland*, between 2015 and the beginning of 2019, around 400 rejected asylum seekers found employment and applied successfully for a work-based residence permit. Nevertheless, the unemployment rates of nationals of Iraq, Somalia and Afghanistan are over 35 percentage points higher than the rates of Finnish nationals. As the vast majority of those arriving from these countries have arrived in Finland for reasons of international protection (or as family members of those who have been granted asylum), we can infer that refugees from these three countries have remarkably lower labour market participation rates than the indigenous population, or immigrants who have arrived on grounds other than humanitarian ones.

In *France*, existing studies on the occupational integration of refugees and asylum seekers highlight that this population faces numerous difficulties in accessing the French labour market despite the motivation to find employment. Refugees who, in contrast to asylum seekers, enjoy free access to the labour market face higher levels of unemployment than French citizens and other immigrants. When they work, refugees are mostly employed in occupations not requiring higher-order skills or which are precarious or tough, such as in the hotel and catering trade, temporary work, security, cleaning, construction and personal care. Ethnic networks are a major route to finding a job, even though asylum seekers and refugees are less able to rely on the existence of these than other non-EU foreigners. Frequently, asylum seekers and refugees work in the informal labour market, facing related vulnerabilities. Furthermore, many refugees experience occupational downgrading, which often brings its own social and psychological costs.

In *Germany*, the first five years of organised labour market integration shows that the current cohort of refugees is managing to find its first 'regular' employment somewhat faster than refugees arriving earlier: one-half of post-2013 refugees have taken up their first 'regular employment' by 46 months following their arrival whereas, for earlier cohorts, it was 50 months. Furthermore, the overall employment rate of refugees has significantly increased over the years: five years after arrival, the employment rate for men stood at 57 per cent although for women at a mere 29 per cent. Like in many other receiving countries, the high gender gap in the labour market participation of refugees in Germany poses a further challenge to integration efforts. It is of great concern that particularly the mothers of small children do not often have a paid employment relationship despite their high employment aspirations.

*Italy* had remarkable success at integrating a large number of foreign workers, including non-EU nationals, in the last decade. Two-thirds of non-EU foreigners hold EU long-term residence permits and over one million foreigners have been naturalised since 2010. These integration achievements of the recent past could have been a good basis for sound immigration policies addressing the increasing number of refugee arrivals after 2015. The employment rate of foreign citizens in 2018 was three percentage points higher compared to that of Italians. However, the employment rates of immigrant groups among which there is a high share of international protection is lower compared to other non-EU foreigners and EU foreigners: 56.3 per cent against, respectively, 60.7 per cent and 63.5 per cent, but still close to that of Italian citizens (58.2 per cent). As is the case in other receiving countries, female employment rates for this group are particularly low: just 23.6 per cent compared to 49.4 per cent among all non-EU foreign citizens. Employment rates for recent arrivals (0-3 years of stay) within the group benefiting from international protection is around just 25 per cent, similar to other non-EU foreigners of recent arrival.

Precariousness and uncertainty – the so-called ‘hardship segment’ of the labour market, which expanded significantly between 2007 and 2018 (by no less than 58.2 per cent) – are increasingly widespread among foreign workers who are in employment. The ratio of people in precarious, uncertain jobs to total employment was much higher for foreigners (34.7 per cent in 2018) than it was for Italians (20.5 per cent).

In *Spain*, the employment rates for asylum seekers and refugees from countries from which come the highest number of arrivals, and who are in possession of a social security number, tend to be in the same range as for nationals and other foreigners, showing an increasing trend during the last four years. Nationals from ‘other Asian countries’ (including, according to official data, from Syria, Afghanistan and Palestine) and Venezuelans had employment rates of either side of eighty per cent in 2018 while people from Guinea had the lowest, at 70 per cent.

In terms of unemployment rates, there are notable differences: Guineans have high unemployment rates (37 per cent on average between 2014 and 2018), while Syrians and Palestinians (along with people from other Asian countries) show lower levels of unemployment than the total population in Spain.

## Conclusions

The sudden increase in irregular immigration to the EU in 2015 and 2016, with over a million asylum seekers fleeing war and conflict in the Middle East and Africa, put EU asylum and migration policies to an unprecedented challenge. Five years on, the EU has still not managed to set up a coherent and co-ordinated policy framework. Beside the frontline countries (such as Greece, Italy and Spain) that were directly exposed, a handful of member states hosted most asylum seekers while the remaining member states were not affected. This publication has examined national policies, labour market integration programmes and labour market outcomes in those most affected countries.



One important barrier to a smooth absorption and integration of asylum seekers and refugees is the *frequently changing policy framework*. Under pressure from populist right-wing parties, there has been a general trend towards a tightening of immigration and integration policies in each of these countries. With some exceptions, policy frameworks have been subject to sudden changes when new governments come into power. What we have witnessed is a migration policy pendulum that swings further to the right than when it rebounds. Austria, Denmark and Finland all had tightening policies with the former two moving away from an integration-focused policy approach towards repatriation. Italy has had multiple swings, with the populist right-wing coalition's security-based approach, seeking to criminalise migrants and humanitarian rescue operations, having had a decisive effect. Germany and Spain are the refreshing exceptions to this; in spite of weaknesses, each has preserved a more or less sustained approach to integration. Greece, on the other hand, is a case of its own, overwhelmed by the number of arrivals and let down by the EU.

Taking into account this unfavourable political background and the lack of co-ordinated action and solidarity at European level on the one hand, and tightening national policies on the other, it is quite remarkable that most of the countries we study here have still achieved substantially, in terms of absorbing a large number of asylum seekers, managing the asylum process and delivering on labour market integration. There are important lessons to be drawn from both the successes and the failures of this process.

In spite of favourable labour market conditions across the EU in the 2015-2019 period, the labour market integration of asylum seekers and refugees has encountered serious barriers.

The most important of these is *legal uncertainty* and a limited access to labour market and social services for hundreds of thousands of people. As described herein, the status of up to a million asylum seekers has not been clarified, either in that they are awaiting a final decision with limited access to employment or, having been rejected with a legal status that remains in limbo, without access to formal employment or to social services. This is a humanitarian crisis going on within the European Union.

*Institutional barriers* have also appeared, with several chapters documenting how public institutions, reception facilities, the asylum procedure and labour market institutions were overwhelmed, especially in the first year. This was not only due to the sudden increase in arrivals and asylum claims, but also reflects many successive years of austerity policies that, in most countries, hit public institutions and municipalities hard. Governments had two kinds of responses: either to boost and invest in public institutions to meet the new challenges; or to outsource asylum and labour market integration policies to NGOs and funding them in part. Germany and the Nordic countries, with Austria in the initial period, opted for the former while Spain, Italy and France took the outsourcing route, with Greece also in this camp but having little other option.

Several barriers appear regarding the *implementation* of labour market integration policies. Difficulties with the validation of qualifications, the lack of access to

apprenticeships and the absence of flexible validation systems for previous work experience represent a major obstacle to labour market prospects, as documented by most national chapters. Language skills are identified as a necessary precondition for a successful integration process, but there are clear identified bottlenecks here, with a lack of targeted courses for individual needs a key problem. The lack of systems to identify and capture the qualifications and skills of asylum seekers is seen as a hindering factor in the matching processes between labour supply and demand, frequently also leading to the over-qualification of refugees in some jobs. However, some good practices in this regard have also been identified: the 'Startup Refugees' programme in Finland and the 'Competence Check' programme in Austria have been successful in mapping the skills and qualifications of asylum seekers and refugees at an early stage without the need to rely on proven documentation or past records.

There has been success with on-the-job integration approaches in both Denmark and Germany. The Danish work experience programme provides short employment opportunities for refugees in co-operation with employers in which the latter do not pay wages to the individual directly, with the participant instead receiving welfare benefits. This is of course a practice which is not without controversy. Germany has also made use of its dual vocational training system to develop the competences of refugees in real work environments.

Mismatches between *housing and employment* offers appear to be a further barrier, particularly in France and Spain, taking also into account the geographical concentration of refugees as well as a strong desire, for a number of reasons, to be located in large, frequently capital, cities. As asylum seekers are forced into designated geographical locations often without proper employment opportunities, prospects for their integration into the labour market are limited from the start.

*Structural racism* by employers is mentioned in a number of chapters as an obstacle to integration, as documented by surveys in several countries. In many cases, however, the reluctance of employers to hire asylum seekers or refugees reflects substantially the uncertainty which surrounds their legal situation.

For all the examined countries, the *low level of female labour market participation* of refugees proves to be a continuing challenge.

Finally, it should also be recognised that not everything was bleak in the past five years in terms of the reception and integration of asylum seekers and refugees.

Labour market outcomes provide some reason for hope as, in spite of the political headwinds, a group of EU member states has sought to manage the integration of well over a million refugees with the labour market inclusion of hundreds of thousands of new arrivals. Indeed, the employment of non-EU citizens in the EU-27 has increased by over two million during the last five years. There are remarkable achievements to be noted in Italy and Spain, both of which provided employment opportunities for over one hundred thousand refugees. These countries have comparably high employment rates for non-EU nationals and for people arriving from the main origin countries of asylum



seekers. Germany, which has accommodated roughly half of all the asylum seekers arriving in Europe, also shows a high level of labour market integration. However, Denmark and Finland, two Nordic countries with the reputation of comprehensive welfare states and high labour market participation, have not lived up to previous expectations of managing the fast and smooth labour market inclusion of refugees. Their employment rates lag behind Germany and both Italy and Spain.

This (partial) success is largely due to the engagement of citizens, civil society, trade unions and many employers.

Nevertheless, the main employment challenge in each remains the high level of precarious work among the refugee population.

It needs to be born in mind, however, that all this happened under conditions of a labour market boom in Europe. This situation has dramatically changed since March 2020. The effect of the pandemic and the resulting economic and labour market crisis is hitting asylum seekers and refugees disproportionately. They are frequently in precarious employment and tend to have a high employment share in sectors most affected by lockdowns and the downturn, not to speak of the hundreds of thousands in the informal economy. Labour market integration, already experiencing significant problems when taking all these countries together, is likely to face major difficulties in a post Covid-19 world.

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EU data: <https://migrationdataportal.org/regional-data-overview/europe#key-trends>

All links were checked on 27 October 2020.

## **Glossary**

### **Asylum seeker**

An asylum seeker is a person requesting international protection due to the risk of persecution or of being ill-treated or subjected to other serious harm in his or her home country. To qualify as a refugee, an asylum seeker needs to present evidence for evaluation.

### **Beneficiaries of international protection**

A beneficiary of international protection is a person who has been granted refugee status or subsidiary protection status.

### **Refugee**

A person who has been recognised as being in need of international protection. According to the Geneva Refugee Convention, a refugee is a person who ‘owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, unwilling to avail himself of the protection of that country’.

### **Beneficiary of subsidiary protection**

A beneficiary of subsidiary protection is a third country national or a stateless person who does not qualify as a refugee under the Geneva Refugee Convention but would be in danger if returned to his or her home country.

### **Irregular immigrant**

An irregular immigrant is a person from a third country (non-EU country) who does not fulfil, or no longer fulfils, the conditions of entry as set out in the Schengen Borders Code or other conditions for entry, stay or residence in a member state.

### **Legally residing immigrant**

A legal immigrant is a person from a third country (non-EU country) that is legally residing in an EU member state for the purposes of work (Blue Card Directive, the Intra-corporate Transfer Directive), study (Students Directive, Scientific Research Directive) or family reunification (Family Reunification Directive).

### **Migrant**

People migrating to the EU are categorised as either: an asylum-seeker; a refugee; a beneficiary of subsidiary protection; an irregular immigrant; or a legal immigrant.

# Mixed policy signals in Austria: integration and non-integration in a time of uncertainty

Hermine Vidovic and Isilda Mara

## Introduction

Austria is among those EU member states where the share of the population that is foreign-born is particularly high, actually ranking fourth after outlier Luxembourg and the specific island cases of Cyprus and Malta. Austria has never officially called itself a country of immigration, but this can be derived from the Residence Act of 1 July 1993 (*Aufenthaltsgesetz*), signalling the start of a controlled immigration scheme containing rules on how to obtain permanent residence in Austria, including quotas. This Act has been amended several times but the possibility of immigration has never been completely abolished. Since 2011, a points system for the *Rot-Weiß-Rot-Karte* (Red-White-Red Card), which entitles the holder to temporary, fixed-term settlement and to employment with a specific employer, has been in force.

Austria has a long record of a humanistic and human rights-based immigration policy. In 1956, Austria was the country of first admission for refugees from Hungary as a result of the political uprising and subsequent repression; and in 1968/69 for refugees from Czechoslovakia during the Prague Spring. A strong inflow of asylum seekers from Poland was registered after the imposition of martial law in 1981/82; and from Yugoslavia in the late eighties, reaching a peak in 1991.<sup>1</sup> Another wave started at the end of the 1990s, culminating in 2004 and then falling continuously until 2009; after this, it climbed again to reach a new peak in 2015 with the net migration of 113,100 people as a result of an influx of asylum seekers particularly from Afghanistan, Syria and Iraq.

In response to this particularly large number of asylum seekers, the Austrian asylum legislation was subject to reforms in 2016, 2017 and 2018 making it more restrictive. One of the key changes refers to the duration of asylum proceedings, the period of protection (reviewed after five years) and access to welfare payments.

The inflow of refugees to Austria in 2015 required appropriate steps to facilitate their integration into the labour market. This has become all the more important as the majority of refugees are young and of working age. Thus, apart from the policies and practices pursued in the past, and mainly dedicated to migrants in general, measures tailored to the specific needs of refugees and asylum seekers have become necessary.

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1. Austria was the first country of admission for refugees from Hungary, Czechoslovakia and Poland, but the majority thereafter emigrated to other western European countries or overseas (EMN 2004).

This chapter is aimed at investigating these measures and their effectiveness and is structured as follows: after an overview of the number and characteristics of recent flows of refugee and asylum seekers and the population structure by nationality, it focuses on the policy approach of the authorities including as regards the welfare system and recent changes. Following this, it explores the legal framework for access to the labour market and undertakes an analysis of the main measures facilitating the labour market integration of this target group as well as the available comparative data on labour market performance. This is followed by an examination of the results of a survey of recent refugees, while the final section provides an evaluation of labour market integration outcomes and the main continuing challenges and debates.

## 1. National context of migration

At the beginning of 2019, Austria had 8.8m inhabitants, of whom 1.7m (19.5 per cent) were born abroad (for comparison, this share in 2002 was 13.8 per cent). Out of the total Austrian population, 739,579 people (8.9 per cent) were born in the EU-27, with 311,886 (42 per cent) coming from the EU-14 (those countries joining the EU prior to 2004) and 427,713 (58 per cent) from the EU-13 (those countries entering the EU since 2004). Third country nationals<sup>2</sup> accounted for 926,609 people; 10.5 per cent of Austria's total population.

Since the beginning of the 1980s, Austria has experienced three major migration peaks, as Figure 1 shows.

The first peak – in the mid to late 1980s – was due to a flow of asylum seekers from Poland and later from Yugoslavia, reaching its highest level in 1991 with a net immigration figure of 76,616. A second peak started at the end of the 1990s, culminating in 2004 with the net immigration of 50,826 people. In the following years, the net inflow of migrants decreased continuously, falling to 17,053 in 2009. This slowdown was mainly due to the transitional periods for new EU citizens' access to the labour market, but also to the recession in the wake of the financial market crisis. The third migration peak was triggered by economic recovery but also by the lifting of labour market restrictions from 2011 for nationals of those countries entering the EU after 2004.

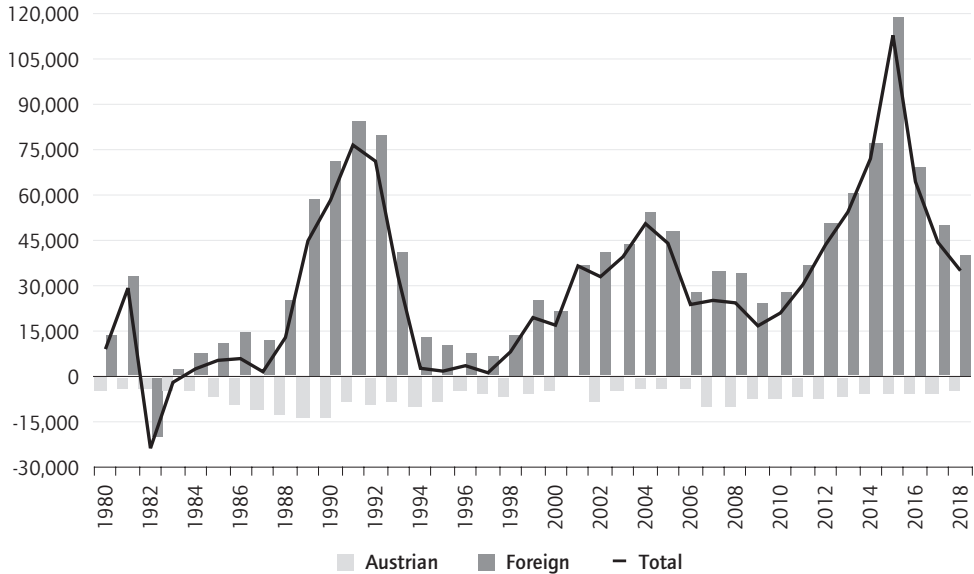
Figure 2 shows the composition of this third peak in immigration by foreign country group, broken down as EU member states before 2004 (minus Austria); EU member states joining from 2004; and non-EU third countries. A new height was reached in 2015 with the net migration of 113,100 people as a result of the influx of asylum seekers particularly from Afghanistan, Syria and Iraq. In the following years, net migration from EU countries as well as third countries has reduced gradually, reaching 35,301 in 2018. This was mainly the consequence of the erection of barriers to the entry of asylum seekers into Europe in general as well as in Austria in particular. Additionally,

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2. Third country nationals are those who are neither EU citizens nor citizens of other EEA countries (from Iceland, Liechtenstein or Norway) or of Switzerland.

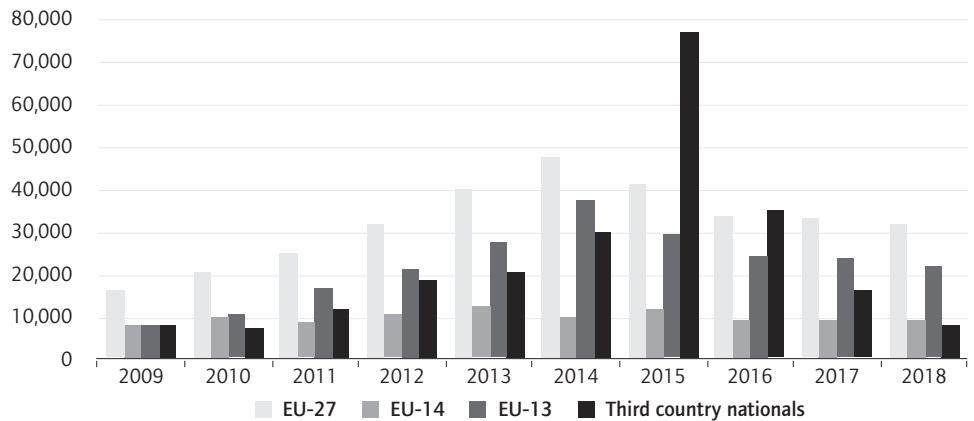
increased hostility towards migrants in politics, above all refugees, may have acted as a deterrent to entry (Biffl 2019).

Figure 1 Net migration of Austrian and foreign citizens, 1980-2018



Source: Statistics Austria.

Figure 2 Net migration by groups of countries, by citizenship



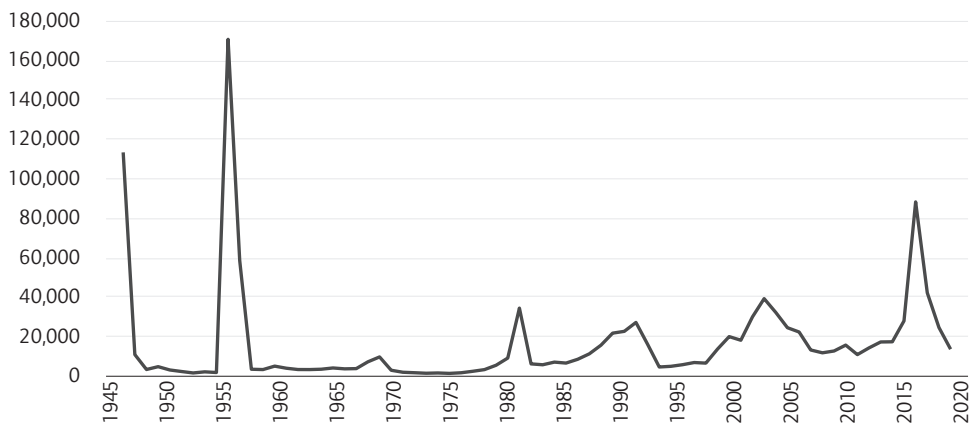
Source: Statistics Austria.

## 2. Refugee arrivals in the last decade

### 2.1 Asylum applications and decisions

Since the end of the 1980s – with a short interruption in the mid-1990s – the average number of annual asylum applications has surpassed the 17,000 mark owing to the steady inflow from parts of dissolving Yugoslavia; war-torn Afghanistan and Iraq; as well as Russia, predominantly due to the conflict in Chechnya. The Syrian civil war led to a surge in first-time applications<sup>3</sup> amounting to 28,064 in 2014 and 88,340 in 2015 (Figure 3). Subsequently, the asylum regulations were tightened and border controls with neighbouring countries intensified (Biffl 2019). Unilateral actions and border closures (e.g. by North Macedonia and Hungary) led to the *de facto* closure of the ‘Balkans Route’ that was also strengthened by the EU-Turkey Statement in 2016. In consequence, the inflow of asylum seekers fell in the following years, reaching 13,746 in 2018.

Figure 3 Annual asylum applications, 1947-2018



Source: Federal Ministry of the Interior (*Bundesministerium für Inneres*, BMI).

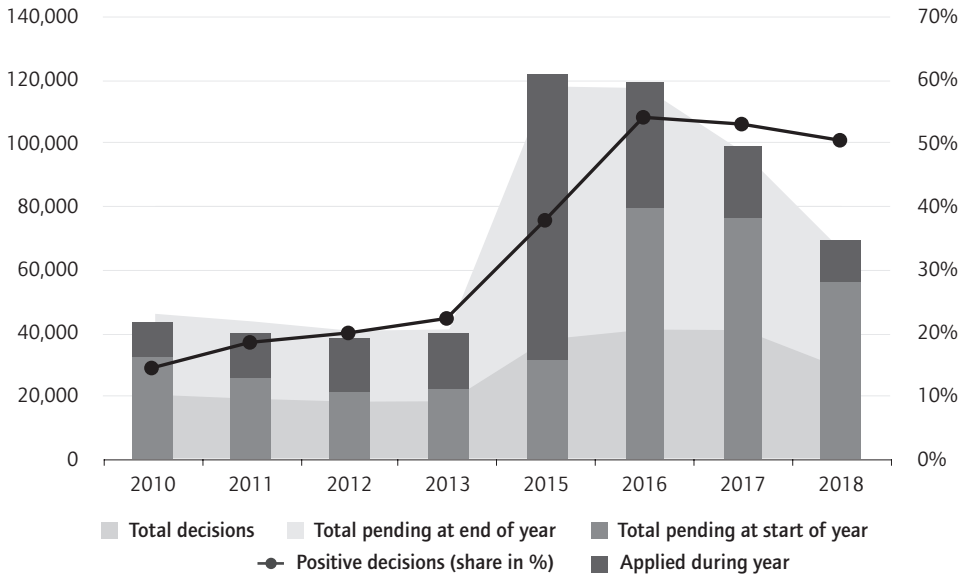
From 2016 onwards, new asylum applications sharply declined, but the number which remain pending continues to be high. The share of positive decisions rose to over 50 per cent in 2016 but has since slowed somewhat. However, the process of granting refugee status has become increasingly longer, thus jeopardising the path to integration (Figure 4). The legal status of refugees is important for determining their path to integration and settlement in the host country.

As part of the reform of the asylum legislation, the earlier extension of the decision period for asylum procedures from 6 to 15 months for the Federal Office of Aliens and Asylum (*Bundesamt für Fremdenwesen und Asyl – BFA*) and to 12 months for the

3. Starting from 2014, the Federal Ministry of the Interior has reported the number of first-time asylum applications in addition to the total number of applications. The difference between these numbers is due to many asylum seekers filing an additional application in or outside the country after their first one has been rejected.

Federal Administrative Court (*Bundesverwaltungsgericht - BVwG*) has expired on 31 May 2018. However, it still applies to proceedings that were pending in first instance or in Court at that time.

Figure 4 Asylum decisions in Austria 2010-2018



Source: Own elaboration based on UNHCR Population Statistics Reference Database.

## 2.2 Profile of asylum seekers

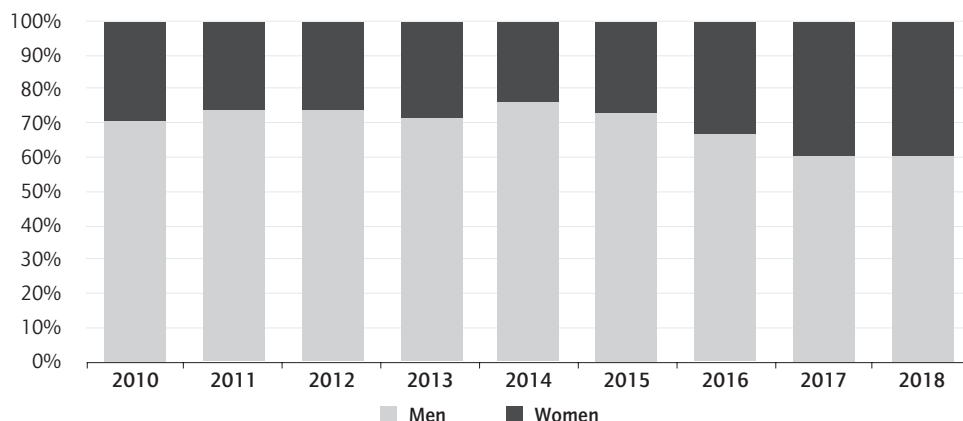
Between 2015 and 2018, the influx of asylum seekers was dominated by Syrians, accounting for 25 per cent of the total annual inflow, followed by Afghans. The third most important group changed in this period, from Iraqis in 2015-2016 to Pakistanis in 2017 and Iranians in 2018. As depicted in Figure 5 in terms of gender distribution, almost three-quarters of all applicants were men in the years up to 2015, although this share decreased steadily afterwards, reaching 60 per cent in 2018 (Expertenrat für Integration 2018). The age structure has undergone substantial changes since 2015, with applicants becoming even younger (Figure 6). At the end of 2018, one-half of asylum seekers were younger than 18 while one-third were aged between 18 and 34 at the time of their application. This might be interpreted as promising due to the higher potential for integrating young people into the existing workforce (Martin *et al.* 2016).

Insights with regard to the qualification levels of recognised refugees and people with subsidiary protection can be obtained from the *Kompetenzcheck* (Competence Check) carried out by the Austrian *Arbeitsmarktservice* (AMS – the public employment service). Information about the qualification levels of participants is obtained in qualitative interviews conducted in refugees' own language during which statements may be checked for inconsistencies. The results are highly heterogeneous for the



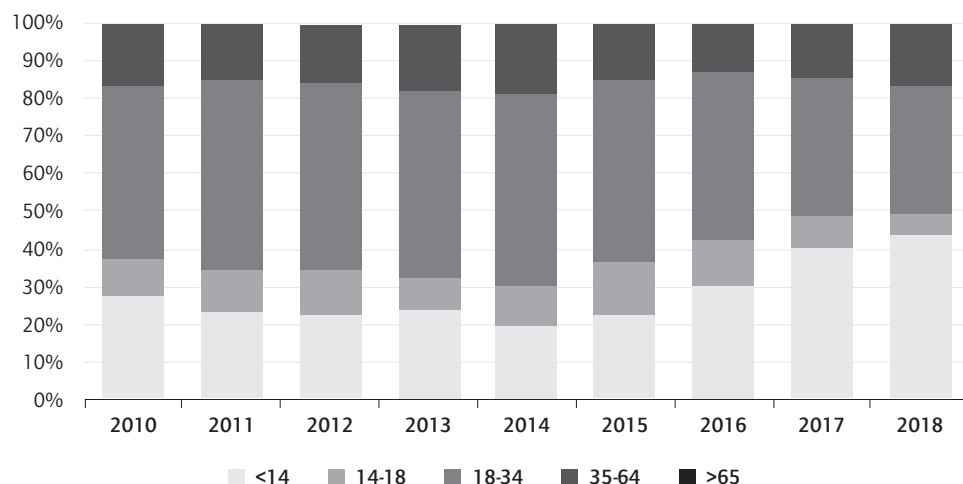
different countries of origin of the largest numbers of recent refugees and asylum seekers (Figure 7): Syrian, Iraqi and particularly Iranian refugees are remarkably well-educated, with 57 per cent of Iraqis, 55 per cent of Syrians and as much as 83 per cent of Iranians having a level of qualification equivalent to or higher than the Austrian *matura*.

Figure 5 Asylum applications by gender



Source: Own calculations based on BMI data.

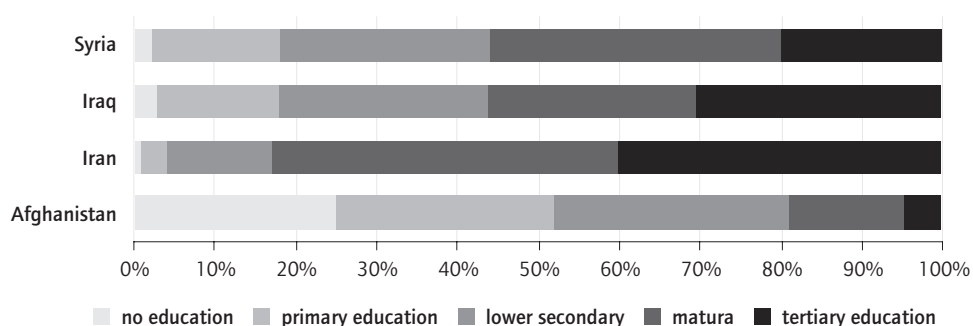
Figure 6 Asylum applications by age



Source: Own calculations based on Eurostat.

Only 17 per cent of Iranian and 41 per cent both of Syrians and Iraqis had a school education equivalent to or lower than that related to compulsory schooling and almost none were without school education. Quite different were the results for Afghans: 25 per cent of those in the sample had never attended school; 56 per cent had an education

Figure 7 Educational level of registered unemployed refugees, share in per cent



Source: Own elaboration based on competence check data (AMS).

equal to or lower than that appropriate to compulsory schooling; and only 19 per cent had a level of upper secondary qualification equivalent to or higher than the Austrian *matura*.

Interestingly, women were, in general, (much) better educated than men: 26 per cent had a university degree compared to only 19 per cent of men.

These wide discrepancies in educational levels have been confirmed by the International Centre for Migration Policy Development (ICMPD 2018) which has concluded that there are notable differences between countries, with applicants from Afghanistan making up the highest share of those who are illiterate or who have only low levels of formal schooling.

## 2.3 Reception and support

In the wake of the inflow and transit of asylum seekers during 2015, the Austrian government decided on a reform of the asylum legislation (April 2016, followed by further reforms in 2017 and 2018) (Biffl 2019). According to the new regulations, the period of protection/residence of recognised refugees (according to the Geneva Convention) is limited to three years, after which people may be expected to return if the country of origin can be considered safe for the person in question. Those with subsidiary protection status receive a one-year residence permit. Renewal has to be applied for at the Federal Office of Aliens and Asylum (*Bundesamt für Fremdenwesen und Asyl – BFA*); if the need for protection continues to exist, the residence permit is extended for two years. Family reunion, particularly for people with subsidiary protection status, became more restrictive. In addition, an emergency decree permitted refusal of entry to potential asylum seekers at the border if a certain upper limit (in 2016: 37,500 asylum seekers) had already been reached (Biffl 2019; OECD 2017).

In 2017, an integration monitor was implemented by the Ministry of Europe, Integration and Foreign Affairs. As a result, ‘new’ administrative data has been made publicly available, first published in the Ministry’s 2018 Integration Report.

In May 2019, the Austrian parliament passed a bill on the establishment of a new Federal Agency for Supervision and Support Services (*Bundesagentur für Betreuungs- und Unterstützungsleistungen* – BBU GmbH), which will *inter alia* be in charge of (i) providing reception conditions ('basic care'); (ii) providing legal assistance to asylum seekers; (iii) providing assistance for return; (iv) monitoring deportations; and (v) providing interpreters and translators during the asylum procedure. Its objectives are to increase the efficiency of reception at the federal level; provide asylum seekers with independent legal assistance; and promote voluntary returns through effective return counselling. The aim was for the Federal Agency to have carried out task (i) as of 1 July 2020 and all other tasks (ii to v) as of 1 January 2021.

During the consultation phase, the new law met with strong criticism from NGOs. UNHCR, the Association of Judges and the Chamber of Lawyers feared that independent legal advice would not be guaranteed under the influence of the Ministry of the Interior, especially as the Federal Office of Foreign Affairs and Asylum (BFA), the authority that decides on asylum applications, is also subordinate to it. The Roman Catholic Bishops' Conference also raised concerns while organisations currently providing legal advice – such as Caritas and Diakonie – also protested. Furthermore, the European Council on Refugees and Exiles (ECRE) called for the withdrawal of measures that severely restricted access to independent legal assistance.<sup>4</sup>

## 2.4 'Basic care' for asylum seekers; 'social assistance' for recognised refugees

In Austria, asylum seekers have the right to 'basic care' which is a level of welfare benefit significantly lower than the 'social assistance' (the former needs-based minimum income benefit) to which recognised refugees are entitled (see below). Asylum seekers are entitled to basic care immediately after lodging an asylum application up until the final decision on their application has been made.

According to AIDA,<sup>5</sup> the monthly amount an asylum seeker receives in basic care depends on the type of accommodation:

- in reception centres where catering is provided, asylum seekers receive €40 pocket money per month, while the care provider receives compensation for costs of up to €21 per day
- in reception centres where asylum seekers cook for themselves, they receive between €150 and €200 per month, mainly in cash. Alternatively, as is the practice in Tyrol, they receive €215 for subsistence (which equals the amount given for subsistence to those living in private flats)

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4. <https://www.ecre.org/wp-content/uploads/2019/07/Legal-Note-5.pdf>

5. <http://www.asylumineurope.org/reports/country/austria/reception-conditions/access-and-forms-reception-conditions/forms-and-levels> and <https://www.infomigrants.net/en/post/16559/austria-passes-welfare-reform-that-spells-cuts-for-foreigners>

- asylum seekers in private rented accommodation receive €365 in cash. The benefits are lower in Carinthia (€290 – €110 for the flat and €180 for subsistence) to cover the daily expenses of a single adult. The allowance for a child is set at €80 per month.

All asylum seekers receive vouchers worth an additional €150 per year for clothes while pupils receive €200 a year for school materials, again mainly in the form of vouchers.

Since September 2018, asylum seekers can be requested to contribute financially to the basic care they receive during the asylum procedure. The maximum amount of this contribution is set at €840 per person, although asylum seekers are entitled to keep at least €120 as an allowance. They also have to contribute financially for family members.

In addition, asylum seekers have recently been compelled to allow the authorities access to the contents of their mobile phones to speed up identity checks. Furthermore, the duration of legal stay in Austria before becoming eligible for naturalisation has been raised to ten years for refugees (Biffl 2019; OECD 2019).

Following an ongoing debate about eligibility for *Bedarfsorientierte Mindestsicherung* (BMS: the means-tested minimum income scheme) and the amount to which individuals are entitled, more restrictive legislation came into force in 2019 when BMS was replaced by social assistance. The main goal of the reform was to reduce the amount granted to large families and, in addition, to reduce social assistance for migrants with low language skills.

The law was passed in May 2019 in the face of NGOs' heavy criticism of it, but was immediately brought to the Constitutional Court by SPÖ – the opposition Social Democratic Party of Austria. In December 2019, the Court declared several parts of the law unconstitutional, including the provision that language skills were a precondition for receiving the full amount of social assistance as well as the provision to set maximum levels for children (in percentage of the adult entitlement) in decreasing order by the number of children children (i.e. to 25 per cent of adult entitlement for the first child; to 15 per cent for the second and to five per cent for every remaining child). The law as a whole was not abandoned, however, and the cancelled provisions have not been replaced (asylkoordination Österreich 2019).<sup>6</sup>

### 3. Regulation of labour market access

Citizens of EU member states and EEA countries (Iceland, Norway and Liechtenstein), as well as Swiss nationals, have free access to the Austrian labour market and therefore do not need labour market authorisation to work (they enjoy full free movement for workers). Austria was the only EU country to make full use of the transitional restrictions

6. VfGH, Decision G 164/2019-25, G 171/2019-24, 12 December 2019, available in German at: <https://bit.ly/39iNmop>

on labour market access for Croatian citizens envisaged within the accession treaty, i.e. for up to seven years following accession (up to 30 June 2020).

Third country nationals<sup>7</sup> need a valid certificate of residence, such as a settlement permit (*Niederlassungsbewilligung*) or a temporary residence permit (*Aufenthaltserlaubnis*).

### 3.1 Work permits for third country nationals

Work permits are usually granted only to people qualified to fill posts in specialised fields for which Austrian nationals, or other EU nationals or EEA citizens, are not available. Spouses, dependants and unmarried partners are not permitted to work by simple virtue of their partner's permit and must obtain their own work permits (family members of Austrian or EU/EEA citizens do not need a work permit). Residence and employment legislation and requirements are regulated separately.

There are four kinds of work permit in Austria:

- Employment permit (*Beschäftigungsbewilligung*)
- Work permit (*Arbeitserlaubnis*)
- Certificate of exemption (*Befreiungsschein*)
- Freedom of movement (*Freizügigkeitsbestätigung*)

The criteria-led immigration system of the *Rot-Weiß-Rot-Karte* allows qualified workers from third countries and their family members to immigrate to Austria permanently.

Recognised refugees and people with subsidiary protection enjoy the same regulations regarding entry to the labour market as nationals. In contrast, the employment of asylum seekers is subject to the Foreign Labour Act (*AuslBG*). Accordingly, the only way for asylum seekers to access the labour market is via seasonal work, after a waiting period of three months starting from the date of submission of the asylum application and provided that no final decision in the asylum procedure has been taken prior to that date. Access is restricted by a special decree of the Federal Ministry of Economics and Labour (2004) – the so-called ‘Bartenstein Decree’ (*Bartenstein-Erlass*) – to selected occupations with quota-regulated work permits, i.e. in tourism, agriculture and forestry. These seasonal jobs are limited by a yearly quota for each federal state and can only be issued for a maximum period of six months. For those involved with the harvest, the validity of the permit is six weeks. In order to take up employment, the local *Arbeitsmarktservice* has to issue a work permit which is consequent on applications being submitted by the employer. The possibility of obtaining access to the labour market is restricted by a labour market test (*Ersatzkraftverfahren*) which requires proof that the respective vacancy cannot be filled by an Austrian or EU/EEA citizen or another integrated third country national (long-time resident, family member, etc.). Until autumn 2018, there was also the possibility for asylum seekers up to the age of 25 to obtain an employment permit for an apprenticeship in a shortage occupation.

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7. <https://www.virtualvienna.net/working-in-vienna/>

Asylum seekers may also become self-employed. Access to self-employment is granted three months after the submission of the asylum application; asylum seekers have to apply for a trade licence which, however, is very restrictive in its scope.

Asylum seekers may take up work in charitable and non-profit institutions as well as community services. Charitable work includes work in reception facilities for asylum seekers, such as in cleaning, cooking, transport or maintenance; while community services on behalf of the federal government, the provinces and municipalities comprise, for example, landscaping, maintenance of parks and sport fields or administrative support. Asylum seekers may earn €110 per month which will not be deducted from their welfare benefits (see above, chapter 2.3).

### 3.2 Work permits for asylum seekers – outcomes

Between 2015 and 2018, a total of 2,123 work permits for seasonal work were issued to asylum seekers, most of them in 2016. Some 43 per cent of this number were for jobs in agriculture and forestry, 20 per cent in winter tourism, 19 per cent in summer tourism and 18 per cent in the harvest. Women accounted for only six per cent of these permits. The number of work permits for asylum seekers varied considerably by individual federal state: a total of 1,032 permits were issued in Upper Austria between 2015 and 2018 (49 per cent of all such permits) while only 25 (1.2 per cent) were issued in Vienna, where most asylum seekers live.<sup>8</sup>

A breakdown by employment category shows that the highest number of seasonal work permits were issued in Upper Austria to aid the harvest and summer tourism and, in particular, within the agriculture and forestry sector. Salzburg was the leader in winter tourism.

In 2018, 599 seasonal work permits for asylum seekers were issued in Austria, 327 (55 per cent) of them in Upper Austria alone. In Vienna and Lower Austria, on the other hand, only five and four employment permits were issued, respectively. No less than 96 per cent of the employment permits issued were issued to men.<sup>9</sup>

## 4. Main policies and programmes for labour market integration

### 4.1 Policy framework

Following the increase in refugee applications in 2015, the Austrian government announced that September a level of additional funding (€145m) for the integration of refugees. A budget of €75m was directed towards the education system to help refugee children, the creation of housing or the development of reception centres, while €70m was earmarked for active labour market policy measures, be it German language

8. [https://www.migration-infografik.at/am\\_saisonarbeit.html](https://www.migration-infografik.at/am_saisonarbeit.html)

9. *ibid*

courses, education and training, Competence Checks, employment subsidies (e.g. support for taking up employment) and consulting and support (e.g. the recognition of qualifications). Two months later, in November 2015, the Minister of Foreign Affairs presented a Plan for the Integration of Persons entitled to Asylum or Subsidiary Protection in Austria (with 50 action points) which was elaborated in cooperation with the Expert Council for Integration.

In 2017, the budget for refugee integration was raised by an additional €80m for schools to help refugee children and also to provide German language courses; while a further €80m was earmarked for the labour market integration of refugees and people with subsidiary protection. These supplementary budgets were reduced in 2018 and terminated in 2019 (Biffl 2019).

In 2017, the *Integrationsgesetz* (*IntG* – Integration Act) came into effect, focusing on the right to language and orientation courses and the duty actively to pursue integration. Violations of these obligations are subject to sanctions under the law and result in the curtailment of state benefits such as social welfare benefits or social assistance, unemployment benefit or unemployment assistance; and/or may result in the curtailment of basic welfare support, depending on the regulations in force in the individual federal states.

## 4.2 Labour market integration programmes

In principle, refugees and people with subsidiary protection status are entitled to the entire range of support offered by the *Arbeitsmarktservice*, depending on their individual situation.

There are numerous ongoing projects related to the labour market integration of refugees, partly financed through the EU Asylum, Migration and Integration Fund (AMIF). Many of those are currently provided by NGOs such as Caritas, Diakonie and Volkshilfe and concentrate on the provision of German language courses, coaching, counselling or labour market access support. Apart from these well-known organisations, there are also numerous smaller providers offering integration programmes for refugees. In the following we refer to some selected measures in more detail.

### Competence Check

Competence Check is a tool used to assess the skills, qualifications and language knowledge of recognised refugees whose competences are not apparent from their documents. This is offered in the native language of the refugees involved (e.g. Farsi/Dari, Arabic, Russian and French), or in German for those with sufficient German language skills, and takes 5-7 weeks to complete. The aim of the check is to recognise existing skills and qualifications and to define the need for additional qualifications. It also provides refugees with information about employment and the Austrian education system. Between August 2015 and December 2018, Competence Checks were carried out among 18,667 unemployed recognised refugees, out of which 14,362 were men

(77 per cent) and 4,315 women (23 per cent). Just over one-half of the interviewed persons originated from Syria, 20 per cent from Afghanistan, eight per cent from Iraq, seven per cent from Iran and 14 per cent from other countries.

Within the checks, the programme ‘Competence Checks for Women’ by AMS, in partnership with ABZ\* Austria, received the ‘United Nations Public Services Award’ in 2019 in the Gender Equality category.<sup>10</sup> The programme aims to remove gender-specific barriers and to ensure equal opportunities for female refugees, especially from the countries of the middle east, in order to give women equal access to work and training. Women often have good education – sometimes even at academic level – but have not yet worked in their occupational field. The Competence Check helps to give greater focus to career aspirations and shows the way in which women can be assisted to an Austrian educational qualification and into working life.

### **Start Wien – Youth College**

Youth College is a project launched in 2016 by AMS Vienna, the Vienna Social Fund and the municipal administration responsible for integration and diversity. It has 1,000 places for young refugees and asylum seekers and other migrants between the ages of 15 and 25. The goal is to prepare these immigrant groups for subsequent access to compulsory education or entry into the labour market via a modular system. Apart from language courses, mathematics and ICT courses, special modules like completing compulsory schooling, workshops, educational and vocational guidance and socially integrative activities, etc. are offered. The budget amounts to €6m annually, half of which is financed by the ESF. By August 2018, 2,068 young people had been supported as part of the project.

### **(Voluntary) Integration Year**

Starting from 2016, there was the possibility of a *freiwilliges Integrationsjahr* (FIJ – Voluntary Integration Year) for those who have been granted refugee status or subsidiary protection, who have been in this status for a maximum of two years and who are beneficiaries of social assistance. Subsequently, the *Integrationsjahrgesetz* (IJG – Integration Year Act) made this obligatory from September 2017. The IJG focused on the provision of active labour market policy measures for refugees, while asylum seekers with a high probability of gaining asylum status were envisaged as being able to access labour market policy measures, including work training programmes and German language courses, from January 2018.

However, this legislative reform was swept away in August 2018 via the withdrawal of funding ‘indicating that integration is increasingly seen as an obligation of refugees and not of the Austrian host society as well’ (Biffl 2019).

10. <https://publicadministration.un.org/unpsa/innovation-hub/Home/Winners/2019-Winners/ABZ-Kompetenzcheck>



## Step2Austria

Step2Austria offers professional counselling, coaching and placement services for asylum seekers, the beneficiaries of subsidiary protection and people with a migration background aged 18 and over, and registered with AMS Vienna subsequent to the Competence Check. Counselling is individually adapted to the needs of the participants (via linguistic, cultural and professional support). The focus is on the best possible application of existing skills and on mediation in line with acquired training and experience. In 2018, 635 recognised refugees and people eligible for subsidiary protection were provided with counselling under Step2Austria, with 185 of them being successfully employed. In addition to German, native language counselling is provided in English, Arabic, Farsi, Russian, Turkish, Polish and Slovak.

### Apprenticeships for young asylum seekers in shortage occupations

The possibility for young asylum seekers up to the age of 25 to start an apprenticeship in shortage occupations – introduced in 2012 – was withdrawn in autumn 2018 since the scheme was seen by the Minister of the Interior as an incentive to apply for asylum in Austria (Biffl 2019).

In late 2017, Rudi Anschober, at that time a Green politician in Upper Austria,<sup>11</sup> set up the platform *Ausbildung statt Abschiebung* (Training instead of Deportation) which was/is well received by representatives of most of the major parties (except FPÖ – the Freedom Party) as well as in business and academia. Signatories to the initiative appealed to the (former) federal government to implement the ‘3plus2’ model for asylum seekers, in line with the scheme in Germany in which ‘3plus2’ provides for apprentices not to be deported during their three-year training and the first two full years of work. During this time, the asylum procedure continues, but the model leads to tolerance for those involved and thus security during the period of training and the first two years of work.

The demand for the introduction of the German model has not yet been met, but a parliament decision<sup>12</sup> in December 2019 has made it possible for asylum seekers to be allowed to complete the apprenticeships they have started in Austria even if they are threatened with deportation. All parties represented in the parliament, with the exception of the right-wing FPÖ, voted for the regulation. However, if a negative asylum decision has been issued, those concerned must leave the country after they have finished their apprenticeship. Asylum seekers are not allowed to start a new apprenticeship, as the regulation only applies to existing cases.

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11. Under the current government coalition consisting of the Austrian People's Party (ÖVP) and the Green Party, Mr. Anschober is Minister of Health and Social Affairs.

12. In May 2019, the ÖVP/FPÖ coalition government was ousted after a no confidence vote. The decision on the apprenticeship of asylum seekers was made under the interim (expert) government in office between June 2019 and January 2020.

**b.mobile – Nationwide job placement for apprentices scheme (AMS Vienna)**

The Chamber of Commerce, the Ministry of Science, Research and Economy, the Ministry of Labour, Social Affairs and Consumer Protection and the Public Employment Service started a pilot project in Vienna to offer young recognised refugees an apprenticeship in occupations and regions suffering from a lack of apprentices. In preparation, the competencies and interests of the young people involved must be tested (in German, Arabic, English, French and, later on, also in Farsi) in order to establish optimal matching with vacant apprenticeship posts. The young people will accordingly be prepared for their apprenticeship and supported during it by a coach/fixed contact person with regard to occupational and other questions. The apprenticeship coach also prepares the company for the young refugee apprentices.

In its initial phase, this pilot project will comprise about 100 young recognised refugees, with a focus on unaccompanied minors. Currently, there are 5,335 young refugees registered with the AMS, two-thirds of them in Vienna. Later on, the project could also be extended to young asylum seekers.

**Courses in Austrian values and culture**

Compulsory one-day training courses in Austrian values and culture are provided for recently-recognised refugees and people with subsidiary protection entitled to social assistance and AMS support. In the case of non-participation, allowances are cut accordingly.

**Additional services**

The Austrian AMS also offers support through specialised counselling and assistance centres especially concerning the recognition of competences and skills to speed up the process of integration: e.g. all medical doctors with the need to have their degrees from universities outside Austria recognised, and who are registered with AMS Vienna, are supported by a counselling and assistance centre in Vienna ('CHECKIN Plus').

In view of the high share of (recognised) refugees on their books, AMS Vienna set up a central information centre for recognised refugees and people eligible for subsidiary protection in May 2017, providing initial consultation with the AMS. Consultation and information is offered there by native-speaking counsellors in Arabic, Farsi/Dari and Russian.

Job fairs for refugees are highly visible actions, but only partly successful. Out of 1,040 refugees – mainly Syrians and Afghans who had arrived in Austria between 2015 and 2016 – selected by AMS Vienna for a job fair in Vienna in January 2019, only about one-fifth had a job by the end of March. It turned out that one of the major hurdles for the target group in applying for a job was that the majority of firms conduct their selection procedure via online application portals and refer to these at the job fair. Most refugees do not own a computer.

## 5. Labour market performance

### 5.1 Comparative labour market characteristics of the foreign-born population

Austrian social insurance data do not indicate whether a registered employee is a recognised refugee, but only provide information on the citizenships of insured workers. Accordingly, in 2018, 752,900 foreign employees (i.e. wage and salary earners) were employed in Austria. This is 315,000 more than in 2008.

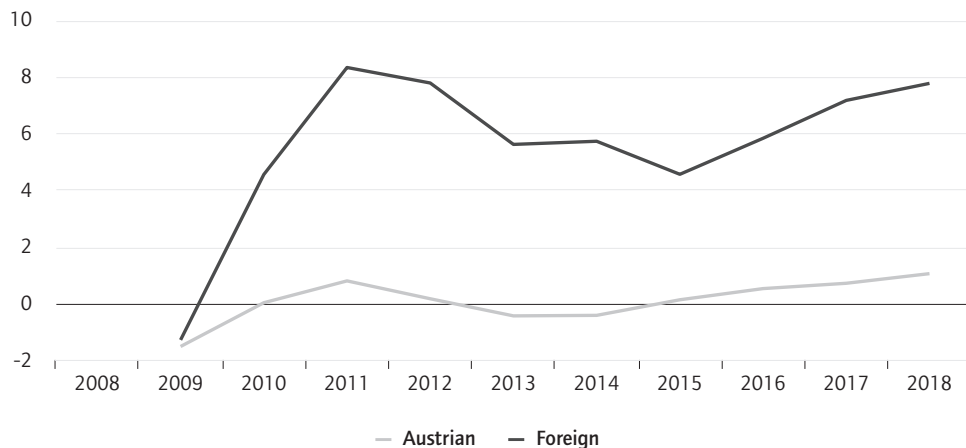
#### Employment

Between 2008 and 2018, the employment of Austrian nationals increased by 1.3 per cent, while the number of foreign workers rose by 72.3 per cent (Figure 8). Thus, foreign workers accounted for a 20.1 per cent share of total employment compared to 12.9 per cent in 2008. The strong increase in the employment of foreign workers was mainly due to EU enlargement and the subsequent liberalisation of labour market access for citizens of the new member states.

Out of the total number of foreign employees, 452,000 people in 2018 originated from EU countries, of whom 142,200 were from the old EU countries (EU-14) and 309,800 from the new member states (EU-13). Thus, 60 per cent of foreign workers were EU nationals and 40 per cent third country nationals.

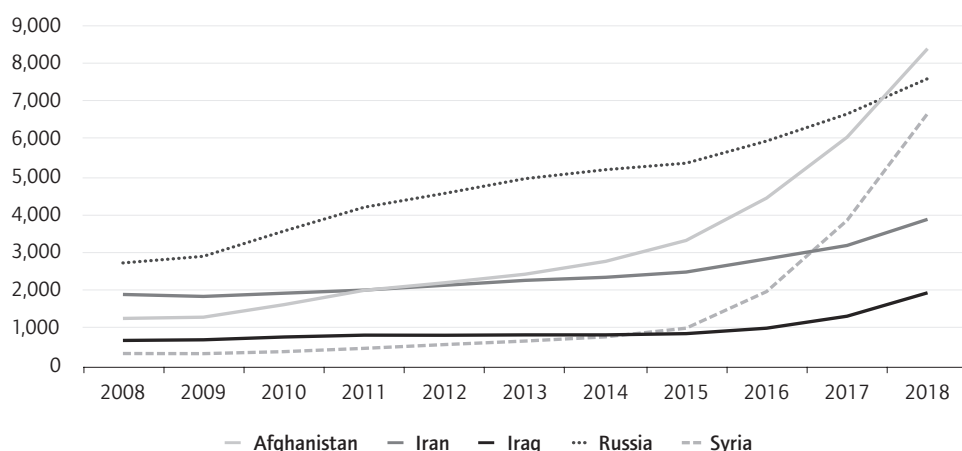
The combined number of workers from Afghanistan, Iran, Iraq, Russia and Syria has risen from 6,892 in 2008 to 28,490 in 2018, increasing their share in the total foreign workforce from 1.6 per cent to 3.8 per cent. Employment increases were particularly strong for citizens from Afghanistan and, even more so, from Syria from 2015 onwards (Figure 9). Within this group, workers from Afghanistan constitute the largest community, followed by Russians (mostly from Chechnya), Syria, Iran and Iraq.

Figure 8 Employment growth of Austrian nationals and foreign workers (per cent)



Source: BaliWeb.

Figure 9 Employment of citizens from Afghanistan, Iran, Iraq, Russia and Syria (number)



Source: BaliWeb.

The share of women in foreign employment differs by country of origin. In 2018, women from Russia (55.7 per cent) and Iran (37.4 per cent) had the highest participation rates in terms of foreign female employment. Iraqi females come next, but with a significantly lower rate (17.4 per cent). The lowest share of women in employment is amongst Afghans (10.5 per cent) and Syrians (9.5 per cent). It is interesting to note that the participation rate of foreign women fell for citizens from almost all of these five countries from 2013/2015 onwards; the only exceptions are women from Russia whose employment share continued to increase.

In terms of economic activities, in 2018 the majority of workers from the five main countries of origin of refugees are employed in the services sector, 13 per cent in industry and close to five per cent in construction, while the share of workers in agriculture is negligible. A more detailed breakdown shows that workers from Afghanistan are primarily employed in tourism, followed by other business services (e.g. cleaning, domestic services), trade, manufacturing and construction. Iranians work in trade, tourism and other business services, manufacturing and health and social work; Iraqis are employed in other business services, tourism, trade and manufacturing. Russians are mainly employed in trade, other business services and manufacturing with remarkable shares also in professional, scientific and technical activities. Syrian citizens are primarily employed in tourism, manufacturing, other business services and trade. In some of these service activities, the proportion of foreign workers is amongst the highest of any industry. Tourism takes the lead with foreign workers amounting to 49.4 per cent of the workforce, followed by cleaning and domestic services (40.2 per cent). The highest share of any industry is actually held by agriculture and forestry where the foreign-born workforce is close to 60 per cent, but this sector does not play much of a role with respect to the employment of immigrants from Afghanistan, Iran, Iraq, Russia and Syria.

Statistics on the occupational structure of employees from these countries are not available but a study by ICMPD (2018), based on surveys of refugees, gives some insight.<sup>13</sup>

According to the results of this study, one-third of employees (33 per cent) were working in an unskilled capacity, in particular as kitchen help, cleaning staff, in the manufacture of goods and packaging, transport and storage and other auxiliary activities. Almost one-quarter of respondents worked in service occupations such as sales people, waiters and bartenders, cooks or as security staff. About 16 per cent worked in craft trades, including mainly as mechanics and welders. Technical professions were mentioned almost as often (15 per cent), representing a highly heterogeneous group encompassing non-academic legal and social care professions as well as cultural and related professionals. The largest group of technical professionals were social workers, followed by materials and engineering technology professionals. Academic occupations were mentioned rather rarely (six per cent), mainly being interpreters/translators.

According to the survey, atypical employment, particularly in the form of part-time work, was frequent; 39 per cent of respondents worked part-time. Among women, the part-time rate was much higher than the average, at 70 per cent. Fixed-term contracts were more common among men (29 per cent) than among women (19 per cent) and accounted for 27 per cent of the total workforce surveyed. This was particularly the case among unskilled workers (44 per cent).

With respect to self-employment, the available statistics show a steady increase among Russian citizens in Austria since 2008, while a noticeable growth of self-employment for Syrian citizens started in 2015, for Afghans in 2016 and for Iranians and Iraqis in 2017 (Figure 10). The self-employment of citizens from these five countries is primarily concentrated in tourism, wholesale trade and transport, followed by construction and manufacturing – it differs, however, by nationality.

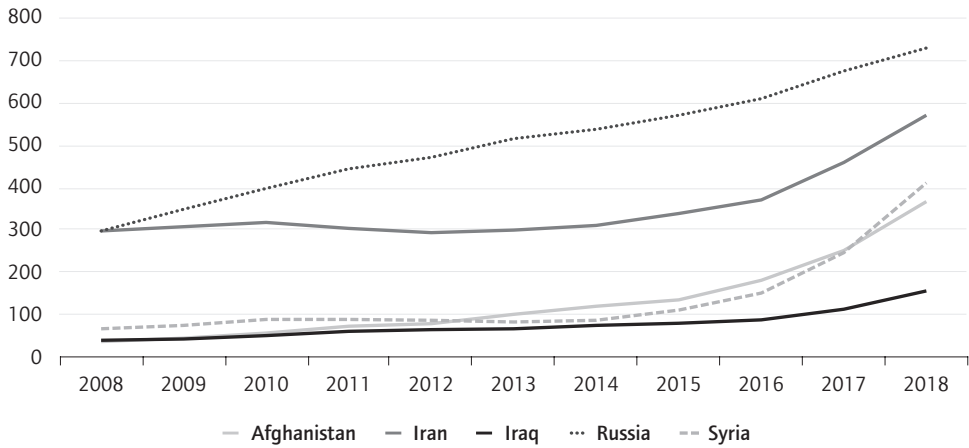
In more detail, the self-employment of Afghans is focused on trade, transport, site preparation and restaurants. Iranians are more likely to set up their own business in transport, accommodation, wholesale trade, restaurants and site preparation. Self-employment of Iraqis is concentrated in site preparation, building construction and postal and courier activities. Russians work in accommodation, manufacturing, trade and creative arts and entertainment activities, while the self-employment of Syrian citizens in Austria is concentrated in restaurants, wholesale trade, site preparation and other personal services.

As shown in Figure 11, in 2018 self-employment was highest among Iranians, being close to the average for Austrian workers (12.4%), while it was lowest for citizens from Afghanistan (4.2 per cent) and Syria (5.8 per cent). Across all five countries, the proportion of self-employed people (15.2 per cent) was, however, much lower than the share taken generally by foreign workers.

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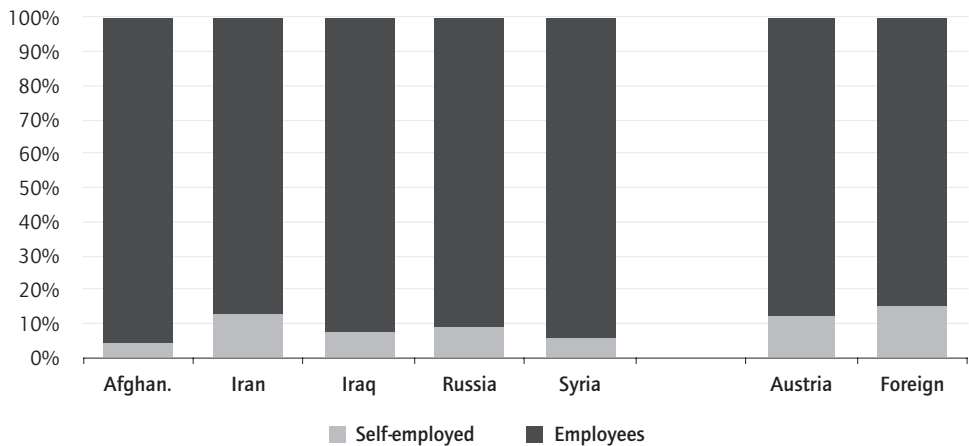
**13.** Face-to-face interviews conducted between August 2016 and May 2017 with 1,200 refugees and beneficiaries of subsidiary protection of working age from Syria, Afghanistan, Russia and Iraq who had arrived mostly since 2006.

Figure 10 Self-employment of citizens from Afghanistan, Iran, Iraq, Russia and Syria (number)



Source: BaliWeb.

Figure 11 Share of self-employed and employees of workers from Afghanistan, Iran, Iraq, Russia and Syria compared to Austrian nationals and all foreign workers, 2018 (per cent)



Source: BaliWeb.

Summing up, the strong concentration in low-skilled jobs, the high numbers of part-time workers and those employed on a fixed-term basis and the low salaries of those in employment can be described as labour market segregation. Often, these are low-status jobs which are avoided by non-migrants (e.g. as kitchen help, cleaning staff, warehouse workers or security). Refugees therefore tend to work in atypical employment much more frequently than other migrants or Austrians, especially in their initial employment relationships (ICMPD 2018).

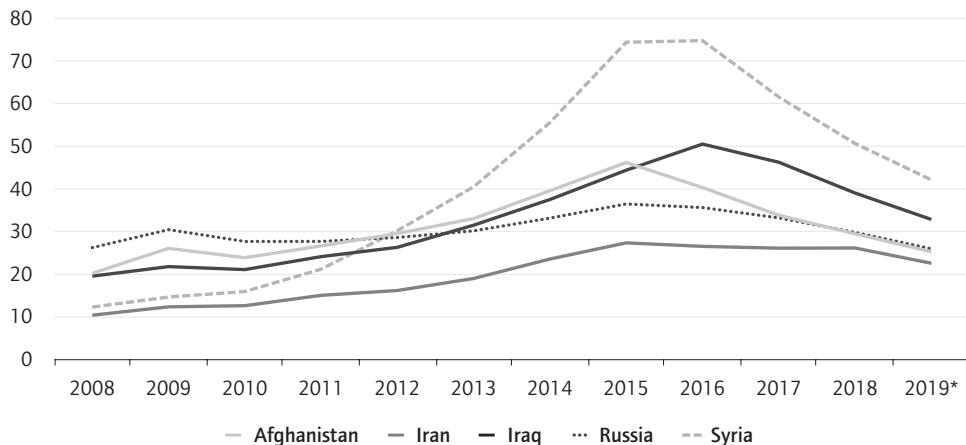
## Unemployment

In July 2019, 28,374 AMS beneficiaries from Afghanistan, Iran, Iraq, Russia and Syria were registered as unemployed (the majority, close to 60 per cent, living in Vienna). Among them, 18,074 were seeking work and 10,300 were in training. Syrians represented the largest group (13,156), followed by Afghans (6,279), Russians (3,195), Iraqis (1,973) and Iranians (1,921).

As stated above, Austrian social insurance data do not indicate whether a registered employee is a refugee and no official unemployment rates for refugees are available. However, employment data for citizens from the main source countries of refugees may serve as a proxy for the calculation of the unemployment rate. Accordingly, unemployment reached a peak in 2015 and fell steadily thereafter (Figure 12). In July 2019, the unemployment rate of Syrian citizens stood at 42.3 per cent followed by Iraqis (33 per cent), Russians and Afghans, both at about 26 per cent, and Iranians at 22.7 per cent.

However, unemployment rates remain well above average compared to other countries of origin. The improvement in the past couple of years is mainly attributable to the favourable economic environment, which has helped not only to reduce the overall unemployment rate but also the unemployment rate of ‘vulnerable’ groups (including recognised refugees). In addition, networking might also have contributed to rising employment/declining unemployment among refugees.

Figure 12 Unemployment rates of citizens from Afghanistan, Iran, Iraq, Russia and Syria (per cent)



Note: 2019 refers to July.

Source: Own calculations based on BaliWeb.

Within the group of asylum seekers and beneficiaries of subsidiary protection, however, many people are not covered by labour market statistics as they are not (yet) available to the labour market. Such people are particularly remote from the labour

market because, for example, they do not have sufficient knowledge of German in order to pursue gainful employment or because they are not in a position to work or are not available due to caring obligations. These people are, therefore, not included in the number of registered jobseekers (Expertenrat für Integration 2019).

## 5.2 Evaluation of labour market success for refugees

The *Arbeitsmarktservice* regularly monitors the labour market success<sup>14</sup> of refugees within three control groups.

Of refugees who gained recognised status in 2015 and who were registered as unemployed with the AMS or in training between January 2015 and June 2016, 10.1 per cent were in employment at the end of June 2016 and 44.1 per cent at the end of June 2019 (this group is referred to as control group 1 and comprises 9,526 people).

Among refugees who received residence status in 2016 and were registered unemployed with the AMS or who were in training between January 2016 and June 2017, 11.4 per cent were in employment at the end of June 2017 and 39.8 per cent at the end of June 2019 (control group 2, comprising 11,596 people).

Finally, among refugees who received residence status in 2017 and who were registered as unemployed or in training with the AMS between January 2017 and June 2018, 18.6 per cent were in employment at the end of June 2018 and 35.2 per cent at the end of June 2019 (control group 3, comprising 8,794 people).

A research report published by Forstner *et al.* (2019) examines the labour market integration of foreigners including asylum seekers from Afghanistan, Syria and Russia who came to Austria in 2007, 2011 and 2016. The report uses social security data, comprising all those living in Austria who have a social security number and classified according to pre-defined criteria (e.g. nationality, time of immigration, for asylum seekers the provision of basic care, etc.) and their labour market integration at different points in time (one, six and ten years after immigration).

The results indicate that, in 2017, out of the asylum seekers or beneficiaries of subsidiary protection who were of working age and who had been living in Austria since 2007, 58 per cent were in employment (defined as for at least ninety days in a calendar year). Of those coming to Austria in 2011, 53 per cent were employed while, of those who had applied for asylum in 2016 and were still in Austria in 2017, only three per cent had started to work.

The employment rate among the beneficiaries of asylum and subsidiary protection still living in Austria varies widely by nationality. Employment is most likely for refugees from Syria: in 2017, 69 per cent of the 2007 cohort and 63 per cent of the 2011 cohort were in employment. The figures for refugees from Afghanistan are 65 per cent and

14. This type of measurement of integration success is relatively strict, as only those people who were actually in employment at the end of the respective month are considered 'successful' here.



58 per cent, respectively. The group of refugees who have been least successful in the labour market are citizens from Russia, with employment rates of 33 per cent among the 2007 cohort and 20 per cent in the 2011 cohort. However, there are some gender-specific differences: the integration of men from Syria and Afghanistan into the labour market might be above average compared to the overall group, but women from these two countries are less frequently employed; while the employment of both men and women from Russia is significantly below average.

A study by Jestl *et al.* (2019), based on the same dataset and examining employment gaps between refugees, non-humanitarian migrants and natives, concluded that refugees, after a difficult initial phase, start a catching-up process with respect to both the other groups. After seven years in Austria, non-European refugees show approximately the same employment probability as non-European migrants, while differences across immigrant groups become smaller the longer immigrants stay in Austria. The labour market integration process differs, however, in terms of gender, age and education: women, older people and highly-educated refugees<sup>15</sup> face long-lasting difficulties of integration into the Austrian labour market compared to non-humanitarian migrants and natives. Major reasons for the slower integration of the latter group is cited by the authors as the higher requirements for (host country) language competence in high-skilled jobs, as well as difficulties with the transferability of skills (i.e. in having professional and academic qualifications recognised).

## 6. Survey results on the labour market integration of refugees

The FIMAS+ INTEGRATION survey (ICMPD 2018) is a unique survey dataset whose intention was to capture various dimensions of the integration processes of recent refugees in Austria of working age (aged between 15 and 60) particularly from Syria, Afghanistan and Iraq. The survey was carried out between December 2017 and April 2018 in the five Austrian provinces of Vienna, Upper Austria, Styria, Salzburg and Tyrol. The survey comprised around 1,640 refugees, of which 55 per cent were from Syria and 21 per cent from Afghanistan, while 14 per cent were from Iraq. The majority of respondents were male (79 per cent) – which corresponded to the composition of the refugee population in Austria who were eligible for asylum or subsidiary protection and who came to Austria mainly in 2014, 2015 and 2016.

The information gathered through this survey allows us to answer important research questions about the integration programmes tailored to recently-arrived refugees in Austria, since a special section was dedicated to the evaluation of their participation in recently-introduced integration programmes and their effectiveness as regards integration – e.g. Competence Check, Step2Austria and Start Wien – Youth College.<sup>16</sup> Information was collected not only about participation in these integration courses, but also about the opportunities offered through such programmes.

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15. However, if looking only at the group of recently-arrived refugees, labour market integration is more successful among the highly-qualified.

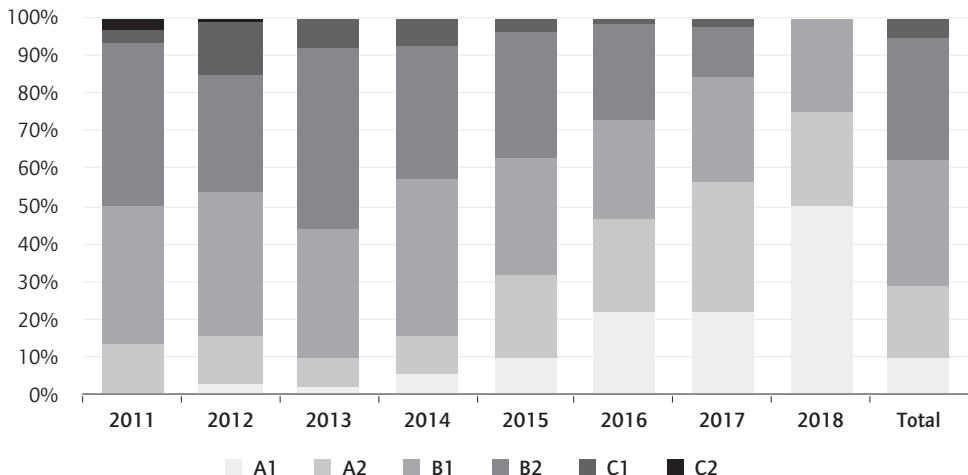
16. For further details, see section on Labour market integration programmes above.

## Participation in language courses and how recent refugees fare

The complexity that refugee status implies means that refugees' path to integration is more complicated than for other groups of migrants. In most cases, refugees face a number of barriers in terms of integration and finding employment because moving to another country was not a deliberate choice. Rather, it was an abrupt event which compelled them to interrupt e.g. education, employment, social contacts, etc. and take another life trajectory for which they might be unprepared. Therefore, the path to integration and labour market outcomes of refugees will be shaped by their involvement in different training programmes allowing them to acquire the language of the host country followed by other formation courses which supports them in rapidly entering the labour market and settling in the host society.

Through the FIMAS survey (ICMPD 2018), we can provide an insight into the situation of recent refugees in Austria, their level of participation in integration courses and the benefits of participation. First of all, it should be noted that almost 89 per cent of the refugees who took part in the FIMAS survey stated that they had no knowledge of German when they arrived in Austria. However, at the survey stage, 70 per cent stated that they had intermediate language skills (i.e. B1 and above). In fact, refugees have considerably improved their German language skills over time, and earlier cohorts have a much better knowledge of German than those who arrived more recently. Almost one-half of refugees who arrived in Austria in 2011 have language skills equivalent to B2 and above – upper intermediate level, according to the Common European Framework of Reference for Languages (Figure 13).

Figure 13 German language proficiency, by year of migration to Austria



Note: Common European Framework of Reference for Languages (CEFRL): A1 – beginner; A2 – elementary; B1 – intermediate; B2 – upper intermediate; C1 – advanced; C2 – proficiency.

Source: Own elaboration, FIMAS database (2018).

If one concentrates on recent refugees, the knowledge of German is certainly lower but, as the number of years in the host country increases, so does the proportion of refugees who know German. Younger age cohorts reported better German language skills, especially in the 25-34 age group where more than 75 per cent already had a command of the language at B1 and above. In terms of gender, men showed a slightly better command of German than women. Similarly, better educated and working people revealed a higher level of language skills. Nevertheless, differences in language skills are more pronounced at different educational levels. Only around 40 per cent of those with no formal education or only a primary level – ISCED-0 and ISCED-1<sup>17</sup> – had an intermediate level of German language of B1 and above; in contrast, almost 85 per cent of those with a high level of education – ISCED 4-6 – did so. Major differences can also be observed between those who are already employed and those still unemployed: almost 80 per cent of those in employment stated that they had an intermediate level of German language – B1 and above – while only 60 per cent of the unemployed did so.

The strategies undertaken by refugees for acquiring language skills apart from language courses are manifold: e.g. through education and work or media use, but also through social contact with natives, friends or their own partners. Those who have acquired German language skills through education and work show slightly better proficiency in the language than those who attend language courses. As expected, German language courses are mainly targeted towards supporting those who have a less good command of the language.

### **Participation in integration courses and how recent refugees fare**

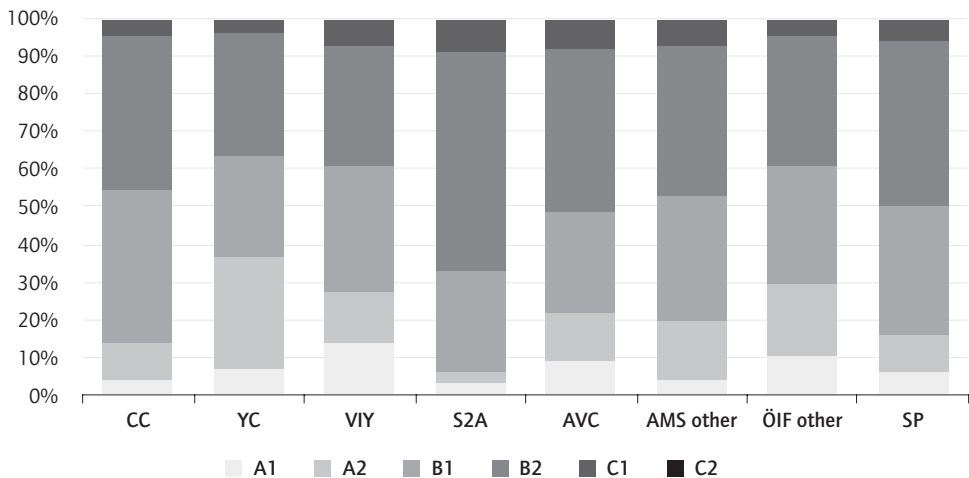
A command of the language of the host country is essential in order to make progress in various areas of integration: not only in terms of employment, but also in terms of social and cultural integration. Knowledge of the language of the host country will, in most cases, enable people to participate in other integration programmes which will subsequently improve their skills and employment opportunities. According to the FIMAS results, a significant number of refugees participate in other integration programmes in parallel to German language courses. As a result, both language and integration programmes for refugees have, to a certain extent, been used in a rather synchronised way. This is particularly true for the group of refugees who had taken advantage of the Youth College – an integration programme suitable for young people aged 15 to 21 years – since 61 per cent of the refugees participating in this programme also attended a German language course. As far as the other programmes are concerned, the use of integration programmes in combination with a language course accounted for more than 33 per cent of refugees who participated in other programmes such as Competence Check and Voluntary Integration Year, and even higher – up to 38 per cent – of those who attended courses on Austrian values and culture or other courses offered by AMS.

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17. International Standard Classification of Education (ISCED) 1997: ISCED-0 refers to formal education; ISCED-1 to primary education or first stage of basic education; ISCED-2 to lower secondary education; ISCED-3 to upper secondary education; ISCED-4-6 to post-secondary non-tertiary education, first stage of tertiary education and second stage of tertiary education.

Moreover, especially among refugees who participated in integration programmes where their skills, qualifications and language proficiency were tested – e.g. through Competence Check – the reported language proficiency was higher (see Figure 14 below). In contrast, the language skills of refugees who attended Youth College seemed to be slightly poorer than those of other refugees who participated in other integration programmes. This certainly had to do with the target group and purpose of this programme being young refugees and asylum-seekers aged 15–21 as a means of equipping them with the necessary language skills and meeting basic educational needs. In other programmes, too, where the focus was primarily cultural integration and the cultural values and attitudes of the host society – e.g. Step2Austria or courses on Austrian values and culture – those who took part in this programme proved to have a good knowledge of German.

Figure 14 German language proficiency and attendance on integration programmes



Note: CC – Competence Check; YC – Start Wien-Youth College; VIY – voluntary integration year; S2A – Step2Austria; AVC – Austrian values and culture courses; AMS other (other programmes run by AMS); ÖIF – other programmes of the Austrian Integration Fund); SP – special programmes.

Source: Own elaboration, FIMAS database (2018).

Refugees who completed Competence Check found it particularly useful in obtaining a job that matched their previous qualifications (44 per cent) and for acquiring new skills (41 per cent), but also for finding a job (39 per cent). Attending Youth College was particularly useful in helping participants achieve a higher level of education (47 per cent) and find a job (38 per cent). Participants in the Voluntary Integration Year benefited the most from learning new skills (42 per cent) and finding a job (36 per cent) but also from finding a job in line with their qualifications (34 per cent). The same applies to those who participated in Austrian values and culture courses or in AMS's other integration programmes. In the case of Step2Austria – a programme tailored to the individual needs of participants with regard to language, cultural and professional necessities – it was found that participants found the programme useful in terms of finding a job, and for finding a job according to their level of qualification, but also for

acquiring new skills. Nevertheless, almost 28 per cent of participants did not find the programme useful.

Comparing feedback from participants for specific results across different programmes, the acquisition of new skills through ‘other’ AMS integration courses and the ÖIF’s ‘other programmes’ is particularly high – at least one-half of the participants who attended such programmes have confirmed this. Learning a new profession was achieved primarily through participation in the Youth College, but also in ‘other’ AMS integration courses and ‘other’ ÖIF integration programmes, as this positive result was between 20 per cent and 28 per cent in these programmes. Finding a job was effectively achieved through participation in Step2Austria and ‘other’ AMS courses, where the success rate in finding a job was almost 50 per cent. In contrast, refugees were more successful in finding a job that matched their skills or qualifications after participating in Competence Check. Improvement in the educational level or reaching a higher level of education was best achieved through Youth College and AMS courses. The recognition of prior formal education was achieved mainly through AMS and ÖIF integration programmes, being confirmed respectively by 15 per cent and 16 per cent of the participants in these programmes. Concerning the recognition of previous work experience, the best result was reported by participants attending Step2Austria, ÖIF integration programmes and Competence Check, although a positive result was the case only for between 10 per cent and 14 per cent.

Results from the FIMAS+INTEGRATION survey (ICMPD 2020)<sup>18</sup> among 2,400 refugees and people with subsidiary protection from Afghanistan, Iran, Iraq and Syria, carried out in 2019, show that each additional year of residence in Austria increases the probability of being employed. Afghan people are more often in employment than Syrians, for example. This is due also to the differences in the demographic structure of these two groups: on average, Afghans are younger and, at the same time, have been living in Austria longer than Syrian refugees. Of those refugees already living in Austria for between three and five years, 40 per cent are already in employment, compared to only 17 per cent of those with a shorter length of stay.

However, the survey results indicate a relatively high proportion of atypical employment among refugees (57 per cent) compared to the Austrian population as a whole (32 per cent). Atypical employment affects both male and female refugees to a substantial degree. In addition to part-time work and sub-standard forms of employment such as temporary or non-existent employment contracts and forms of bogus self-employment (contract work and freelance contracts) also play a role. Meanwhile, about one-third of people are working in occupations for which they are formally overqualified.

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18. So far, three survey waves have been carried out under the FIMAS research project.

## 7. Conclusions

The labour market integration of refugees was an important concern in Austria up as far as 2017 and benefited from appropriate levels of funding. After the change in government from a grand coalition (between social democrats – SPÖ and ÖVP – People’s Party) to a centre-right coalition (ÖVP and FPÖ – Freedom Party), legislation and funding for recognised refugees and people with subsidiary protection became increasingly restrictive. From 2019, there has been no additional budget for the target group of refugees. The new government – a coalition between ÖVP and the Greens – in office since January 2020 has not yet set any decisive new standards.

The change of government from the centre-right coalition, which had pursued a deliberate policy during its period in office of the non-integration of refugees, to the ÖVP/Greens in 2019 has brought only minor policy changes. The human rights organisation *SOS Mitmensch* concluded in a recent report<sup>19</sup> that more than one-half of the political announcements and measures of the current government may be assessed as ‘non-integrationist’ and less than one-third as ‘integrationist’. The repercussions of the non-integrationist measures of the previous government are clearly noticeable while the positive attempts of the current government are often still not set in stone. The Greens play a much smaller role in the government than ÖVP, so no far-reaching changes regarding the integration of refugees can be expected in the current legislative period.

The decision of the government not to allow asylum seekers to take up apprenticeships in shortage occupations shows, once again, the ambivalent attitude of the (conservative part) of the coalition towards refugees. At the same time, the government has sponsored job fairs aimed at bringing together Austrian firms and refugees to combat labour shortages. Overall, however, delays in the asylum procedure continue to hamper the integration of asylum seekers into the labour market; and, on top of that, there remains the issue of them having limited access to it in the first place.

Survey results on the impact of integration programmes show that the use of language and other integration courses has been beneficial to refugees in the sense that participants have been able to acquire new skills, improve their educational level and have their formal education or previous work experience recognised, but also learn a new profession and find a job. Participation in integration programmes is thus effective, although occasionally it has proved to be less useful e.g. for 28 per cent of those participating in Step2Austria. However, the survey also revealed divergent feedback within a particular programme. For example, integration programmes specifically designed to meet the individual needs of participants in terms of language, cultural and professional requirements – e.g. Step2Austria – largely helped participants find work that matched their existing skills and qualifications, or in terms of having their previous qualifications recognised, although negative feedback was, at the same time, noted among another group of participants.

19. <https://www.sosmitmensch.at/expertinnenbericht-zur-oesterreichischen-integrationspolitik-2020>

However, the – relatively low – take-up of such programmes and inevitable question marks over the representativeness of the participants involved in any survey is also an important aspect to consider when interpreting such results.

Learning the German language is an important element in gaining a foothold in Austria as an asylum seeker or a person entitled to asylum and to be able to build a life here both socially and economically. However, the number of German language courses has declined significantly following the former federal government's decision to stop financing German courses for asylum seekers in autumn 2018.<sup>20</sup>

German language courses are, in the main, organised by the Austrian Integration Fund (ÖIF), to which (primarily) only recognised refugees and people granted subsidiary protection have access. Asylum seekers can only participate in these courses if they are confirmed to have a high probability of their status being recognised which is the case for Syrians and Iranians, for example. In 2018, however, only 335 out of 20,000 course places went to asylum seekers.<sup>21</sup>

Some federal states have tried to fill this gap, but this has not been successful everywhere. In addition to the ÖIF offers, the federal states are also able to offer their own German language courses. Overall, Tyrol is comparatively well positioned, followed by Vienna and Upper Austria. In contrast, *SOS Mitmensch* reports that Lower Austria and Styria no longer offer independent provincial German language courses for asylum seekers.

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# Denmark: from integration to repatriation

Thomas Bredgaard and Rasmus Lind Ravn

## Introduction

Denmark is a small country with a comparatively small immigrant population. Nonetheless, it is an interesting country to study in relation to the labour market integration of refugees.

The Danish labour market is renowned for its unique combination of labour market flexibility and social security, strong collective bargaining and economic competitiveness. Up to now, however, the labour market integration of refugees has not been particularly successful.

Like in other European countries, the ‘refugee crisis’ of 2014 and 2015 led to stricter policies on border control and asylum but also to momentum for reforms of refugee integration and employment policies. Since 2016, integration programmes and employment policies targeted at refugees and family-reunified migrants have been reformed to promote faster labour market integration.

In this chapter, we describe the main changes in Danish integration programmes and employment policies during and after the ‘refugee crisis’ and evaluate their impact. Preliminary evidence suggests that recent reforms have been rather successful at promoting labour market integration among refugees. However, a recent paradigm shift in refugee policies, from integration to repatriation, threatens to undermine these achievements.<sup>1</sup>

The chapter consists of four parts. First, we examine the Danish context of migration, including the immigration waves since the 1960s and the current asylum application process. Second, we describe the labour market situation and the main barriers to the labour market integration of refugees. Third, we describe the recent changes that have been made to integration and employment policies and evaluate the results. Finally, we discuss the implications of the current policy shift towards refugees, from integration to repatriation, and the main challenges to the integration of refugees in the Danish labour market.

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1. This chapter has been finalised in the spring 2020 during the covid-19 pandemic. The corona-crisis has so far led to closure of major parts of the Danish economy, unprecedented rise in unemployment and numerous government relief packages. At this point in time, it is difficult to predict how the corona-crisis will impact on the labour market integration of refugees, but the labour market will go into recession, there will be less public resources for integration programs, and the local jobcenters will be preoccupied with the rising number of native unemployed.

## 1. The Danish context of migration

Denmark is a small country with a total population of 5,781,000 inhabitants. In 2018, the number of foreign-born residents in Denmark was 12 per cent of the population (690,000 people) which is relatively low compared, for instance, to Germany (16.6 per cent) and Sweden (18.5 per cent). 65 per cent of foreign-born nationals are from non-EU countries (452,000 people) while the remaining 35 per cent are from EU-countries (238,000 people).<sup>2</sup>

The population structure of Denmark has changed markedly over the last three decades, a development which is depicted in Figure 1 below.

In 1980, which is the earliest year for which figures are available from Statistics Denmark, 135,000 immigrants and 18,000 descendants were residing in Denmark.<sup>3</sup> This corresponded to 2.6 per cent and 0.4 per cent of the total population at the time. Since 1980, the number of immigrants and descendants has risen considerably, amounting in 2018 to a total of 592,000 immigrants and 179,000 descendants, corresponding to 11.8 and 3.6 per cent of the total population.

Statistics Denmark estimates that around 30 per cent of the total number of immigrants (170,700 people) have a refugee background (Statistics Denmark 2018). If we assume that all refugees originate from non-western countries,<sup>4</sup> the share of non-western immigrants who have a refugee background can be estimated at fifty per cent (own calculations based on data from Statistics Denmark).

Immigration occurs in waves. The first of these occurred in the 1960s with ‘guest workers’, primarily from Turkey but also from Pakistan and the former Yugoslavia, coming to Denmark to work due to labour shortages in the industry sector (Aagesen 1971). Most of these groups became permanent residents. Prior to this, Denmark received a group of refugees, especially after the 1956 revolution in Hungary (Hammer 2019). In 1956, the government therefore initiated the first ‘introduction programmes’ for newly-arrived immigrants. A voluntary association, the Danish Refugee Council, was delegated with the responsibility for implementing and financing the introduction programme through private funds (Breidahl 2012: 60). During the 1970s, the economy went into recession due to the oil crises and unemployment climbed. Immigration was politicised, especially by a new nationalist party (*Fremskridtspartiet*). In 1973, parliament enacted an ‘immigration stop’ meaning that migrant labour was no longer invited (Seeberg 2006). In 1978, the central government assumed responsibility for financing the introduction programme (Stenild and Martens 2009), but the Danish Refugee Council remained responsible for implementing the integration and employment programmes which, at the time, primarily consisted of language courses, counselling and vocational training.

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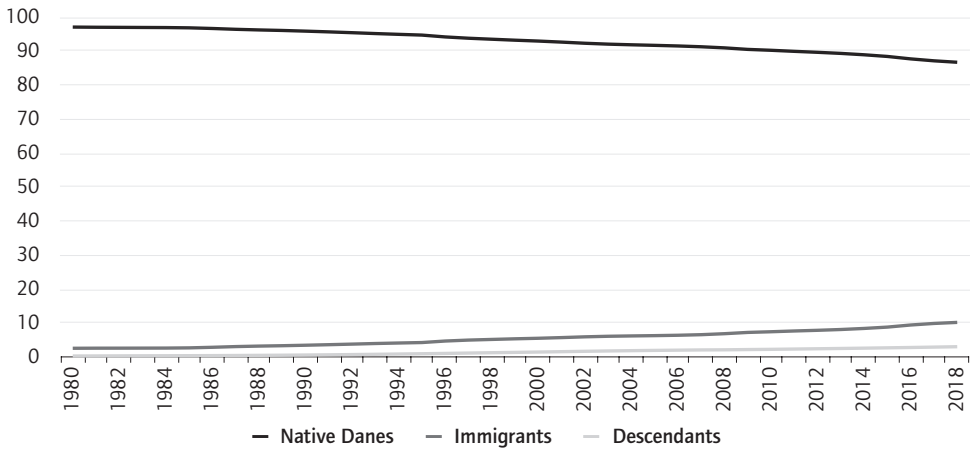
2. Eurostat (migr\_pop3ctb) [https://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=migr\\_pop3ctb&lang=en](https://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=migr_pop3ctb&lang=en)

3. Immigrants are defined as foreign-born people residing in Denmark, while descendants are the children of foreign-born people.

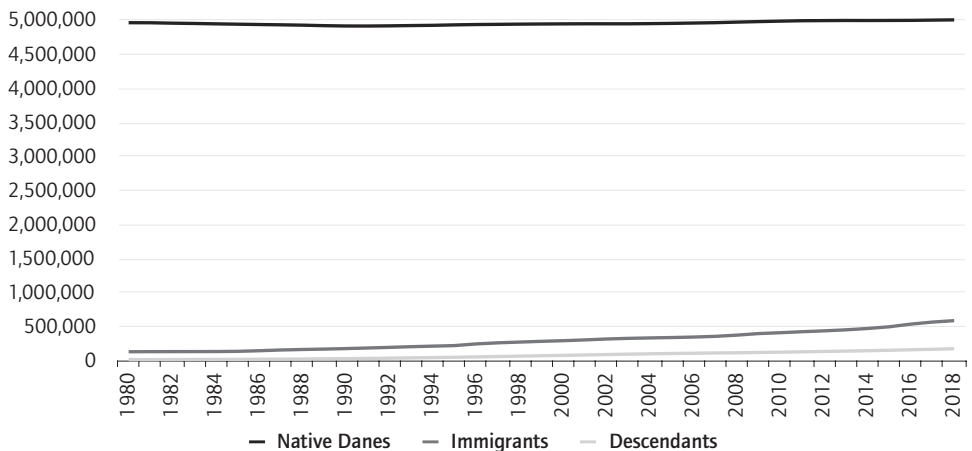
4. Western countries are defined as all EU countries plus Andorra, Iceland, Liechtenstein, Monaco, Norway, San Marino, Switzerland, Vatican City State, Canada, USA, Australia and New Zealand. Non-western countries are defined as all other countries.

Figure 1 The Danish population structure (1980-2018)

## a) in per cent of total population



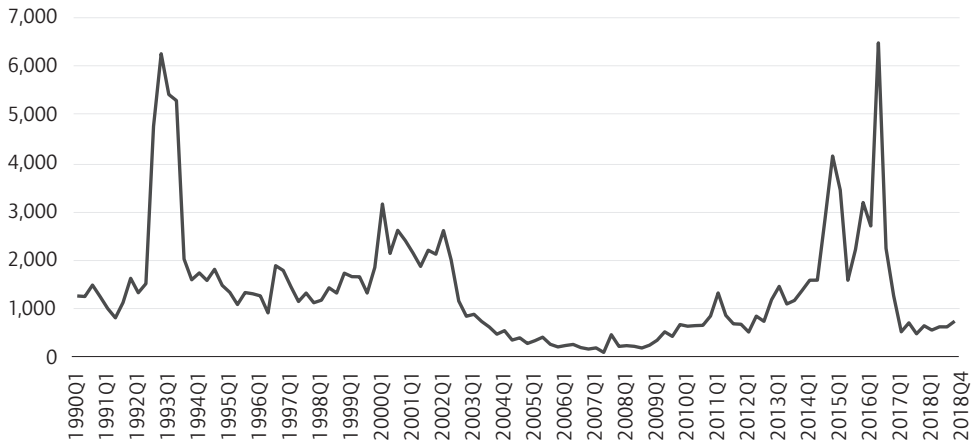
## b) in absolute numbers



Source: Statistics Denmark (FOLK2).

The second immigration wave consisted mainly of arrivals from the former Yugoslavia (Bosnians). From late 1992 to early 1993, Denmark received more than 10.000 asylum seekers, the majority escaping from the Balkan conflict (see Figure 2 below). In 1998, the responsibility for implementation of the integration programmes was transferred from the Danish Refugee Council to local municipalities. The duration of the programme was set at three years and consisted of language classes and courses which focused on the teaching of an understanding of Danish society. A new, and lower, 'introduction benefit' was introduced for newly arrived refugees, replacing social assistance, with eligibility made conditional upon participation in an introduction programme. In this way, integration policies were streamlined with employment policies that also

Figure 2 Asylum applications in Denmark (1991-2018) (number of registrations per quarter)



Source: Statistics Denmark (VAN5).

introduced conditionality in order to ‘make work pay’, by strengthening the economic incentives to become employed (Bredgaard *et al.* 2016).

Figure 2 (above) shows that the third cycle happened during the Syrian ‘refugee crisis’, starting in late 2014. In September 2015, this crisis became highly visible as large groups of migrants began crossing the Danish border from Germany and walking along Danish highways –many of them on their way to Sweden (or further to Finland) and not wanting to register as asylum seekers in Denmark (Bredgaard and Thomsen 2018). The number of asylum applications doubled from 2013 to 2014 and peaked in 2015 with 21,316 applications. From 2016, the number of asylum applications decreased again, reaching an almost historically low level in 2017 and 2018, with only 3,500 asylum applicants each year. The percentage of applications granted asylum (the approval rate) also increased during the ‘refugee crisis’ and fell afterwards.<sup>5</sup>

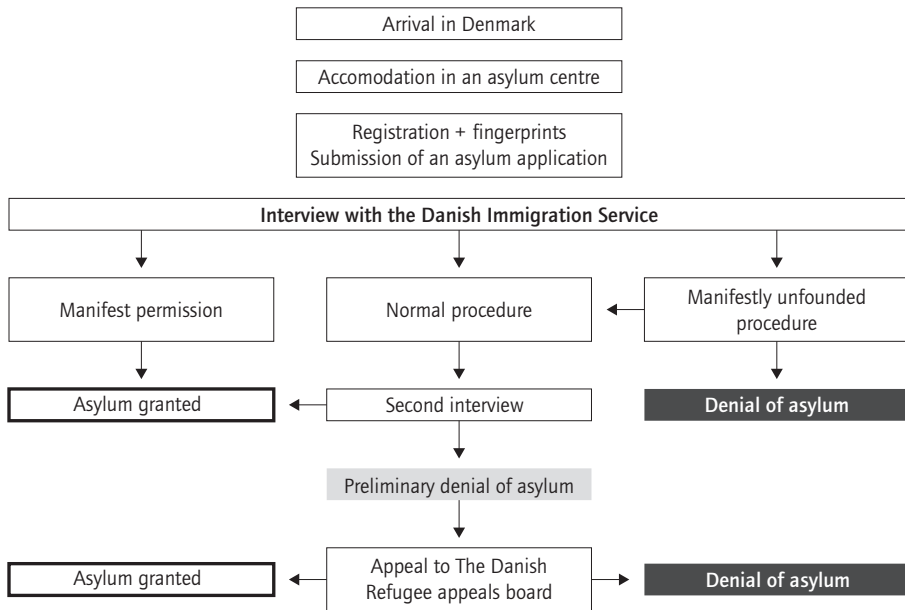
Figure 3 (below) illustrates the different phases and legal framework for asylum seekers arriving in Denmark.

Upon arrival in Denmark, asylum seekers are accommodated in asylum centres. The asylum seeker is registered and questioned by the police and the Immigration Service with the purpose of determining their identity, travel route and reasons for seeking asylum. After the first interview, the authorities decide if the asylum seeker should be transferred to another European country or whether the case should be processed in Denmark.

When a case is processed in Denmark, the first possible outcome of the interview is the ‘manifestly unfounded procedure’, where the Immigration Service finds that there are no valid grounds for requesting asylum. The Danish Refugee Council will then review

5. See [www.nyidanmark.dk](http://www.nyidanmark.dk)

Figure 3 The Danish asylum process



Source: Based on Danish Refugee Council (2015) and Danish Immigration Service, <https://bit.ly/2UZzv0F>

the case. If the Council agrees with the Immigration Service, the request for asylum is denied; if it does not agree, the case will pass to the 'normal procedure'.

In the normal procedure, a second interview will usually be conducted in order to determine whether the criteria for granting asylum have been fulfilled. It can also lead to preliminary denial of the asylum request. In such a situation, the case is automatically appealed to the Danish Refugee Appeals Board for final consideration, which can lead to a rejection of the asylum request or the person in question being granted asylum.

The last possible outcome of the initial interview is the 'manifest permission' procedure. This is a rather recent and faster procedure for granting asylum. This procedure is used when it is very likely that the person in question will be granted asylum.

Finally, a humanitarian residence permit can be granted in some cases for people who do not fulfil the normal criteria for asylum. A humanitarian residence permit is, however, only granted under very special circumstances, for instance in cases of severe physical or mental illness.

The Danish Ministry of Immigration and Integration estimates that the average time taken from the initial application for asylum until a decision was 194 days in 2016, rising to 317 in the first eight months of 2017.<sup>6</sup>

6. Folketinget (the Danish Parliament), <https://www.ft.dk/samling/20171/almindel/uu/spm/9/svar/1453695/1836485/index.htm>

If asylum is granted, a residence permit is given, which entails the ‘right and responsibility’ to work and become self-supporting. Until 2019, a residence permit was granted for up to two years at a time. If a person applied for an extension of the residence permit, this would be granted unless there was reason to withdraw the permit. Residence permits for refugees with ‘convention status’ and ‘protected status’<sup>7</sup> were granted with a view to granting permanent residency. However, this all changed in 2019 when a majority in the Danish parliament decided that refugees should only be granted temporary residence permits and that refugee policies should focus on repatriation rather than integration (Danish Parliament 2019a). We return to these changes in the last section of this chapter.

## 2. Labour market integration of refugees

Compared to Danish nationals, the employment rates of migrants in Denmark, including refugees, are significantly lower. Figure 4 (below) shows the employment rates of Danish nationals compared to immigrants from EU-28 countries and non-EU countries after the global financial crisis in 2008. During this period, the employment gap between Danish nationals and migrants from foreign countries varied between ten and fifteen percentage points.

Figure 4 also indicates that the employment opportunities of migrants from foreign countries are more dependent on fluctuations in the business cycle (compare the decline in employment rates from 2009–2012 and the increase from 2015–2018). The employment rates of people born in an EU-28 country residing in Denmark are close to the employment rates of Danish nationals throughout the period. However, when the employment gap between Danish nationals and migrants from foreign countries is broken down by gender, there is a clear pattern. Women from foreign countries have markedly lower employment rates than their Danish counterparts. The employment rates of women from foreign countries also saw a much sharper decrease in the wake of the 2009 financial crisis and has not yet recovered to the level before the crisis.

Table 1 (below) shows the employment rates for refugees and family-reunified migrants compared to native Danes by years of residence. The employment rates of refugees and family-reunified migrants improve with years of residence in Denmark but continue to be significantly lower than the employment rates of native Danes and other migrant groups. The data cover refugees (including families reunified with refugees) who immigrated to Denmark during the period 1997–2011.

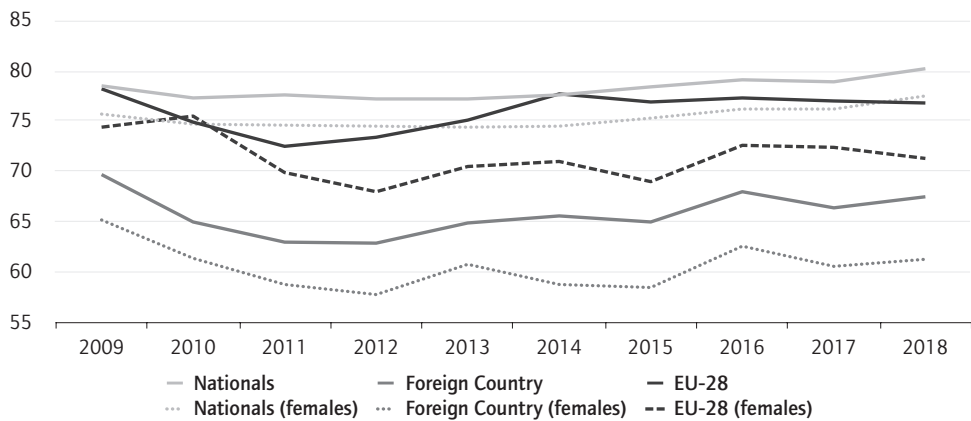
Five years after coming to Denmark, only one in three refugees older than 25 is employed (34.3%). For family-reunified migrants, the employment rate is even lower (21.6%),

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7. ‘Convention status’ is when asylum is granted based on the principles of the UN Refugee Convention. ‘Protected status’ is instead granted when the requirements of the UN Refugee Convention are not met but the individual in question is at risk of the death penalty, torture or inhuman treatment. This is granted based on Article 3 of the European Convention on Human Rights, <https://flygtning.dk/danmark/asyl/lovgivning-og-fakta/lovgivning-og-konventioner>

which may relate to the higher proportion of women among the family-reunified and the lower employment rates of refugee women. Employment rates peak after ten years of residence in Denmark for refugees and then decline slightly, although not for those who are family reunified. In a similar analysis, Schultz-Nielsen (2017) shows that the decline in employment rates after ten years only occurs for men while employment rates stagnate for women. This finding indicates that it is not only important to focus on the integration of newly arrived refugees but also on the retention and careers of those in employment.

Figure 4 Employment rates in Denmark (20-64 years, 2009-2018), by country of birth



Source: Eurostat, Labour Force Survey (lfsa\_ergaedcob).

Table 1 Employment rates by years of residence and type of residence permit

	1 year	5 years	10 years	15 years
Refugees	3.4%	34.3%	42.5%	36.8%
Family reunified with refugee	3.7%	21.6%	33.8%	34.1%
Family reunified with Dane*	24.6%	65.8%	71.6%	69.0%

Note: \*Schultz-Nielsen defines a Dane as a person with at least one parent born in Denmark and also having Danish citizenship.

Source: M. L. Schultz-Nielsen (2016: 30).

Nordic data on refugees entering Denmark, Sweden or Norway from 2008 to 2013 also indicate that female employment rates are comparably low in Denmark. After seven years of residence, the employment rates of male refugees are almost similar, at around fifty per cent in Denmark, Sweden and Norway. However, the employment rates of female refugees are only 21 per cent in Denmark compared to 28 per cent in Sweden and 37 per cent in Norway. The share of female refugees in education is also lower in Denmark than it is in Sweden and Norway (Nordic Council of Ministers 2019).



## Barriers to the employment of refugees

In this section, we discuss some of the most important explanations for the lower employment rates of refugees by focusing on the supply-side (refugees), the demand-side (employers) and the matching of labour supply and demand (the employment service). For a detailed review of the literature, see Bredgaard and Thomsen (2018).

Table 2 Conceptual approaches to the labour market integration of refugees

	Supply-side approach	Matching approach	Demand-side approach
Target group	Refugees	Employment service	Employers
Key problem	Refugees lack adequate skills, qualifications and motivation to integrate into the labour market	Lack of credible information and contacts between refugees and employers	Employers discriminate against refugees in recruitment processes
Policy objective	Make refugees ready for the labour market	Match refugees and employers	Make employers ready for refugees
Policy solution	Improve skills, qualifications and motivation of refugees	Break down information asymmetries and facilitate contact between refugees and employers	Encourage and incentivise employers to recruit refugees

Source: Bredgaard and Thomsen (2018).

The supply-side approach focuses on the capacity of refugees for integration into the labour market. Lower labour market integration among refugees is considered a function of individual barriers to labour market integration, such as inadequate language skills, low or inadequate education, mental or physical challenges, limited work experience and low work motivation (see, for instance, Schultz-Nielsen and Skaksen 2017; Rigsrevisionen and Statsrevisorerne 2018; Arendt 2019). The objective of public intervention is, therefore, to prepare refugees for the labour market; that is, improve the skills, qualifications and motivation of refugees for integration.<sup>8</sup>

On the demand-side, the lower labour market integration of refugees is a function of (direct and indirect) discriminatory practices and inadequate incentives for employers to recruit refugees. Numerous studies have found wage and employment gaps between migrants and natives which may, at least partially, be due to discrimination particularly in the hiring decisions of firms (e.g. Zschirnt and Ruedin 2016; Villadsen and Wulff 2018; Quillian *et al.* 2019). Related to this, the high wage levels and productivity requirements of the Danish labour market may also be an important barrier to those refugees who have limited human capital and work experience. Policies addressing barriers on the demand-side focus on encouraging and providing incentives for employers to recruit refugees, ranging from ‘hard regulation’ (anti-discrimination laws, employment quotas and sanctions) to ‘soft regulation’ (wage subsidies, campaigns).

8. A study by the Danish Institute of Governmental Research finds that a higher share of immigrants are overqualified for the jobs they possess compared to Danish nationals (Nielsen 2007). A more recent study finds a strong association between education level and the labour market performance of immigrants (Schultz-Nielsen and Skaksen 2017).

The matching perspective considers the lower labour market integration of refugees (and jobseekers in general) to be a function of information asymmetries on both the supply and demand sides of the labour market and the inability of public employment services to facilitate matches between refugees and employers (Larsen and Vesan 2012). Refugees often have insufficient information about the new host labour market and inadequate personal networks to gain access to employers' informal recruitment channels. Some employers, on the other hand, lack information about the productivity, qualifications and competencies of refugees and are reluctant to recruit them. Public employment services may assist by providing credible information to both sides. However, evidence suggests that most employers refrain from using public employment services for recruitment. An alternative strategy is to subsidise employers to recruit unemployed jobseekers (e.g. via wage subsidies and work experience programmes). For details, see the review of the literature by Bredgaard and Thomsen 2018.

In the following, we focus on the matching of labour supply (refugees) and demand (employers) through public employment services and describe the changes made to integration and employment programmes in recent decades.

### **3. Refugee integration and employment programmes**

The 'refugee crisis' provided political momentum for the reform of Denmark's refugee integration and employment programmes. The dominant political narrative was that previous integration and employment policies had failed to integrate 'non-western' migrants, especially refugees, into the labour market.

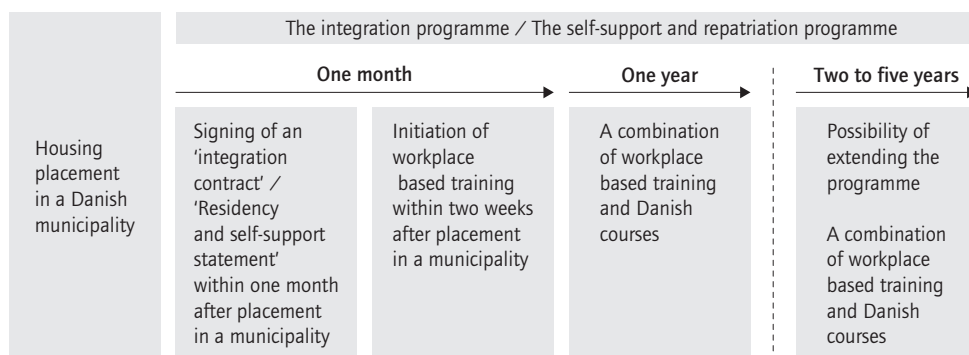
An Expert Committee on the labour market integration of disadvantaged jobseekers paved the way for the changes to come. This Committee had been appointed by the government to provide recommendations for the reform of public employment services for jobseekers regarding unemployment insurance benefits and other types of public income support. As the 'refugee crisis' unfolded from late 2014, the government realised that the reform of integration and employment programmes for refugees was also necessary and asked the Committee to provide specific recommendations here, too (Expert Committee 2015). In early 2015, the Committee announced its recommendations, concluding that municipal integration programmes had failed and sometimes even worked against policy intentions by retaining refugees on public income support rather than supporting labour market integration.

In the spring of 2016, most of the recommendations of the Expert Committee were accepted in a subsequent tripartite agreement between the government and the social partners (Danish Employers Association and the Danish Confederation of Trade Unions). The proposals that required a new legislative framework were subsequently enacted by parliament in June 2016. All parties in parliament voted in favour of the legislation except the Danish People's Party (DF). An official government target was set of a fifty per cent employment rate, meaning that one-half of all refugees and family-reunified migrants should be in employment after three years of residency in

Denmark (Ministry of Immigration and Integration 2016: 2). This government target was 10-20 percentage points above the levels achieved previously.

Denmark's integration programme commences when an asylum seeker is granted asylum and transferred from the asylum centre to a municipality (see Figure 5 below).

Figure 5 The Danish integration programme



Source: Authors' own compilation based on Expert Committee (2016), Ministry of Immigration and Integration (2016), and Danish Parliament (2019a).

Following the reform, the duration of the integration programme has been reduced from three years to one year, with the possibility of extending it for up to five years if employment is not obtained (Ministry of Immigration and Integration 2016).

Previously, the integration programme consisted primarily of language courses and municipal training programmes; now, these have been combined (Bredgaard and Thomsen 2018). Arendt (2019) labels this a shift from a 'human capital' policy to a 'jobs first' policy. The main instrument in the toolbox is a work experience programme (*virksomhedspraktik*) whose duration is, typically, 13 weeks and under which refugees (and the unemployed in general) provide work for an employer. The employer does not pay any wages for the individual directly, and the participant instead receives welfare benefits (Expert Committee 2015). Furthermore, employment programmes now start earlier and have been intensified. Two to four weeks after refugees transfer from the asylum centre to the municipalities, they begin employment programmes and participate throughout the year, with a maximum break of six weeks between periods of activation.

The results show in the statistics. Since 2015, the share of participants in work experience programmes who are on integration benefits has increased from less than 15 per cent to more than 25 per cent. Since 2015, the share of recipients receiving integration benefits who participate in the wage subsidy programme (see further below) has also doubled from less than five per cent to more than ten per cent in 2018.

Before the reform, refugees were typically classified as 'activity ready', denoting that the person was not ready to work in the ordinary labour market but was ready to

participate in activation and integration programmes. Activation requirements are not as strict for the ‘activity ready’ as they are for the ‘job ready’, while the ‘activity ready’ unemployed are not required actively to be looking for a job. The government and the social partners agreed that the share of refugees being classified as ‘activity ready’ was (at roughly ninety per cent) too high. In a tripartite agreement it was therefore set as a goal that refugees should initially be regarded as ‘job ready’ unless it was evident that they are unfit for work. This reclassification has led to a major increase in the share of people on integration benefits being classified as ‘job ready’ and, currently, about seventy per cent of refugees are classified as such.<sup>9</sup>

The tripartite agreement also introduced a new apprenticeship programme for refugees, the so-called *Integrationsgrunduddannelse* (IGU). Prior to the agreement, the Employer Association had advocated the introduction of ‘entry wages’ below the level set down in collective agreements as an instrument to integrate refugees into the labour market. The Danish Trade Union Confederation strongly opposed the idea, and the refugee apprenticeship programme was, therefore, a compromise struck between the social partners and the government. The refugee apprenticeship programme was accepted by trade unions since it was similar to the apprenticeship programmes for young adults in vocational training. The programme is targeted at newly arrived refugees aged between 18 and 40. Participants are covered by a collective agreement during the period of apprenticeship. The duration of the programme is two years and consists of twenty weeks of Danish language training combined with work experience. Employers pay wages fifty per cent below the minimum wage for apprentices (the remainder being subsidised by the state) and receive one-off bonuses if they have a participant on the payroll for six and then 24 months. Employers also qualify for the same bonuses if they hire a refugee on ordinary terms (in unsubsidised employment).

After a slow start, the number of IGU participants has started to increase and currently stands at 2,000 individuals.<sup>10</sup> However, many IGU participants do not complete the apprenticeship: eight per cent of participants are ‘no shows’ while 37 per cent are terminated ahead of schedule (Ministry of Immigration and Integration 2019).

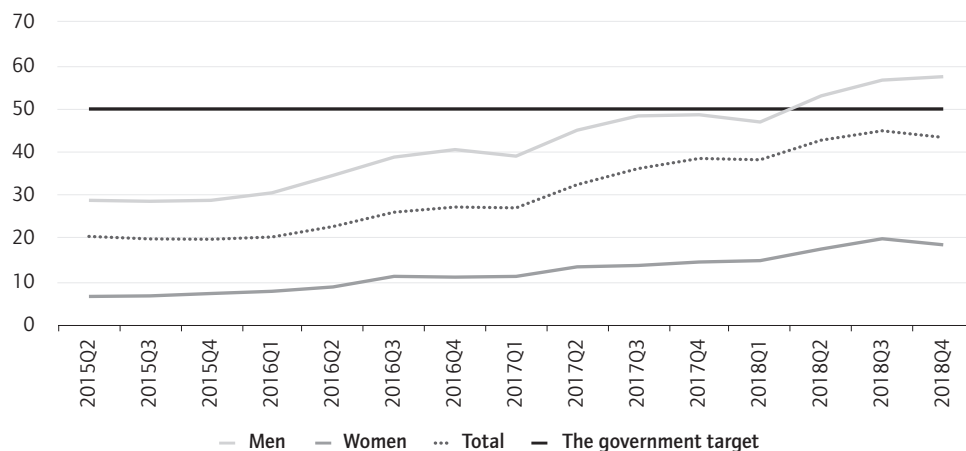
An evaluation of the programme, nonetheless, shows that employers and public employment services are, on the whole, satisfied with the programme (Rambøll 2018). The new social democratic government that took office in June 2019 has also announced that it intends to extend, and possibly strengthen, the programme.

Since the 2016 tripartite agreement, there has been a significant increase in employment rates for refugees and family-reunified migrants, especially for male refugees (cf. Figure 6 below).

9. See [www.jobindsats.dk](http://www.jobindsats.dk)

10. See [www.integrationsbarometer.dk](http://www.integrationsbarometer.dk)

Figure 6 Employment rates for refugees and family-reunified migrants after three years of residency in Denmark (21-64 year olds)



Source: <http://integrationsbarometer.dk/>

The government target for the employment of refugees and family-reunified migrants was set at fifty per cent after three years of residency in Denmark. Since 2015, the employment rate of refugees has increased from twenty per cent to, currently, 43 per cent. Male refugees have even surpassed the government target in 2018, with 58 per cent currently in employment, although this compares to only 19 per cent of female refugees.

The improving business cycle and labour shortages on the Danish labour market during this period is an important explanation for the increase in the refugee employment rate. However, the tripartite agreement and the new integration and employment policies in place since 2016 also seem to have made an independent and significant impact. Arendt (2019) uses a quasi-experimental approach to compare the impact of the new job search requirements (i.e. that every refugee is treated as ‘job ready’ upon arrival) and on-the-job training (i.e. work experience programmes) with that of previous refugee integration programmes. He found that the new programme had been implemented as intended and had a large and significant employment effect for men ten to sixteen months after arrival, but that these had no effect on employment for women (Arendt 2019).

## From refugee integration to repatriation

Even though the new integration and employment programmes for refugees seem to have been working, the former (liberal) and current (social democratic) governments have decided to engage in a ‘paradigm shift’ in asylum regulation and integration policies, shifting the focus from integration towards repatriation. The paradigm shift was enacted by the former liberal government in February 2019, but the general

approach has been maintained after the change in government in June 2019. The policy shift was enacted in Law No. 140:

The agreement on the immigration area contains a new approach to immigration and integration with a focus on repatriation which sends a clear signal that residence of refugees in Denmark is temporary and that Denmark has both the will and the ability to act quickly and effectively when the basis for a residence permit is no longer present. The agreement significantly strengthens the possibility to withdraw the residence permits of refugees and family reunified to refugees and send them home as soon as possible. (The Danish Parliament 2019: 12, own translation)

This is a fundamental change of the integration ideals and practices. Migration authorities are instructed to issue temporary instead of permanent residence permits and to repatriate rather than integrate refugees. Previously, refugees showing an ability and willingness to integrate in Danish society were more likely to receive permanent residence permits. The new repatriation law, however, entails that when assessing the basis for extending a residence permit, employment, participation in voluntary associations, and Danish language skills are not considered positively any longer.

The repatriation law also entails some important discursive and economic changes. The name of the integration program is now labelled 'self-support and repatriation program' signalling that refugees should return to their country of origin as soon as possible and be self-supporting while residing in Denmark. The integration benefit was lowered and relabelled the 'self-support and repatriation benefit'. The proponents argue that lower income benefits for refugees have the double effect of discouraging refugees from seeking asylum in Denmark and improving employment rates for those who are granted asylum in Denmark, but evidence supporting either of the claims is limited (Rosholm and Vejlin 2010; Andersen, Dustmann and Landersø 2019).

This 'paradigm shift' sparked extensive debate and criticism, not least from trade unions, employer associations and humanitarian organisations (The Danish Parliament 2019b). For instance, the Danish Refugee Council and Danish Social Workers Union argued that the shift to repatriation creates an almost permanent state of uncertainty for refugees that can have severe negative social and psychological consequences. The employer associations and trade unions have criticised the law for being harmful to labour market integration and reducing labour supply in an economy with labour shortages. Employers' associations further argue that employers would be reluctant to recruit and invest in refugees, when refugees are at risk of repatriation.

In June 2019, the new social democratic government announced some minor changes to migration policies. It has introduced an exception to repatriation policies where refugees have been in full-time ordinary employment for more than two years, while they can have their residence permit extended if they remain in employment (Political Agreement 2019). It is, generally, too early to tell what impact these signals from the new social democratic government will have on existing practice.

## 4. Conclusions

The Danish labour market is renowned for flexicurity, its social model and collective bargaining, but has not been particularly successful in integrating refugees and non-EU migrants on the labour market. The ‘refugee crisis’ of 2014–2015 paved the way for major reforms of refugee integration and employment policies. Importantly, a tripartite agreement was reached in 2016 outlining an ambitious target of a fifty per cent employment rate for refugees and family-reunified migrants. Since then, the employment rate of male refugees increased from 30 per cent in 2015 to 58 per cent in 2018, while the employment rate of female refugees increased in the same period from 6.5 per cent in 2015 to 18.5 per cent. The explanation for this is not only an improving business cycle and labour shortages until the current corona-crisis, but also that the reforms of integration and employment policies were working. Impact evaluations indicate that the reform of the integration and employment policies targeted at refugees had a significant and positive employment effect. The most important changes included a shift in active labour market policies to encourage faster and more intensive job placement (work experience programmes) and stricter job search requirements.

However, less than three years after the reforms were introduced, the major political parties have, nevertheless, decided to implement a fundamental change in migration policies under which the objective of the migration law is to promote the repatriation of refugees rather than their integration. This new law transmits conflicting signals to refugees and the public authorities as well as to employers. The migration authorities should avoid issuing permanent residence permits and seek to repatriate refugees to their countries of origin as soon as their grounds for humanitarian protection cease. At the same time, public employment services and employers are supposed to continue their efforts to integrate refugees into the Danish labour market. Employers’ associations, trade unions and civil society organisations have all criticised these repatriation policies for potentially undermining achievements in labour market integration.

The covid-19 pandemic and the government lock-down of major parts of the Danish economy is fundamentally changing the context for labour market integration of refugees. Although it is too early to assess the impact on labour market integration of refugees, it is already clear the Danish economy will go into recession, unemployment is rising rapidly and the public employment services will be preoccupied with the growing number of unemployed nationals in the years to come.



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# **Finland: integration of asylum seekers and refugees in a tightened policy framework**

Rolle Alho

## **Introduction**

There is much discussion in Europe about how to integrate asylum seekers and refugees into the labour market. There are several reasons why integration is important from the perspective both of the individual as well as of the receiving country. This chapter focuses on the Finnish case concerning the integration of asylum seekers and refugees into the labour market, with an emphasis on the events after the beginning of the ‘refugee crisis’ around 2015.

As will be shown, asylum seekers and refugees constitute two distinct groups from the perspective of labour market integration. The services that the state provides to asylum seekers fall within the category of ‘reception services’. Asylum seekers are, for example, provided with language lessons in either of the official languages (Finnish and Swedish) but the authorities do not offer specific labour market integration services to them. There are, however, initiatives by NGOs and other civil society actors aiming at asylum seekers’ integration in the labour market. The situation of people who have received refugee status is different; they are located within a municipality and the authorities seek to integrate them into the labour market via various measures. NGOs and other civil society actors are active also in offering measures aimed at refugees’ labour market integration, which will be examined later.

The chapter consists of three sections. First, I describe the Finnish migration context, including how asylum seekers and refugees are received into Finland. Then I present data on asylum seekers in 2015 as well as in the post-2015 period. In the third section, I explore asylum seekers’ and refugees’ integration into the labour market, including the measures taken, the legal framework and employment data on labour market integration. This is followed by the concluding section.

## **1. The Finnish migration context**

Since the 1990s, migration to Finland has increased rapidly. What is more, the country received in 2015 an unprecedented number of asylum seekers as a consequence of the wars in the middle east. In 2015, the number of asylum seekers peaked at c. 32,000, which – given the European context – is actually a comparatively large number in terms of the size of the country’s population (5.5 million). The number is certainly large when compared to the earlier situation: for example, in the early 2010s the number of asylum seekers was between 3,000 and 4,000 per year.

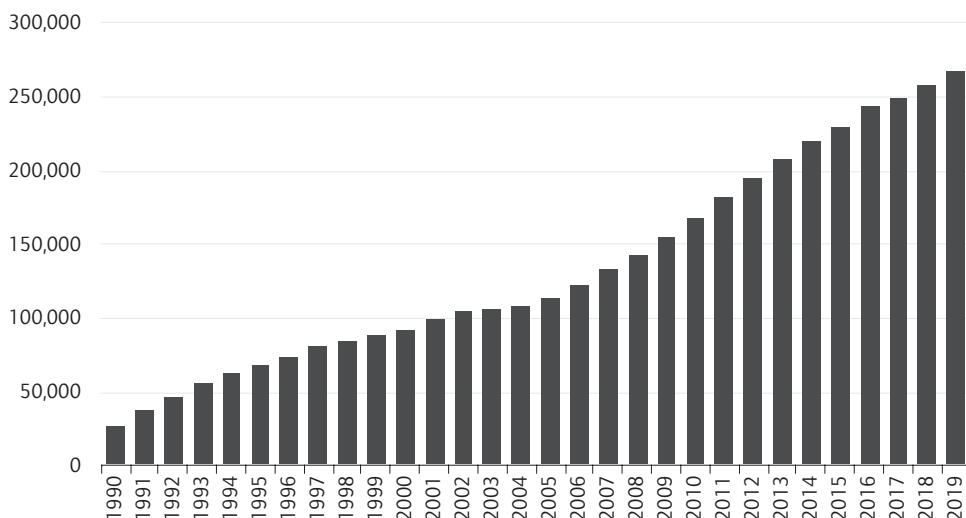
## 1.1 Population structure

Until the end of the 1980s, it was returning migrants and their family members (mostly from Sweden) that accounted for the largest part of immigration flows to Finland (OECD 2018: 49). The percentage of the foreign-born population is currently around seven per cent while the share of foreign nationals is five per cent (Statistics Finland 2020b). Despite the increase, the shares are relatively low in comparison to the situation on average in other EU countries, including in other Nordic countries (Eurostat 2020).

Fertility in Finland rapidly dropped in the 2010s, going from 1.9 children/woman in 2010 to 1.35 in 2019, and, without immigration, the country's population would be shrinking. A rapid decrease in fertility – accompanied by an ageing of the population, which is also an issue in Finland – thus leads to challenges regarding the financing of the welfare state. This highlights the demographic significance of immigration.

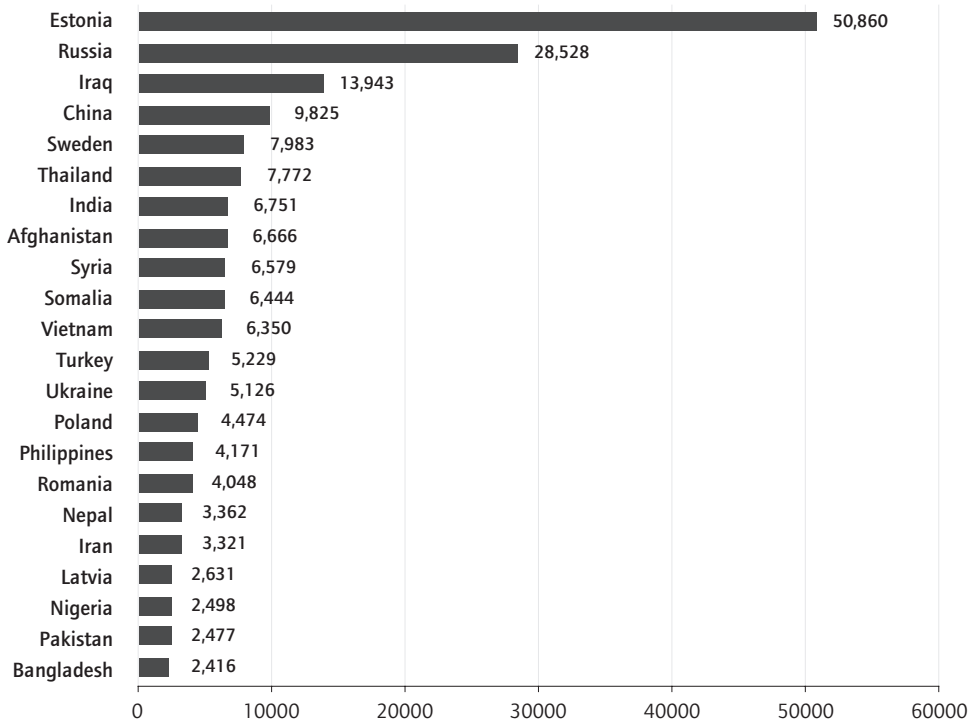
Let us now look more precisely at the composition of the population. In 2018, 2.2 per cent of the Finnish population was born in another EU member state (Statistics Finland 2020a). More precisely, 1.1 per cent were born in EU15 countries (excluding Finland) and the other 1.1 per cent were born in the 'new' member states (i.e. countries that joined the EU in 2004 and afterwards, usually referred to as EU13 states). This means that approximately five per cent of the total population was born in a non-EU country (Statistics Finland 2020a). Foreign nationals of all categories are overrepresented in the metropolitan area of Helsinki. Figure 1 below illustrates the rapid increase in the number of foreign citizens. Figure 2 specifies the size of the largest non-Finnish nationality groups.

Figure 1 Population with non-Finnish nationality (1990-2019)



Source: Statistics Finland. Numbers refer to all foreign citizens.

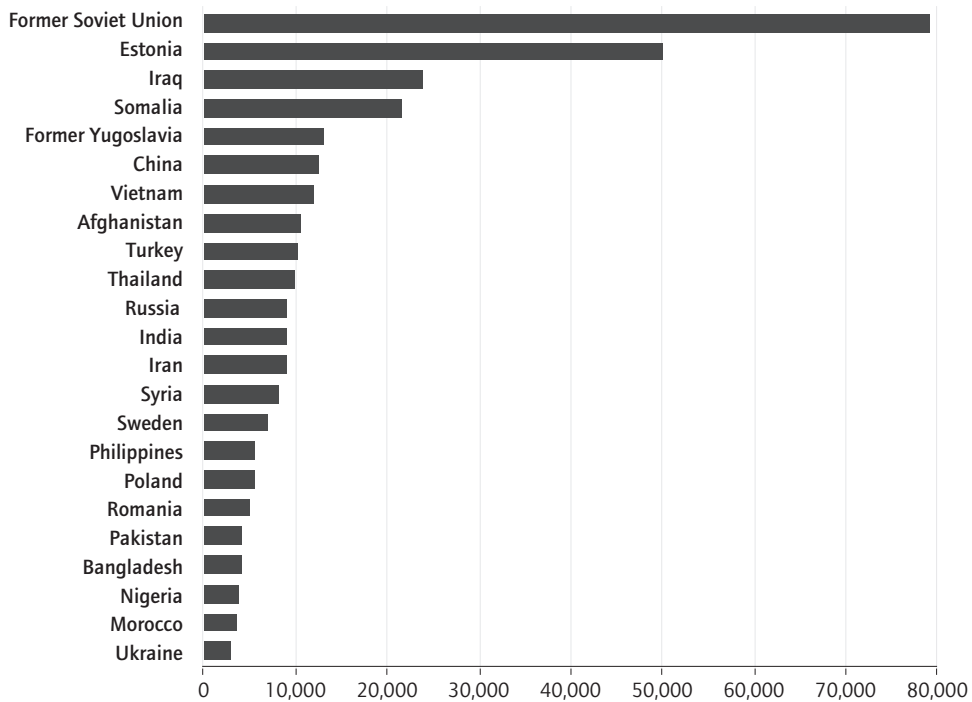
Figure 2 Largest non-Finnish nationality groups, selected countries (2019)



Source: Statistics Finland. Figures show population by citizenship.

Figure 3 below presents the national dispersion of groups with a ‘foreign background’ as classified by Statistics Finland (2020a): ‘Persons whose both parents or the only known parent were born abroad are considered to be of foreign background. If both parents of a person were born abroad, the background country is primarily the country of birth of the biological mother.’ (This is the same categorisation as in other Nordic countries.)

Figure 3 Largest country groups of people with foreign backgrounds, selected countries (2019)



Source: Statistics Finland. Figures show population by origin and background. Country labelling as set out in the source.

## 1.2 Historical migration patterns

For most of its time as an independent country – i.e. since 1917, when Finland gained its independence as a consequence of the fall of the Russian Empire – Finland has been predominantly a country of economically-motivated emigration (OECD 2017).

The country's geographic location in northern Europe, the absence of any direct colonial ties and the lack of a need for immigrant labour – due to the high participation rate of women in the labour market – are the principal explanations of the modest numbers of immigrants (Alitolppa-Niitamo 2004; Alho 2015). An additional explanation for the low numbers is that, during the Cold War, Finnish immigration and refugee policy was very cautious because of Finland's sensitive relationship with the Soviet Union (Alitolppa-Niitamo 2004; Välimäki 2019). Immigration numbers have been comparatively small despite the Nordic treaty of unrestricted migration between Nordic countries since 1954 and Finland's EU membership from 1995, which opened the doors to citizens of other EU countries.

Finland has taken part in refugee resettlement since the 1970s and accepts those who are defined as refugees by UNHCR, the UN Refugee Agency, and whom the Agency has listed as refugees that Finland could take in within its own arrangements. An intake of

refugees from Vietnam began in 1979 and, as early as 1973<sup>1974</sup>, Finland had accepted a small group of Chilean refugees. In the 1990s, there was an upsurge in the number of asylum seekers who originated mainly from Somalia and the Balkans (Välimäki 2019).

The Finnish parliament annually sets a quota for the reception of refugees. The number was a little lower than 1,000 per year in the 2000s and 2010s (Finnish Refugee Council 2020). During the last few years, quota refugees have principally been Syrians, Congolese, Afghans and Sudanese (Finnish Refugee Council 2020).

The annexation of some of the eastern parts of the country by the Soviet Union in the Second World War led to the resettlement of approximately 400,000 Finns (around one-tenth of the country's population) to the remainder of Finland (Towner 2019). Between 1917 and 1922, the Russian Civil War had already brought 44,000 Karelian and Russian refugees to the newly-independent Finland (Leitzinger 2008: 171), although most of the Russian refugees continued on their way to other countries.

However, with the exception of these historical cases, the country received very limited numbers of refugees (and asylum seekers) before 2015. At the same time, the sending of around 70,000-80,000 Finnish children to foster families in other Nordic countries during the war years (1939-1945) represented a movement in the other direction (Kuusisto-Arponen 2007: 1).

Reasons for migration to Finland have, for the large part, been based on marriage, family or humanitarian reasons (Säävälä 2013). Study has also been an important explanation of migration to Finland since the 2000s and 2010s. However, because of EU enlargement in 2004, work-related migration to Finland – mainly from Estonia – has also increased (Alho and Sippola 2019).

### 1.3 Attitudes towards immigration and immigrants

Attitudes towards immigration and immigrants are related to asylum seekers' and refugees' possibilities of integration in local labour markets. Therefore, a few words need to be said about the situation in Finland. The European Social Survey records that the populations of Nordic countries – including Finland – have, on average, expressed comparatively positive attitudes towards immigration in the European context. This is probably explained by the high education levels of Nordic populations: across countries, highly-educated people tend – for a variety of reasons – to express more positive attitudes towards immigration than those who are less educated (Hainmueller and Hiscox 2007, 2010; Jeannet 2020: 6).

The picture in Nordic countries is, however, more complicated than that: immigration has become a contentious and polarising issue and support for anti-immigration parties has increased. In 2015 in Finland, the anti-immigration movement 'Close the Borders' (*Rajat kiinni*) gathered anti-immigrant activists from across the country to local rallies, which were often followed by counter-demonstrations by anti-racist activists (Wahlbeck 2019).

In the Finnish case, anti-immigrant sentiments have been channelled – and fuelled – by the populist, right-wing Finns Party, which frames immigration in negative terms and focuses its criticism mainly on asylum questions and the alleged ‘economic burden’ of immigration (Pyrhönen 2015). In its 2019 parliamentary election programmes, for example, the Finns Party employed negative framing, especially in terms of migrants originating from the middle east and Africa (Finns Party 2019). The Party especially frames the presence of Muslims and Islam as a problem and as a threat to ‘Finnish society’ (Finns Party 2019). The Council of Europe country report (2019) states that ‘Racist and intolerant hate speech in public discourse is escalating; the main targets are asylum-seekers and Muslims.’ Meanwhile, the EU Minorities and Discrimination Survey 2017 (EU-MIDIS II: 29) reported that, among EU countries, respondents of ‘sub-Saharan African backgrounds’ had (during the past twelve months) experienced ‘discrimination based on ethnic or immigrant background’ most often in Luxemburg and Finland (50 per cent and 45 per cent, respectively).

The presence of discrimination and structural racism within Finnish society is visible in employers’ job recruitment processes. One experimental study (Ahmad 2020) found a clear hierarchy of employer preferences in which employers were more eager to invite people with Finnish surnames to job interviews – even if job seekers’ merits were identical except for surname and gender. The study sent fictitious applications from people with English, Russian, Iraqi and Somali surnames, but applicants with a Finnish name were 1.45 to 3.94 times more likely to be invited to interview than people with ‘foreign surnames’. Employers’ preferences were, in descending order, for Finnish, English, Russian, Iraqi and Somali applicants. In addition, applications where the applicant was a woman received significantly more invitations to job interviews than male applicants, irrespective of surname. This was particularly the case in terms of Iraqi and Somali applicants, where females received nearly twice as many return calls from employers than males (however, the differences in return call rates were smaller between females/males with English, Russian and Finnish names) (Ahmad 2020).

The existence of structural racism, where employers prefer Finnish or ‘western’ job applicants, has also been shown by other studies conducted in Finland (e.g. Alho 2020; Jasinskaja-Lahti *et al.* 2002: 86-88).

The existence of this type of racism in recruitment makes it obviously more difficult for asylum seekers and refugees to find jobs. If employers, in line with these studies, seem to prefer hiring women instead of men, many asylum seekers who arrived since 2015 may find themselves the victim of double discrimination given that the large majority are male.

Racism notwithstanding, the rapid increase in the number of asylum seekers has led to rallies by humanitarian and solidarity-based civil society organisations defending the rights of asylum seekers and refugees. There have also been demonstrations against the decision-making of the Finnish Immigration Service and the forced return of asylum seekers whose applications have been rejected. These demonstrations, which have brought together asylum seekers and their supporters, have been organised around the

country. According to the demonstrators, people who have been refused international protection should not be deported to Iraq or Afghanistan due to the poor security situation in both countries. In addition, some churches have assisted applicants who have been refused asylum and who have remained in the country undocumented.

As elsewhere in Europe, there is a tendency among the majority population to favour immigrants who are highly educated, who know the host country's language and who are 'able to integrate into the customs of the receiving country' (Avonius and Kestilä-Kekkonen 2018). Regardless of the fuzzy concept of 'integrating into the customs of the receiving country', asylum seekers and refugees do not speak Finnish or Swedish upon arrival in Finland (as do few newly arrived migrants in general), and many of them have not advanced far in their formal education.

These starting points pose challenges to labour market integration which are discussed below. In addition, some crimes committed by asylum seekers since 2015 have received widespread attention in the media, which has raised security issues to the fore and, by default, made the integration of asylum seekers and refugees a more contentious issue. This kind of framing shifts the focus of public attention towards the (il)legitimacy of asylum seekers' claims and the question of whether they deserve support (Lynn and Lea 2003).

## **2. Recent arrivals of asylum seekers and their reception**

### **2.1 Data on recent arrivals**

Finland's commitments to international agreements were tested in 2015 when the country experienced an approximately ten-fold increase in the number of asylum seekers in comparison with preceding years (see Figure 4 below). The asylum seekers who arrived in 2015 – and after – have predominantly been male (for example, according to the Finnish Immigration Service (2020), men constituted 81 per cent of those who arrived in 2015).

Most of the asylum seekers arriving in 2015 were from Iraq (63 per cent), Afghanistan (16 per cent), Somalia (6 per cent), Syria (2.7 per cent), Albania (2.3 per cent) and Iran (1.9 per cent). Approximately forty per cent of the decisions made in 2015 (excluding expired applications) were positive. This was in line with the proportion of positive decisions prior to 2015. In 2016, however, when many applications from 2015 were processed, the proportion of positive decisions decreased to c. 32 per cent (EMN 2016; 2017).

It is not entirely established why a relatively large group of people made the long journey through Europe in order to seek refuge precisely in Finland. The asylum seekers' choice of destination country was probably guided by information (and disinformation) in social media. According to media reports, there was a belief circulating via social media that Finland was 'generous' to Iraqi asylum seekers (McCrummen 2015). The announcement of then Prime Minister Juha Sipilä that he would offer one of his private



houses to accommodate asylum seekers (never realised) was reported in international media in 2015 and probably also played a role. Marko Juntunen – who is a researcher with expertise in the middle eastern and Iraqi community in Finland – argues that Iraqi perceptions of Finland being ‘generous’ should be understood in relation to the readmission agreements signed with Iraq by other Nordic countries, Germany and the UK at the end of the 2000s, which facilitated the deportation of rejected Iraqi asylum seekers. Finland has not been able to sign such an agreement with Iraq, which makes deportation more complicated and Finland, therefore, more attractive to Iraqi asylum seekers (Juntunen 2016: 55-56). Juntunen additionally argues that there was a common perception among Iraqis, affecting their decisions, of Finland being a country that respects human rights and offers tuition-free higher education, and with neither widespread xenophobia nor a presence of radical Islamists. Moreover, his research sets out that many of those Iraqis who arrived in 2015 thought that Germany and Sweden, which could have been alternatives to Finland, were already ‘full of Iraqis.’ In contrast, however, Wahlbeck (2019: 303) points out that the relatively well-established community of Iraqis (arriving as asylum seekers and quota refugees prior to 2015) might well also have played a role in the decisions of Iraqis whereas the absence of a Syrian community might explain the low number of asylum seekers from that country.

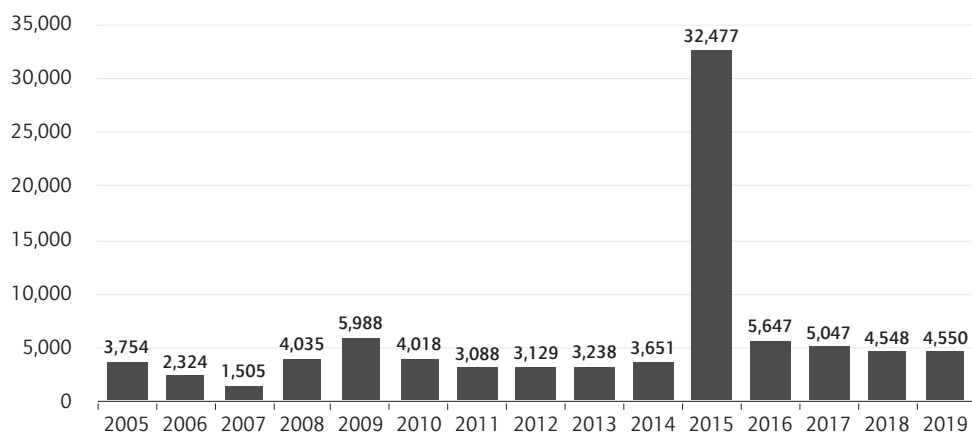
In addition to the rapid increase in numbers, a new phenomenon in Finland was that most asylum seekers arrived by crossing the Swedish-Finnish land border in the northern part of the country, the border town of Tornio being the main point of entry (Piipponen and Virkkinen 2017). Tornio was the most obvious point of entry because airlines and ferry operators demanded travel documents (Wahlbeck 2019: 303). Another new angle was that, during the winter of 2015-2016, Finland received close on 2,000 asylum seekers (i.e. nearly five per cent of total arrivals in 2015-2016) who had arrived in northern Finland via the land border with Russia (Piipponen and Virkkinen 2017). Furthermore, approximately 2,000 of the asylum seekers Finland received between 2015 and 2017 arrived from Greece or Italy as a result of the EU relocation scheme (Finnish Immigration Service 2017).

In 2015, the centre-right government led by PM Juha Sipilä (2015-2019) tried to follow its international legal obligations and did not close the country’s borders. However, at a later stage the government took measures to make it more difficult for asylum seekers to receive refugee status. This tightening of policy has to be understood in the context of the coalition government formed in 2015, which included the agrarian Centre Party, the right-wing National Coalition Party and (until 2017) the populist Finns Party. It was particularly the anti-immigration faction of the Finns Party that succeeded in steering the asylum policy changes (Wahlbeck 2019) which have been criticised by, among others, NGOs and some academics for negatively affecting the rights of asylum seekers (Bodström 2020; Finnish Refugee Council 2019: 11; Saarikkomäki *et al.* 2018). Following the 2019 parliamentary elections, Finland has been governed by a centre-left coalition of five parties. The new government has made some changes in asylum policy that have, according to human rights organisations, improved the rights of asylum seekers (Amnesty International 2019). In addition, the numbers for quota refugees have been somewhat raised – although not to the extent desired by those same organisations (Amnesty International 2019).

Saarikkomäki *et al.* (2018) also argue that the decrease in positive asylum applications after 2015 can be explained not only by the legal changes; they point out that there have additionally been changes in the internal practices of the Finnish Immigration Service that have resulted in more decisions being unfavourable to asylum seekers. The Immigration Service has also been criticised for having increased the number of undocumented migrants since many asylum seekers whose applications are rejected nevertheless stay in the country (Ahonen and Kallius 2019).

The sharp jump in the number of asylum seekers in 2015 is highlighted in Figure 4 below.

Figure 4 Annual number of asylum applications in Finland (2015-2019)



Source: Statista 2020.

After the peak year of 2015, the number of asylum applications fell rapidly to roughly similar numbers to those witnessed in the preceding years. This led also to the closure of a large number of reception centres, whose number fell from around 230 in January/February 2016 to c. 130 in January 2017 (Finnish Immigration Service 2020). During the same period, the number of their residents fell from c. 29,000 to c. 16,000 (Finnish Immigration Service 2020). By December 2019, the number of residents had fallen to 8,400 and the number of centres to 37.

The number of asylum decisions peaked in 2016 (and was roughly four times higher than in 2015) (Finnish Immigration Service 2020). This was due to a lag in the processing of the large number of asylum applications in 2015 (it is common for this process to take several months).

## 2.2 Reception and the asylum process

The state governs the reception of asylum seekers and quota refugees. Asylum seekers who have been granted refugee status no longer fall within the remit of reception services but within integration services instead.

The first place where asylum seekers normally stay is called a transit centre. The transit centres are situated near the service points of the Finnish Immigration Service, which holds asylum interviews. These centres are, in the first place, intended for new asylum seekers who have just arrived in Finland. After an asylum seeker has had an asylum interview, s/he will be transferred to a reception centre until a decision on her/his case has been made (Finnish Immigration Service 2020).

The reception centres are governed and financed by the state (i.e. the Finnish Immigration Service) but are operated by the municipalities, NGOs or by private companies. Quota refugees, in contrast, are directly hosted by a selected municipality. Once an asylum seeker has been granted a residence permit, s/he will be moved to a municipality and registered as a resident of that municipality. S/he then has the same right to public social and health services and social benefits as any municipal resident.

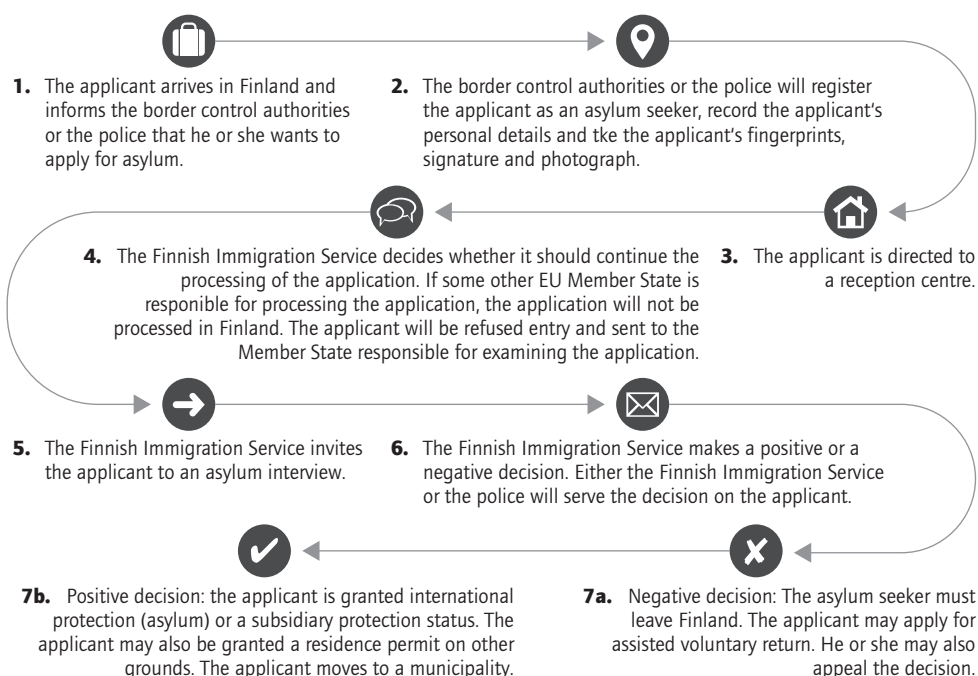
The reception centres are free of charge for asylum seekers (although, if they find work, they may have to pay for their accommodation). They can choose to live somewhere else than in a reception centre but, in such a situation, they are obliged to cover the housing costs themselves (and report their address to the authorities). In addition to housing, asylum seekers are entitled to social and healthcare services and the use of interpretation services. Asylum seekers are not entitled to benefits from *Kela*, the Finnish Social Insurance Institution, but they can, in the case of being without income or funds, apply for a small sum of money for private use (reception allowance).

The formal asylum-seeking process – which is like the system in other EU countries – is described in detail in Figure 5 below (as presented by the Finnish Immigration Service).

It needs to be added – regarding the information in Figure 5 about a negative asylum decision (see point 7a) – that unsuccessful applicants may, in addition to seeking to appeal against the decision, seek a residence permit based on other grounds such as for study, work or family reasons. Until 2016, a humanitarian residence permit could be granted in some cases to people not fulfilling the normal criteria for international protection. This possibility was, however, revoked in 2016 when the Finnish centre-right government tightened Finland's asylum policy.

Those whose asylum claim(s) have been rejected – and who are denied the right to residence on other grounds – but who are not willing to leave the country on a 'voluntary return' basis (which can be assisted by the International Organization for Migration, IOM) face an existence as an undocumented migrant. As such, they would be entitled only to the most elementary services of the welfare state while they would lack a legal right to work and face the risk of deportation at any point.

Figure 5 Asylum process in Finland



Source: Finnish Immigration Service 2020.

### 3. Labour market access

#### 3.1 Key legislation concerning immigrants' access to the Finnish labour market

This section seeks to clarify the basic legal principles that govern immigrants' access to the Finnish labour market, with a special focus on asylum seekers' and refugees' rights to gainful employment.

The laws concerning the rights of non-nationals forms a complex set of legislation which is further complicated by the implementation of EU directives related to immigration (Sorainen 2012). Finland is an EU country, so the key dividing line as regards legislation concerning the right of a person to work is based on whether s/he is an EU (or EEA/Swiss) citizen or a non-EU/EEA/Swiss citizen (usually referred to as 'third country nationals'). With the exception of a limited number of professions (e.g. in the military, police or in the foreign services), EU/EEA/Swiss nationals have the same right to work in Finland as Finnish citizens.

In contrast, third country nationals' access to the labour market is restricted by various laws. In most cases, those third country nationals who want to move to Finland to work need a work-based residence permit which, in turn, requires that the income

from work has to surpass a certain level. However, those third country nationals who, for example, have received a right to permanent residency have an unrestricted right to work.

Third country nationals' right to work in Finland is further controlled by labour market testing, which means that the employer is not allowed to hire a third country national if the authorities assess that labour will be available within a 'reasonable time', either in Finland or the EU/EEA, for the work in question (Finnish Immigration Service 2020). The logic is that employers should privilege those job seekers that are available in the national/EU/EEA labour market. Labour market testing is, however, not enforced for all jobs; it is not a requirement in those jobs and regions where there is a scarcity of labour (based on an assessment by the authorities). Furthermore, depending on the type of residence permit, third country nationals may be exempt from labour market testing. Since 2019, those third country nationals who have worked at least one year under a work-based residence permit are no longer subject to labour market testing when applying for a new permit to work. This loosening of the regulations was motivated by reported labour shortages in many manual jobs (Ministry of Economic Affairs and Employment 2019).

The labour market position of those third country nationals whose right to residence is based on being employed (including with an income that surpasses the set limit) is more vulnerable than the position of those whose right to residence is based on other factors (e.g. family ties or refugee status) (Könönen and Himanen 2019). The reason is that work-based residence permits are tied to a specific sector and are, at least initially, based on the continuation of work (Könönen and Himanen 2019). This type of legislation makes migrants highly dependent on the employer because losing one's job might lead to losing one's right to residence – a phenomenon which has been criticised by a multitude of migration scholars across different countries (e.g. Anderson 2013; van Kooy and Bowman 2019).

People with refugee status have the right to work – as guaranteed by the 1951 Convention Relating to the Status of Refugees – but asylum seekers' right to work in Finland is restricted, as will be described in the following section.

### 3.2 Asylum seekers' and refugees' access to the Finnish labour market: the legal framework

Individual factors – such as human and social capital – play an important role in the possibilities of any individual entering a labour market, but it is the legislation of the receiving country that sets the parameters for access to it for asylum seekers and refugees.

In Finland, the first residence permits that are issued are always for a fixed term (Könönen and Himanen 2019). Therefore, third country nationals' right to work and residence is conditional during the first years of their residence (unless their residence permits are not work-based). Only after getting a permanent residence permit – which

requires four years of living in the country – does the migrant in question receive the same rights to gainful employment, social security and education as Finnish citizens (Könönen and Himanen 2019).

The legal framework governing the right to work of asylum seekers and those who have received refugee status differs as the rights of asylum seekers are more limited. Those with refugee status – in contrast to asylum seekers – have the same legal rights to access the labour market as Finnish nationals.

Asylum seekers' right to work has become an increasingly topical issue in European countries due to the recent 'refugee crisis'. The United Nations Refugee Convention does not oblige countries to grant asylum seekers the right to work, in contrast to the position for refugees; according to the Convention, each individual country is free to determine whether or not to grant the right, and under what conditions. EU law, however, requires member states to grant asylum seekers access to their labour market after nine months of waiting for a decision. According to the 2013 Reception Conditions Directive (European Union 2013):

Member states shall ensure that applicants have access to the labour market no later than 9 months from the date when the application for international protection was lodged if a first instance decision by the competent authority has not been taken and the delay cannot be attributed to the applicant.

Member states can, nevertheless, apply more favourable provisions and/or grant access to the labour market subject to conditions (and many do either or both).

In the Finnish case, asylum seekers are allowed to work in gainful employment three months after the submission of an asylum application (Finnish Immigration Service 2020). If the asylum seeker has not been able to show a valid travel document to the authorities when submitting the asylum application, the right to employment starts only after six months. However, the right to work was tightened in June 2019: in the case of an asylum seeker making a new asylum application (after receiving a negative decision), s/he has to wait a further three months (or six months if s/he does not have a valid travel document) for the right to work. The right to work is revoked in the case of a non-appealable asylum decision. If the Finnish Immigration Service makes a positive decision about the asylum application, the applicant receives a residence permit which almost always includes the right to work.

Asylum seekers in Finland can apply for work-based residence permits. Granting such a permit requires, however: 1) that the job in question is not 'protected' by labour market testing (i.e. the job has to be listed by the authorities as a job where there is a labour shortage); 2) that the employer offers a job that guarantees a liveable income (Könönen and Himanen 2019); and 3) that the asylum seeker has a passport, which is not always the case. According to the law, it is possible to grant a residence permit to someone without a passport and for whom receiving one is impossible but, according to Könönen and Himanen (2019: 57-58), the Finnish Immigration Service rarely makes such an exemption in practice.

Asylum seekers also have the right to apply for a study place (Ministry of Education and Culture 2020). Being granted a study place does not, however, affect one's chances of receiving international protection. Nonetheless, an asylum seeker who manages to obtain a study place can apply for a study-based residence permit (where the course lasts longer than ninety days) (Ministry of Education and Culture 2020). In this case the applicant must cancel her/his application for international protection and be able to prove that s/he possesses sufficient financial resources and health insurance, and has the capacity to pay tuition fees (Finnish higher education institutions charge tuition fees from students who arrive from outside the EU and the EEA) (Ministry of Education and Culture 2020).

### 3.3 Barriers to labour market integration

The barriers to asylum seekers' and refugees' labour market integration are many. On the one hand, they relate to the 'human capital' dimension (for example, a lack of Finnish/Swedish language abilities or the vocational skills and credentials that are valued by employers in Finland); on the other, they relate to the legislation (described in Section 3.2.) and to racism (explained in Section 1.3.).

However, other structural factors in the labour market are also worth looking at when seeking to explain the extent of labour market integration. It is, for example, characteristic of the Finnish labour market that the share of 'low-productivity', low-paid jobs that can be entered easily is low in European comparison (Gallie 2017), which is quite likely to be one factor in why many newly-arrived migrants encounter problems with finding jobs. Furthermore, while there is no legally-stipulated minimum wage in Finland, collective agreements are nation-wide and generally applicable (i.e. applicable also to non-unionised workers and non-associated employers). The extension of collective agreements has its origin in the late 1960s, paving the way for a 'neo-corporatist' reconfiguration of labour relations and ending a period of intense inter-union rivalry and labour conflict (Bergholm 2009). Collective agreements thus cover the vast majority of wage earners and set minimum standards for wages and other working conditions. This has led to relatively high wage levels (in a European context), but which pose high productivity demands on workers. This may be a barrier for asylum seekers who, in many cases, lack the type of human capital valued in the Finnish labour market.

The neoclassical paradigm of labour market regulations imposing 'harmful wage rigidity' has become pervasive among the Finnish right-wing and its sympathisers (e.g. the right-wing think tank *Libera*), especially since the global financial crisis of 2007-2008. It is down to speculation whether the labour market participation rates of asylum seekers and refugees (including other underemployed groups) would be higher were wage-setting to be more 'flexible' which, in practice, means were it possible to pay lower wages. On the other hand, if we look at labour market integration from a more qualitative perspective, generally-applicable collective agreements can be seen to defend the interests of those who have managed to enter the labour market – and hence lead to qualitatively better labour market integration. Although employment is important, so is the quality of working conditions.



It is also worth mentioning that the increase in the immigrant population in the 1990s coincided with a deep economic recession with unemployment levels that peaked at 16 per cent around 1993-1994. These adverse economic conditions contributed to high levels of unemployment among immigrants, including asylum seekers and refugees. The asylum seekers who arrived around 2015 were in a more favourable position as unemployment figures were much lower.

However, as Section 3.5 highlights, the labour market participation rate of recent asylum seekers and refugees remains low. Low participation rates among asylum seekers are probably also explained by many reception centres being situated in scarcely-populated areas with few employment opportunities, while those asylum seekers who are granted refugee status 'have to wait months before being hosted by a municipality' (Könönen and Himanen 2019: 60). Another factor that is very likely to hamper employers' willingness to hire asylum seekers is that they cannot be certain whether the asylum seeker in question will get a positive decision on her/his asylum application or whether this will be rejected which, in practice, means the requirement to leave the country.

We know from previous studies (Alho 2020; Ahmad 2005; Ministry of Economic Affairs and Employment 2017: 15; SITRA 2017) that employers across different sectors in Finland actively use informal social networks when hiring people. Refugees and asylum seekers are more weakly embedded in social networks than either natives or migrants who have a longer history of living in Finland. By default, this puts asylum seekers and refugees in an unfavourable position because they have less information about potential jobs. Therefore, various civil society initiatives that bring asylum seekers/refugees and 'locals' together are of importance, as will be explained in the next section.

### 3.4 Main initiatives and policies by the Finnish government and other stakeholders as regards the labour market integration of asylum seekers and refugees

This section presents the typical efforts of various stakeholders, i.e. the public sector, civil society organisations and trade unions, to enhance the labour market integration of asylum seekers and refugees.

#### **Public sector policies**

People who have received refugee status are entitled, under the Act on the Promotion of Immigrant Integration (1386/2010), to various integration services in the municipality in which they reside, in addition to being entitled to the mainstream services provided at municipality level. Integration-related services are aimed at mapping their individual situation as regards employment possibilities and what type of support and courses they need. These usually include education, help with job seeking, language training and interpretation services, which are all aimed at improving their possibilities of integration into Finnish society and finding employment.



The Act also aims at promoting gender equality, non-discrimination and positive interactions between different population groups. The right to integration services also includes other migrants who have received a residence permit. Integration services are not only a right but also a duty as regards those who receive social benefits.

The labour market integration measures for migrants – including refugees – in Finland often fall within the scope of ALMP policies (see Maunu and Sardar 2015). Active labour market policy (ALMP) measures aim at labour market integration and they play a prominent role in Nordic countries, including Finland (Andersen *et al.* 2007: 14). Briefly, ALMP measures include, for example, the subsidised wages (wage costs being shared between the employer and the state), internships and vocational training that are aimed at all registered unemployed job-seekers. This includes refugees, but asylum seekers are not encompassed by these policies as they cannot register as unemployed job seekers. The authorities provide elementary integration measures, such as language training for asylum seekers, at the reception centres (e.g. Integration.fi).

In 2016, the Finnish authorities conducted a study on asylum seekers' education and skill levels (Sandberg and Stordell 2016). The study included 1,004 asylum seekers from 32 countries. Their levels of formal education were much lower than those of the whole Finnish population on average; while two-thirds of them needed at least some training in understanding the Latin alphabet, a requirement as regards integration measures, education and the labour market. The study, however, underlines that comparatively low levels of education could be the result of many manual occupations not requiring formal education in asylum seekers' countries of origin. Indeed, a majority of asylum seekers have experience of manual jobs according to this study. This may facilitate their labour market integration in future as employers have reported labour shortages in manual sector jobs. The study also reports that asylum seekers in reception centres were highly motivated to participate in finding jobs and in securing a safe future for themselves and their families. These are good starting points from the perspective of future labour market integration. Asylum seekers' comparatively low levels of formal education and the lack of local language skills and social networks, however, point to the importance of targeted policies.

Despite the rather weak labour market integration of asylum seekers and refugees, there are some successful cases of integration at local level, with examples including the small cities of Pudasjärvi, Närpiö and Punkalaidun. In these semi-rural municipalities, that have suffered from population ageing, local employers have benefited from the intake of asylum seekers and refugees (including other migrants). What is common among these municipalities is that they have approached asylum seekers and refugees as a resource, actively offering all types of integration measures, including ones that bring together 'locals' and newly-arrived asylum seekers and refugees. These measures have also facilitated labour market integration (Kukkohovi 2016).

### **Civil society initiatives**

The municipalities and the employment authorities have the primary responsibility for the implementation of integration; however, the Ministry of Economic Affairs and

Employment recognises that civil society organisations have an important role in the integration of migrants (e.g. Pirkkalainen 2015). There is a multitude of civil society organisations that participate in offering integration support to refugees and asylum seekers. It is not always easy to draw a clear-cut line between ‘labour market integration support’ and more general ‘integration support’. The language courses offered by these organisations, for example, do have the dimension of promoting labour market integration as well as integration into society more generally.

Numerous civil society initiatives – and too many to be mentioned here – have been targeted at labour market integration and the integration of refugees. Some of those which have been organised by NGOs have been either partially or fully funded by the state or various EU funds. An established actor in the field of integration, in addition to the Finnish Red Cross, is the Finnish Refugee Council.

When the intake of asylum seekers was at its peak in 2015, many spontaneous, grassroots civil society initiatives to support asylum seekers were established. There were, for example, initiatives to provide non-cost housing for asylum seekers in private homes (see Home Accommodation Network 2020). According to the Network’s webpage:

‘Our goal is to make sure that the asylum seekers arriving in Finland can integrate here and their new life starts in a sensible and humane way. In practice, the main purpose of Homestay Network is to bring hosts and asylum seekers together. This work is done by the local groups. At the moment, there is a local group in seven areas. These groups have arranged over 400 homestays after the founding of the network in 2015.’

Another grassroots initiative is the ‘Refugee Hospitality Club’, which is a network of people and organisations from across the Helsinki area that has the purpose of enabling ‘peaceful and hospitable encounters between asylum seekers and “locals”’ (Refugee Hospitality Club 2020). The ‘Free Movement Network’, a politically non-aligned association of volunteers, has, since 2006, supported migrants of all categories in questions related to residence permits and housing, and has given economic support to the most vulnerable migrants (Free Movement Network 2020). The network has also voiced criticism against those types of changes in the immigration legislation that have rendered asylum seekers more vulnerable and hindered integration of any kind, including labour market integration (Free Movement Network 2020).

Some of the civil society initiatives to support asylum seekers and refugees, such as the Finnish Refugee Advice Centre, were established long before the 2015 ‘refugee crisis’. The unprecedented situation in 2015, however, also led to further, spontaneous actions by ordinary citizens who wanted to help and show solidarity with those seeking asylum. In addition, some of the churches have supported asylum seekers including those whose asylum applications had been rejected. There have also been initiatives to link potential employers with asylum seekers and to map the labour market skills of asylum seekers. One example here is Startup Refugees, a network of more than 500 companies, communities and individuals. Between 2015 and 2019, it has collected the profiles of more than 3,700 asylum seekers and refugees, from reception centres and other places, in 23 cities around Finland. The profiles include information

about the educational backgrounds, work experience, skills and the occupational motivations of asylum seekers and refugees. According to the network: ‘Thanks to these profiles, we’ve already provided 820 jobs, offered more than 5,000 education opportunities and supported 120 business ideas to get their start in Finland.’ (Startup Refugees 2020)

### **Trade union initiatives**

Immigration and immigrants’ labour market integration has gained momentum since the 1990s and migrants have increasingly joined trade unions (Alho 2015). More and more unions are offering member services in English and, in some cases, also in other non-native languages.

Presumably, however, the number of asylum seekers who have joined a union in Finland is low because asylum seekers are weakly integrated into the Finnish labour market, while joining a trade union typically requires that the potential member is employed. On the other hand, the number of refugees, or people with a refugee background, who are union members is probably significantly higher due to their more ‘stable’ position in Finland in terms of the right to residence.

Finnish unions do not have special policies or initiatives targeted at refugees; the policies that do exist are normally addressed to migrants via publication in various foreign languages (Alho 2015). Some trade union services are also available to non-union members, including migrants/asylum seekers/refugees, such as the employee rights advisory telephone service for migrants offered by SAK, the Central Organisation of Finnish Trade Unions (SAK 2020). SAK is a confederation of 17 trade unions in industry, the public sector, transport, private services and the cultural sector. This service is available in Finnish and English for five hours/week and delivers (no-cost) advice on employment rights and duties. The SAK initiative is part of the *At Work in Finland* project, which is subsidised by the European Social Fund and also backed by PAM, Service Union United and JHL, the Trade Union for the Public and Welfare Sectors (SAK 2020).

After 2015, however, some trade unions – and trade union confederations – have made the effort to inform asylum seekers about workers’ rights, including collective agreements (e.g. Trade Union PRO 2015).

It is important to note that asylum seekers are not entitled to unemployment benefits (members of trade union/private unemployment funds are entitled to income-related unemployment benefits after a certain time of being a member of the fund, which is an important reason for employees to join a union in Finland). This means that this group is not entitled to all the benefits of union membership, which may function as a disincentive to join a union. An interesting initiative in this regard, however, has been taken by SEL, the Finnish Food Workers Union, which offers a reduced membership fee to asylum seekers (and others who are not entitled to Finnish social security but who work in Finland) (SEL 2018).

Overall, despite the initiatives to provide information to newly-arrived asylum seekers about services and rights, it cannot be argued that responding to the increase in the number of asylum seekers has been high on the agenda of Finnish trade unions.

### 3.5 Employment data on labour market integration

That immigrants in Finland face a situation of labour market disadvantage has been documented by a multitude of studies highlighting, for instance, that immigrants are disproportionally represented in low-wage sectors (e.g. OECD 2018). In addition, people with a ‘non-Finnish background’ have lower labour market rates and face unemployment to a higher degree than those with a ‘Finnish background’ (for the official definitions, see Statistics Finland (2020a) – a problem that is accentuated in the case of immigrant women (Larja and Sutela 2015). Unemployment rates are higher among those migrants whose migration to Finland is based on international protection (Larja and Sutela 2015). In other Nordic countries, too, immigrants whose primary reason to migrate is not based on work tend to experience relatively slow labour market entry and poor long-term outcomes (Bratsberg *et al.* 2017). On the other hand, immigrants’ labour market participation rates improve after time spent in Finland (Eronen *et al.* 2014).

Studies conducted in a variety of countries on the employment integration of asylum seekers and recognised refugees shows that their employment rates are relatively low, being lower than those of the indigenous population, ‘second generation immigrants’ and other immigrants who migrated under different status (Piché *et al.* 2002; Piguët and Wimmer 2000; Bloch 2007; Bevelander 2011). In Finland, the situation is similar: the Finnish authorities do not have comprehensive data on the labour market integration of asylum seekers and refugees, but we can, on the basis of various scattered data and estimates, draw the conclusion that the employment rate of asylum seekers and refugees is comparatively low here, too. According to ‘a rough estimate’ that the Finnish National EMN Contact Point provided to the European Commission in 2019, ‘a little over a thousand asylum seekers might be in employment at the moment’ (European Commission 2019), which is a comparatively small number in relation to the total number of asylum seekers. Between 2015 and the beginning of 2019, around 400 rejected asylum seekers found employment and applied successfully for a work-based residence permit (European Commission 2019). On the basis of these estimates, it can be assessed that the employment rate among the 2015 and post-2015 asylum seeker population is rather low.

As regards the situation of people who have received refugee status, the situation is highly similar to that of asylum seekers. The authorities lack comprehensive statistics on the labour market integration of refugees, but we can – on the basis of a variety of sources provided by the authorities – draw the conclusion that refugees, as a single category, are rather weakly integrated into the labour market: the unemployment rates of nationals of Iraq, Somalia and Afghanistan are over 35 percentage points higher than the rates of Finnish nationals (OECD 2018: 73). As the vast majority of those arriving from these countries have arrived in Finland for reasons of international protection (or

as family members of those who have been granted asylum), we can infer that refugees from these three countries have remarkably lower labour market participation rates than the indigenous population, or immigrants who have arrived on grounds other than humanitarian ones.

On the other hand, official statistics on labour market participation quite obviously do not include data on undocumented work. If we consider undocumented work also as ‘labour market integration’, labour market participation rates would be somewhat higher since some rejected asylum seekers are certainly working on an undocumented basis.

The continuing challenge related to the integration of asylum seekers and refugees in Finland may be explained by the following factors: (1) those arriving and looking for international protection are driven by push instead of pull factors; (2) they have had only little time to prepare for their migration; (3) there are considerable health and educational consequences of their long journey to Finland; and (4) they are unlikely to have had much prior contact with Finland (OECD 2018: 73). In addition to those factors that stress the human capital dimension, some of the legislation that constrains asylum seekers’ access to the labour market – and described in Section 3.3 – also explains asylum seekers’ difficulties in entering the labour market. In addition, racism and discriminatory attitudes towards immigrants, which have also been explained earlier, are evidently responsible for a part of these outcomes.

On the other hand, ‘labour market integration’ is a more multi-faceted phenomenon than whether a person has a job. Labour market integration can include, in addition to labour market participation rates, criteria which encompass earnings levels (in relation to other migrants and the indigenous population) and the extent to which asylum seekers and refugees are able to utilise their skills in employment (Martín *et al.* 2016: 14). While there is no data on the earnings of asylum seekers, nor to what extent they are able to find jobs that match their skills level, Sarvimäki (2017) has calculated that immigrants born in the main countries of asylum earned less and received more social benefits than other immigrant groups or natives between 1990 and 2013. Obviously, the more recent asylum seekers – including those who have received refugee status – could differ from those measured between 1990 and 2013, but there is no good reason to believe that their situation would differ to a significant extent.

## 4. Conclusions

Entry to the labour market is not restricted in Finland for refugees, whereas that for asylum seekers is restricted by various pieces of legislation. In addition to the legal barriers, the comparatively low labour market participation of these groups is explained by their lack of human capital relevant in the Finnish context (e.g. Finnish/Swedish language skills; and formal education). However, it is not entirely clear what relevant labour market skills are possessed by newly-arrived asylum seekers. Therefore, the mapping of their skills is a question that still needs further attention, although some steps have been taken by the authorities and private actors (e.g. Startup Refugees).

At the same time, structural racism in the labour market also works as a barrier to integration (e.g. Ahmad 2020). Therefore, in order to facilitate labour market integration, efforts to counteract discrimination in recruitment are also needed in addition to the existing measures to create equal opportunities in the labour market.

It is quite likely that asylum seekers' and refugees' difficulties in finding employment may also partly be explained by a lack of social networks, extending to the matching problem: i.e. that asylum seekers and potential employers simply do not meet (we know from previous studies that social networks are important in Finland in finding work (e.g. Alho 2020).

It is also clear that some of the legal changes described in this chapter and which were made during the 2015-2019 government were unfavourable to the labour market integration of asylum seekers (Bodström 2020; Saarikkomäki *et al.* 2018).

It is also the case that asylum seekers – in contrast to people who have been accorded refugee status – receive from the state only what can be considered elementary preparation for the labour market, i.e. language training. Therefore, NGOs and civil society actors are filling an important role in helping asylum seekers integrate into the labour market.

During the last few years, employers have increasingly reported a lack of labour in the services and manual sectors, which could point to a fair amount of unfulfilled potential for asylum seekers and refugees to find work. The increase in unemployment due to the lockdown caused by the COVID19 crisis, however, will probably have negative consequences for the labour market integration of asylum seekers, refugees and other underemployed groups.

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# A reliance on diversified delivery: the case of asylum seekers and refugees in France

Yasmine Bouagga, Giulia Scalettaris and Alben Tcholakova

## Introduction

France has experienced a distinct increase in the number of asylum seekers and refugees since 2014, bringing the total population of the beneficiaries of international protection living in the country at the end of 2018 to almost 280,000.<sup>1</sup> Entering the French labour market is not easy either for asylum seekers or for refugees. The former are actually not allowed to work while the latter come up against several challenges that will be detailed in this chapter.

Until 2015, with the exception of a few programmes implemented by NGOs, there were no public policies aimed at supporting the occupational integration of refugees: the state authorities consistently held that no targeted measures were necessary as refugees enjoyed the same rights as any other resident. Since 2015, however, civil society organisations have launched a variety of initiatives promoting access to the labour market, including French language courses, vocational training and support for access to housing. Public policy on these issues is developing but, for the time being, is mostly at the stage of being piloted.

This chapter offers an overview of the integration of refugees and asylum seekers in the French labour market based on the official data available as of June 2019, as well as surveys and research reports and interviews with key interlocutors.<sup>2</sup> It is organised in three sections. The first briefly presents data on new arrivals and refugee recognition rates in the past few years. The second section gives an overview of what we know about the integration of refugees and asylum seekers in the French labour market in terms of data, the legal framework and the challenges which experts have identified. The third section presents the evolving policy approach of the French authorities and reviews the main programmes being implemented by state agencies and private organisations. The conclusion wraps up the key elements and takes stock of the situation.

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1. This includes the holders of refugee status, persons under subsidiary protection and stateless persons (OFPRA 2019).

2. Twenty interviews were conducted between January 2016 and June 2019 with representatives of state agencies, civil society organisations and experts.

## 1. Refugees and asylum seekers in France

As regards population structure, Table 1 shows that the total immigrant population in France in 2018 was 6.5m (9.7 per cent of the total population), out of whom 2.4m had acquired French citizenship while 4.1m (6.7 per cent) had foreign nationality,<sup>3</sup> one-third of whom were from another EU country. Half of the foreign-born population arrived in France before 1998. The share of EU citizens within the foreign-born population has decreased over time, reaching 35 per cent in 2015 (compared to 66 per cent in 1975). Around 45 per cent of the immigrant population was born in an African country (nearly two-thirds of whom, 29 per cent of the total, were born in north Africa), 14 per cent in an Asian country and six per cent in the Americas and Oceania (INED and INSEE 2018). It should be added that, across western Europe (EU-15), only Finland and Portugal have a lower share of foreign nationals in the total population than France.

Table 1 The share of foreign citizens and immigrants in the population of France (2018)

Characteristics	Foreign citizens	Immigrant population
Share of males (%)	50.3	48.6
Breakdown by age group (%):		
Under 15 years	17.0	4.5
15 to 24 years	8.9	8.0
25 to 54 years	48.6	53.7
55 years and above	25.4	33.8
Number (in millions)	4.1	6.5
Share in total population (%)	6.7	9.7

Source: INSEE (2019a).

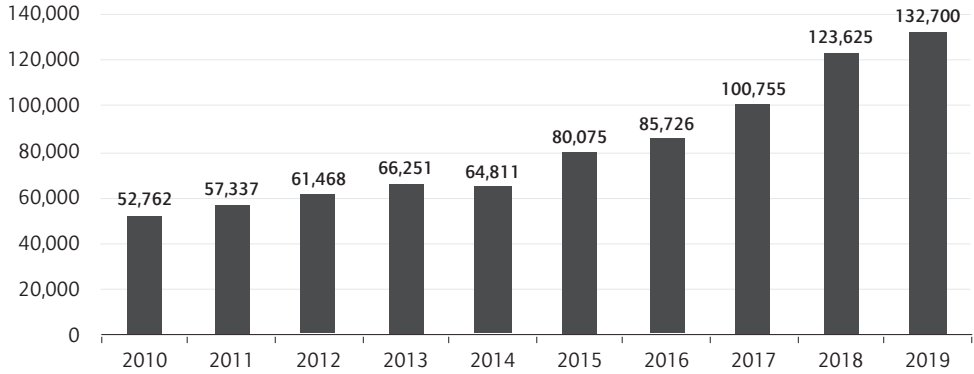
While the ‘refugee crisis’ in the rest of Europe, such as for example in Germany or Sweden, appeared as a sudden and massive increase in the number of asylum applications in 2015–2016, followed by a decrease after 2017, France experienced a more gradual, but continual, increase between 2014 and 2019.

### 1.1 Asylum applications

Figure 1 shows that, in 2019, the total number of asylum claims submitted in France rose to 132,700, twice as many as in 2013 (66,251) (OFPRA 2019). In 2018, France received the second largest share of asylum applications in the EU after Germany but, relative to the size of population, it was only in ninth place as regards first-time applications in Europe (Eurostat 2019). Despite being preferred to southern or eastern European countries for its more favourable job market situation and as regards state support for asylum seekers, France is also a transit country towards other destinations such as the United Kingdom.

3. In referring to the foreign population in France, institutional reports distinguish between ‘foreigners’ (*étrangers*) and immigrants (*immigrés*). The first category refers to non-French nationals, while the latter refers to individuals born outside France as foreigners – some 700,000 ‘foreigners’ were born in France with foreign citizenship and are, therefore, not counted as immigrants.

Figure 1 Total number of asylum claims submitted in France (2010-2019)



Source: OFPRA 2019.

The main countries of origin for first-time asylum applicants are Afghanistan, Albania, Georgia, west African countries (Guinea, Ivory Coast, Mali), Syria and Sudan (OFPRA 2019). The population of asylum seekers in France differs from other EU countries: some nationalities – such as Syrians, Iraqis and Eritreans – are comparatively under-represented while asylum seekers from francophone countries are over-represented. Focused operations targeting migrants in transit – especially in the informal camps in Calais in 2015-2016 – have resulted in an increase in applications submitted by nationalities that had traditionally preferred the United Kingdom, such as Afghans and Sudanese. France also receives considerable ‘secondary flows’ of asylum seekers whose applications have been rejected in other European countries. In addition, France has developed resettlement programmes through the EU relocation scheme and through UNHCR schemes in Lebanon, Turkey, Jordan, Niger and Chad.

In 2018, 33,216 positive decisions were taken by the French Office for the Protection of Refugees and Stateless Persons (*Office Français de Protection des Réfugiés et Apatrides* – OFPRA) and the asylum appeal court (*Cour nationale du droit d’asile* – CNDA),<sup>4</sup> amounting to a recognition rate (for refugee status, stateless status and subsidiary protection) of 36 per cent (OFPRA 2019). This brought the total number of people in France under the protection of OFPRA to 278,765 at the end of 2018, compared to 190,000 at the end of 2014 (OFPRA 2019). Those who have obtained French citizenship are not counted in these statistics. Refugees and stateless persons are granted a ten-year renewable residency permit, while those under temporary protection used to receive a one-year renewable residency permit before this was extended to four years in 2018.

In 2018, women represented 33 per cent of the asylum-seeking population, a slight decrease compared to previous years (it was 35 per cent in 2013). The inflow of unaccompanied minors has constantly increased in the last decade, while there has also been an acceleration after 2016: 13,000 new arrivals were recorded at the end of

4. The figure including children accompanying their family is: 46,838.

2016 but more than 26,600 at the end of 2018 (France terre d'asile 2019), although they rarely file an asylum application: just 742 did so in 2018 (OFPRA 2019). Those who are declared to be under 18 after an age assessment process are made the responsibility of Child Protection Services.

In 2017, some 240,000 new residence permits were delivered by the Ministry of Interior to first-time applicants for family reasons (36 per cent), study (32 per cent), humanitarian reasons (15 per cent), work (11 per cent) or for other reasons (six per cent) (Ministry of Interior 2019). Refugees are included under the 'humanitarian reasons' rubric; this has almost doubled in size in the past decade but still represents a minority of the total foreign population.

Asylum procedures were reformed in 2015, aimed mainly at reducing their length. This had exceeded nine months in 2013 but, in 2018, the average length of the procedure had been reduced to three months. An 'accelerated procedure' dramatically reduced the delay for people originating from a list of so called 'safe countries' (including Albania and Georgia, among others), while the 'normal procedure' currently lasts, on average, around four months (OFPRA 2019). This, however, does not take into account the effects of the Dublin Regulation under which the *préfecture* (which controls immigration administration) can transfer an asylum seeker to the EU country where his/her presence was recorded before arrival in France. According to Eurostat data, France filed more than 45,000 Dublin procedures in 2018, although less than ten per cent resulted in an effective transfer.<sup>5</sup> After a certain delay, if the asylum seeker remains in France, the *préfecture* can eventually allow him or her to file an asylum application. This situation increases the transitional period for asylum seekers in France considerably.

## 1.2 Reception and support

Asylum seekers are entitled to reception support (*conditions matérielles d'accueil*). The number of accommodation centres for asylum seekers (CADA) has doubled since 2012, up to a total of 40,000 places. The French government has rejected the creation of large emergency reception centres, but special accommodation schemes have been developed to solve an accommodation crisis that had resulted in the multiplication of informal camps. Around Paris, shelters for homeless migrants were created, with a national scheme emerging in 2015 via a network of reception and orientation centres (CAO). An estimated total of 100,000 places existed in 2019 for the accommodation of asylum seekers, although this remains insufficient, resulting in the frequent usage of homeless shelters and occurrences of homelessness. In the metropolitan areas (Paris, Marseille and Lyon), large numbers of asylum seekers and refugees sleep on the streets, in informal campsites or in squats.

People in need of protection while in transit, as well as failed asylum seekers who remain in France, are invisible in the statistics. Several thousand people were estimated to

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5. See <https://www.lacimade.org/application-du-reglement-dublin-en-france-en-2018/>

be staying in the ‘jungles’ in Calais at the beginning of 2016 (Agier *et al.* 2019) and several hundred in 2019. Given the high rejection rate for asylum seekers, the limited opportunities to obtain a residency permit on other grounds and the relatively low numbers of actual returns to the country of origin, there is a sizeable population living undocumented on French territory.

In addition, an increasing number of people are falling through the cracks of the asylum support system because of the Dublin procedure: asylum seekers affected by this can be deprived of all support until they are returned to the country determined to be responsible for examining their claim or until the procedure expires. Another group exposed to extreme precariousness are young people claiming to be minors but who have been assessed as over 18 years old by Child Protection Services: they cannot access any support, either for children or for adults.

## **2. Access to the labour market: what we know**

### **2.1 Data**

Data on the employment situation of asylum seekers and refugees in France are scant. Most studies on occupational integration in the French job market do not single out refugees from other migrants. Reports issued by OFPRA and by the French Office for Immigration and Integration (*Office Français de l'Immigration et de l'Intégration* – OFII) do not include information on the socio-occupational profile of asylum seekers, while refugees are registered as ‘clients of foreign origin’ in national files on the unemployed population. Thus most of the relevant studies on the job market concern ‘foreigners’ or ‘migrants’ and do not specify refugees.

In 2018, 71.9 per cent of the population aged between 15 and 64 in France were active, according to the International Labour Organisation definition, i.e. they were employed or looking for a job (INSEE 2019a). Table 2 shows that, in 2016, foreigners and immigrants made up 6.6 per cent and 9.5 per cent of the active population, respectively. The data by selected occupational category also show that they were significantly over-represented among the unemployed who have never worked (reaching shares of 14.6 per cent and 17.5 per cent), among industrial workers (11.1 per cent and 15.3 per cent) and crafts workers/traders and entrepreneurs (8.0 per cent and 13.5 per cent). In contrast, they were under-represented among managers and professionals (4.7 per cent and 8.6 per cent) and in intermediate occupations (3.2 per cent and 5.7 per cent) (INSEE 2019a).

Based on another recent survey by INSEE (2018a), one-third of employed immigrants consider that they are overqualified for their current occupation.

Figure 2 shows that, since 2014, the employment rate among immigrants has been consistently lower by nearly ten percentage points than for French citizens (INSEE 2019a).



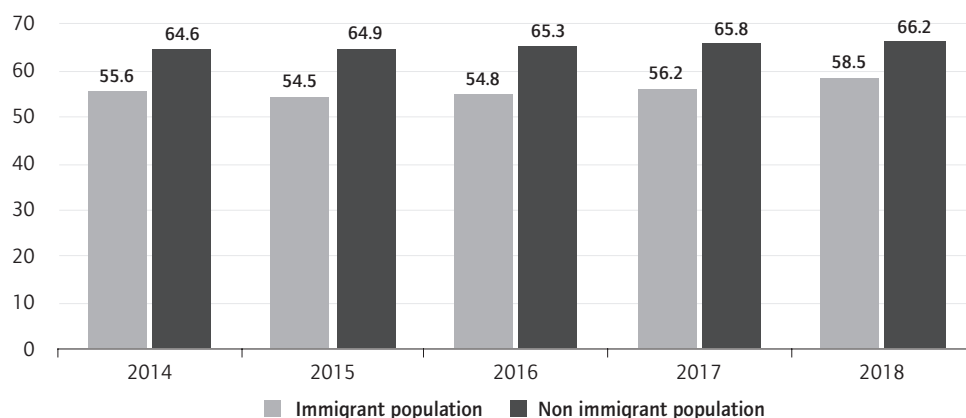
**Table 2 Share of foreigners and immigrants by selected occupational category within the active population, by socio-economic classification (2016)**

	Total active population (thousands)	Share (%) of foreigners	Share (%) of immigrants
Crafts workers/traders, entrepreneurs	1,825	8.0	13.5
Managerial occupations, professionals	4,993	4.7	8.6
Intermediate occupations	7,247	3.2	5.7
Employees (clerical, sales, services)	8,134	6.7	10.9
Industrial workers	6,453	11.1	15.3
Unemployed and never worked	471	14.6	17.5
<b>Total</b>	<b>29,668</b>	<b>6.6</b>	<b>9.5</b>

Note: Active population by category does not sum to the total active population as a result of a number of non-declarations.

Unemployed people with a working history are classified in line with their former category.

Source: INSEE (2018b).

**Figure 2 Employment rates for the immigrant and non-immigrant population in France (2014-2018)**

Source: INSEE (2019a).

With an unemployment rate that has been oscillating between 10 per cent and 8.5 per cent in the period from 2015 to 2019, France ranks above the average rate in the EU28. In 2018, the unemployment rate was 9.1 per cent; that is, there were 2.7m unemployed people, while 1.6m people (that is, six per cent of the employed population) were in a situation of under-employment. The unemployment rate is higher among lower-skilled workers, young people aged between 15 and 24, and women (INSEE 2019a). Table 3 shows that the unemployment rate for non-EU foreign nationals was almost three times higher than for French nationals; this difference was even more pronounced among women (an unemployment rate of 26.4 per cent against one of 8.7 per cent for French women).

Table 3 Unemployment rate by nationality (2017)

	French nationals	Non-EU foreign nationals	All foreign nationals
Men	8.8	22.2	17.9
Women	8.7	26.4	19.4

Source: INSEE (2019).

Most studies of foreigners in the French job market (INSEE 2009; OECD 2015; CAS 2012; DSED 2010; INED and INSEE 2008; Jolly *et al.* 2012; INSEE 2019a) show that non-EU foreigners have a higher unemployment rate than the rest of the population: foreigners perform less well than French citizens on the labour market, even when equally qualified. They tend to have more precarious jobs and are concentrated in sectors such as hotels and restaurants, retail, temporary work obtained through employment agencies, security, cleaning and domestic services and construction. They more frequently experience low-paid jobs, part-time work and short-term contracts, exposing them to relative poverty. The jobs held by non-EU foreigners also appear to be segmented by gender, with women predominating in caring roles (personal care assistant, nursing assistant, childcare assistant) and men in construction ones.

Some studies, however, do make specific reference to the employment situation of refugees<sup>6</sup> as distinct from other immigrants. These include studies carried out both by researchers and by NGOs (Tcholakova 2012; UNHCR 2013; France terre d'asile 2019); as well as two carried out by DARES and the Ministry of Interior (Okba 2018b; DSED 2015; DSED 2017; Ministry of Interior 2010). Both the two official surveys provide statistical data referring to a sample population that included, among other categories of foreigners, around 600 refugees.<sup>7</sup>

Beside confirming the trends highlighted elsewhere on the immigrant population in general, these studies underscore the specific vulnerabilities affecting refugees' involvement in the labour market, to which we have just referred. Equally, they also highlight that this gap tends to reduce over time as the employment rate for refugees increases in the medium-term and their employment conditions improve (Okba 2018a, 2018b).

The DARES study reveals the greater difficulties experienced by refugees in accessing the French labour market than those faced by other immigrants. Only 39 per cent of the refugees interviewed were employed (53 per cent of men and 19 per cent of women), whereas 70 per cent had been employed in their country of origin (Okba 2018b). The same study shows that 76 per cent of refugee men and 42 per cent of refugee women

6. Asylum seekers are not actually entitled to work, so none of the studies mentioned in this paragraph refers to asylum seekers.
7. The study *Migrants' Trajectories and Profiles* interviewed some 6,000 signatories of integration contracts (since 2007, migrants from outside the EU, including refugees, have to sign a *Contrat d'Accueil et d'Intégration* (CAI) (Reception and Integration Contract) at the French Office for Immigration and Integration (OFII) upon their arrival in France). Out of these, 10 per cent were refugees. In addition, the *Direction Générale des étrangers en France* of the Ministry of Interior launched a study in 2010 to measure the integration of new arrivals; among other foreigners holding long-term residence permits, the sample included some 600 refugees who had entered France in 2009 (Ministry of Interior 2010).

were active (employed or looking for a job), whereas the percentage of active people was higher among other foreigners, in particular among those having a permit for family reasons or for salaried work. According to the survey, refugees perceive a downgrading in their labour market position, with 38 per cent considering that they have a less favourable position than the one they held in their country of origin (Okba 2018a, 2018b).

In explaining these data, the study points to three main factors. Firstly, the younger age of refugees compared to the sample population might explain their lower employment rates. Secondly, they have a comparatively less good command of the French language as a result of having come from non-francophone countries, while their arrival at a late age or a low level of schooling might compound other difficulties. Thirdly, refugees are often less qualified than other immigrants (one in four in the sample population had no diploma).

The DARES survey highlights that refugee women are particularly vulnerable in the labour market. In explaining why the women interviewed performed poorer than men in the job market, the study mentions four main factors: lack of command of French; family constraints (mostly related to childcare); health reasons (mostly related to maternity); and that they had been less often employed in their countries of origin than men.

## 2.2 Legal framework

The legal framework regarding refugees and asylum seekers is detailed in the French Immigration and Asylum Law (*Code de l'Entrée et du Séjour des Etrangers et Demandeurs d'Asile* – CESEDA), which consolidates the various legislative packages on immigrants' rights and asylum policy in France.

### Asylum seekers

Since 1991, asylum seekers in France have not been allowed to work during the examination of their application, during which time they receive a monthly allowance (*allocation de demandeur d'asile*). However, after a six-month period, if the asylum administration (OFPRA) has not ruled on their application, they may seek a work permit (Article L.744-11 CESEDA).

Work permits – in the form of a refugee 'card' – are issued by the *préfecture*, where the applicant has an employment contract of more than three months and where the employer obtains authorisation from the local branch of the Ministry of Labour. The department responsible is the regional directorates for companies, competition, consumption, work and employment (*Directions régionales des entreprises, de la concurrence, de la consommation, du travail et de l'emploi* – DIRECCTE), which examines the need for labour in a specific territory, the skills and qualifications of the applicant and the situation of the employer. It must take a decision within two months. Where it delivers its agreement, the employer must then pay a tax to the immigration administration (OFII). Work permits have the same validity as the temporary residence permits issued to asylum seekers, i.e. they are renewable every three months. Work

permits are issued only for salaried activity, not for self-employment, which further limits employment possibilities.

In accordance with Article R341-4 of the Labour Code, DIRECCTE may undertake a 'labour market test' of the employment situation in the occupational sector and geographical area concerned. A refusal of work authorisation may be motivated by the unemployment rate in the sector or area under consideration, with the exception of specific occupations characterised by high labour demand and which are recorded on an official list for each of France's regions.

No official data is available on the number of applications for a work permit requested by and granted to asylum seekers. Furthermore, our interviews indicate that, in practice, work authorisations are almost systematically denied by DIRECCTE as a result of the employment situation and that, in any case, very few asylum seekers apply for a work permit. This is, in part, due to the administrative hurdles: the employment contract has to be for a minimum of three months but cannot exceed the length of the temporary residence permit granted to the asylum seeker. On their side, employers are reluctant to consider the application of an asylum seeker whose documents indicate they are not allowed to work and for whom they would have to engage in a long administrative process and pay tax to OFII. Our interviews also highlight the general lack of information on this subject among asylum seekers, even in accommodation centres.

Article L.74411 of CESEDA also provides that asylum seekers who have access to the labour market can benefit from the Labour Code's provision on continuing professional development. However, this measure remains theoretical because *de facto* most asylum seekers do not work.

There is, however, one exception to this general rule: asylum-seeking unaccompanied minors who are placed with Child Protection Services and who are enrolled in work-training programmes are automatically authorised to work.

## **Refugees**

Once they receive their status, refugees enjoy full residency rights. They have the same social and economic rights as French citizens, including unrestricted access to the labour market. They enjoy services offered by the national public employment agency *Pôle Emploi* and personalised support for employment and accommodation provided by refugee support organisations such as *France Terre d'Asile* or *Forum Réfugiés* (Article L.7511 CESEDA). In case they are not in work, they are entitled to welfare support (*Revenu de Solidarité Active* – RSA) whereas other foreigners have a five-year waiting time before being able to access it.

## **Labour market regulations**

A large number of occupations restrict access to non-French or non-EU citizens, mostly in the public service, while employment in certain protected occupations (i.e. in the army, the police or the security forces; justice; tax administration; diplomacy;

etc.) is restricted to French citizens. These accounted for approximately twenty per cent of all jobs in 2019. Other areas of employment in the public service – such as in education, public hospitals<sup>8</sup> and in national or local administration – are restricted to EU citizens, although third-country nationals can be hired under temporary contracts; full positions are accessible to foreign nationals only in university and research; and as medical doctors in public hospitals.

Public or private companies which used to be state-owned (such as the electricity company, EDF; the airline, Air France; and the urban transport company, RATP) have progressively cancelled the nationality limitation, although SNCF, the train company, has announced that it would apply it in 2020. In contrast, some strategic companies (such as Banque de France and the Commission for Atomic Energy) continue to maintain it. Furthermore, private businesses controlled by a state monopoly (e.g. alcohol or tobacco dealers), as well as professions with an official legal capacity (e.g. notary, bailiff), are not authorised to non-EU citizens. Following a parliamentary report in 2010 (Assemblée nationale 2010), some occupations have cancelled the nationality limitation, however, including insurance dealers, financial counsellors and funeral directors.

In addition, several professions are regulated (*reglementées*); that is, being able to practise requires either a French or EU diploma and specific authorisation (including, among others, for nurses; laboratory technicians; ambulance drivers; and opticians); or prior authorisation by a professional association (*ordre professionnel*): this is the case for solicitors; medical doctors; pharmacists; midwives; architects; veterinarians; chartered accountants; and land surveyors. Professional associations rarely grant authorisation to practise to someone with a foreign diploma, especially if it is a non-EU diploma; they often require a probation period and/or the passing of an exam.

## 2.3 Challenges

Based on our interviews and on the studies we have cited, the main labour market barriers for asylum seekers and refugees include the following.

### No right to work and no access to training programmes

Interviews and reports indicate that asylum seekers are willing to start working as soon as possible but, as mentioned earlier (see section 2.2), official work permits are delivered only in extremely rare circumstances. Asylum seekers, however, do need to find sources of income to ensure their livelihoods (considering that the asylum seeker allowance ranges between €200 and €300; while the RSA is €500–€550); frequently, they also have debts to repay and need to support family members.

Furthermore, considering the pre-application period, the asylum procedure itself and OFPRA's administrative requirements for obtaining a refugee card, several years can pass from the moment a refugee arrives in France to the moment that he/she obtains

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8. This applies only to public hospitals, not to private clinics or freelance nurses.

a work permit. This long period, spent in a situation of segregation, destitution or employment in the informal labour market, may trigger a vicious circle and hamper access to the formal labour market once international protection has been obtained.

Refugees granted protection in another EU country are not allowed to work in France and cannot access training programmes.

### **Recognition of professional titles and qualifications**

Refugees often cannot provide documentary evidence of their qualifications as they may have lost the certificates or left them in their country of origin. Moreover, in France there is no principle of juridical equivalence between diplomas obtained abroad and those delivered by the Ministry of Education, except where a bilateral agreement exists. *Enic-Naric*, the body responsible for validating foreign qualifications, is able only to certify the validity of the documents and attest to the duration of the studies abroad, although its attestations have no legal value.<sup>9</sup>

The gap that frequently exists between the level of diploma attained or previous occupations and occupational activity in France results in perceptions of downgrading that might have far-reaching subjective consequences (Tcholakova 2016). The DARES study highlights not only that – as we reported above – 38 per cent of the refugees interviewed consider their professional status to be less favourable than the one they had in the country of origin, but also that only 19 per cent declared that they are making use of their competences or their higher diploma in their occupational activity in France (Okba 2018a).

### **The length of the administrative procedure to obtain a refugee card**

Even after the asylum authorities have taken a positive decision, in order to obtain a refugee card permitting work, OFPRA has to issue a civil status certificate which can take more than one year. During this time, refugees continue to receive temporary permits of stay valid for three months. The lack of a residency permit attesting to a durable presence on French soil may be an obstacle in finding an employer and, in some cases, even to benefiting from the services of *Pôle Emploi*.<sup>10</sup>

On the more positive side, the most recent reform of the asylum law did extend the right of residence for beneficiaries of subsidiary protection to four years, thereby giving greater certainty as regards residence rights.

### **Language skills**

Very often, command of the French language is essential in finding a job outside ethnic enclaves. In addition, effective access to the services provided by *Pôle Emploi* is possible

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9. According to *France Terre d'Asile*, 3,000 attestations were delivered by *Enic-Naric* on behalf of refugees in 2016 (FTDA 2018).

10. See, for instance, *France Terre d'Asile* and *Forum Réfugiés* (2015).

only if the refugee has a certain level of French.<sup>11</sup> For non-francophone refugees, the lack of language skills is a major obstacle to employment. Opinion is widespread that the language training provided by the French authorities is insufficient; while some of our interviewees mentioned that several refugees actually start learning French only when they have found a job. According to OFII, half the refugees who signed integration contracts in 2018 mentioned a lack of command of French as the main obstacle to their integration.

### **Lack of social networks**

Refugees' social networks tend to be less well developed and less diversified than the networks of other foreigners. Indeed, refugees choose their country of destination less often in the first place and more often belong to a community with a more recent immigration history. As social networks are often key to entering the job market, any weakness here makes their situation more difficult once opportunities within ethnic communities have been exhausted. Socially isolated, they also have lesser access to intermediaries in terms of becoming more familiar with the French job market, including practices of job search and recruitment.

### **Geographical concentration and housing**

Asylum seekers and refugees are highly concentrated geographically: in 2018, almost one-half of all asylum applications in France were registered in the area around Paris (Ile-de-France: 46 per cent). The French Office for Immigration and Integration has, since 2018, developed a mandatory scheme to disperse them across the territory (OFPRA 2019), while medium-sized cities and rural areas are encouraged to promote the reception of refugees (France terre d'asile 2019; Ministry of Interior 2018). However, in 2018 36 per cent of all asylum seekers still declared residency in or around Paris. This situation contributes to hampering the match between workforce offer and supply, in particular in sectors and regions which have labour shortages.

Many observers stress that, frequently, difficulties in finding housing and employment are complementary, triggering a vicious cycle of exclusion: without stable revenue, it is difficult to find accommodation and, *vice versa*, it is difficult to search for, and find, a job without having proper accommodation. In addition, the situation of housing and employment tend to be inverted throughout the country: in Ile-de-France, where it is easier to find a job, the housing situation is catastrophic due to high prices in the private housing market and long waiting lists for social housing. In contrast, areas where the housing situation is easier usually offer fewer employment opportunities.

### **Many asylum seekers are employed on the informal market**

In some cases, asylum seekers prefer not to engage in undeclared work because they fear compromising their legal situation. However, many try to find roles in the informal market (in sectors such as construction, the restaurant industry and personal care), as

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11. All services are provided in French. Reportedly, in some cases *Pôle Emploi* might even refuse enrolment on the grounds of the lack of language skills (France terre d'asile and Forum réfugiés 2015).



do many refugees as well as most of the ‘invisibles’ (people in need of protection while in transit and failed asylum seekers). Once an individual has found employment in the informal sector, the motivation and the time that can be devoted to entering the formal labour market decreases.

Evidently, this population is contributing to the national economy without benefiting from the rights and protections available to regular workers (absence of social protection; lack of access to rights; no minimum salary; etc.).

### **Other challenges**

Other challenges include the experience of poverty, racial or religious discrimination and poor mental health.

Services targeted at refugees’ mental health are insufficient. Several studies have underlined the specific challenges refugees face because of the traumatic experiences they have endured in their countries of origin and during their journeys (Saglio-Yatzimirsky 2018), as well as the stressful situations related to the asylum procedure and protracted family separations. In particular, the length of family reunification procedures worsens refugees’ psychological conditions. A recent report on the integration of young refugees in Europe states: ‘Family reunification is recognised as one of the key mechanisms for the better integration of migrants and refugees. The absence of family members and worries about their wellbeing hinder effective participation in language courses, school and training and finding a job.’ (FRA 2019)

## **3. Policies and private initiatives**

### **3.1 The policy framework**

For the past twenty years, the French authorities have dealt with the refugee issue by taking a short-term approach and with a clear focus not on integration but on the asylum procedure and on the reception of asylum seekers, the latter characterised by a situation of constant emergency due to the chronic shortage of accommodation places (Létard and Touraine 2013; Tuot 2013; Karoutchi 2014). The logic of electoral competition and budgetary reform, as well as the wish not to become an attractive destination within the EU or to spend resources on people who might be issued with a deportation order, are further factors that may explain this attitude.

Following this, the consistent position of the French authorities towards asylum seekers has been that they should not be the target of integration measures because, until the asylum authorities have taken a decision on their right to stay in France, their presence has to be considered as temporary. Consequently, they are entitled neither to French language courses nor to occupational training. The authorities have, therefore, focused on reducing the length of the period during which their case is examined rather than on introducing integration schemes. In spite of the criticisms of NGOs, this is an approach that has been maintained unswervingly to date.



As far as refugees are concerned, the French authorities have adopted, until recently, a mainstream approach: no particular measures are needed to favour integration in the labour market because refugees have the same rights as French citizens and other legal residents, including the possibility of benefiting from social protection mechanisms such as the services and protection checks provided by *Pôle Emploi*. This was the reason that no specific integration measures were adopted until 2015. For their part, NGOs have criticised this approach, advocating targeted measures in light of the special needs and specific challenges presented by the refugee population.

The so-called ‘refugee crisis’ in 2015 triggered fresh policy attention to the integration of refugees, as highlighted by an inter-ministerial memorandum issued by the ministries of Labour, Interior and Housing in 2016 (Ministry of Labour *et al.* 2016). In February 2018, a report devoted to proposals for an ‘ambitious policy of integration’ (Taché 2018) was presented to the Prime Minister. This report highlighted the shortcomings of French integration policy and advocated a more comprehensive approach, further measures and additional resources. Regarding occupational integration, it stressed the importance of individualised integration paths, calling for more language courses, occupational training and personalised support, and highlighted the need to extend partnerships and to target economic sectors with labour shortages.

This change of emphasis led to a modest public policy shift towards the labour market integration of refugees, addressing some of the challenges listed above. This includes:

- 1) the creation, in 2017, of the DIAIR (*Délégation Interministérielle à l’Accueil et à l’Intégration des Réfugiés*), an inter-ministerial body for the integration of refugees based in the Ministry of Interior, with the purpose of steering integration policies and coordinating the activities of the different ministries and administrations.
- 2) A national strategy for the reception and integration of refugees was issued in 2018, calling for more efforts on training and on access to housing and medical care, as well as for the strong coordination of local actors including associations, training bodies, local authorities and economic actors (Ministry of Interior 2018).
- 3) That year, the Ministry of Labour also launched an investment plan (*Plan d’Investissement des Compétences*) with a budget of €15m together with a related call for projects aiming at developing occupational competences among populations with labour market vulnerabilities, including refugees.

Since 2015, several initiatives from the private sector (non-profit organisations and economic actors) have created programmes of labour market integration targeted at refugees. The general orientation is to favour medium-term programmes managed by non-state actors but supported by state funds. Such non-state actors include historical organisations supporting refugees (*Forum Réfugiés* and *France Terre d’Asile*); national actors in the social field (*Aurore* and *Emmaüs*) and in the field of occupational training (AFPA); and new start-ups in the social field (*Singa* and AER).

### 3.2 State-led programmes

The French Office for Immigration and Integration (OFII) is the main administration in charge of the reception of migrants and of different aspects of the integration of refugees, including as regards the labour market. When a person receives a residency permit (after obtaining refugee status, or any other type of immigration status), he or she has to sign an 'integration contract' – *Contrat d'Intégration Républicaine* (CIR). In 2018, 25,000 beneficiaries of international protection had signed a CIR.

The services provided by OFII as part of this contract include:

- 1) an assessment of occupational skills, prior experience and qualifications. Information is also provided on the labour market situation and on obtaining recognition of diplomas. A written assessment is produced which can be used in conjunction with job counsellors in *Pôle Emploi*.
- 2) An assessment of language skills. Depending on French proficiency level, free language courses are offered to obtain basic (A1) level. In 2018, the length of free language courses was increased from 200 hours to 400 hours, and to 600 hours for illiterate people. Those whose language proficiency appears to be higher than beginner level have limited access to free language training, even though the level of oral and written proficiency required to obtain a job or register with a university is intermediate (B2).
- 3) Information sessions on life in France are also provided, giving cultural but also practical information including administrative procedures, asserting rights and accessing the job market.

OFII's integration policy has sparked criticisms that it is both insufficient and poorly adapted to refugees' needs. Several of our interviewees highlighted that, for the existing refugee population, these measures (conceived as they have been for newly-arrived foreigners) actually reach them only when it is too late – often two years or more after their entry into France. It is also stressed that the offer of language courses is relevant and useful, but insufficient to cover the need (Karoutchi 2014; Tuot 2013; Taché 2018). The level is basic and, according to some interviewees, all those who demonstrate that level of ability are exempted from the training. Another criticism is that OFII's job orientation focus is on jobs not requiring higher-order skills and which are low-paid and unstable (e.g. in construction, catering and personal care), thus reproducing the social and ethnic stratification of the job market (Gourdeau 2015).

Recently, OFII developed a specific mission focused on developing job opportunities for refugees in coordination with DIAIR (see below). A service was created to write sourcing strategies and put refugees in contact with economic actors or temporary work agencies needing labour, for example in eastern and western regions. According to an interview with a programme coordinator, refugees have a good reputation as hardworking people, but the challenge is to 'Design a sustainable trajectory of

integration, without confining them to jobs not requiring higher-order qualifications and with few opportunities.’ (Interview with OFII, 2019).

*Pôle Emploi* is the French public employment service that provides job search counselling. However, it has no specific branch for refugees and does not provide any services for asylum seekers. The lack of translation services within *Pôle Emploi* is a further obstacle to counselling. Most recently, however, OFII has promoted training and awareness-raising programmes to counsellors in *Pôle Emploi*, while some *Pôle Emploi* offices have set up a refugee reference service aiming to provide legal advice to employers.

The HOPE Programme (*Hébergement Orientation Parcours Emploi*) is the main tool of public policy at national level regarding the labour market integration of refugees. It is conducted by the Ministry of Interior in cooperation with the Ministry of Labour and inspired by programmes conducted by voluntary agencies such as *Accelair* (see below). The programme was developed in 2018 and aims at supporting labour market integration through a combined approach offering both occupational training and accommodation. Occupational training is provided by AFPA (*Agence nationale pour la Formation Professionnelle des Adultes*), focused on sectors with high labour demand such as construction, catering, personal care and major retailing. Some 1,500 people graduated from the programme in 2019, of whom 78 per cent obtained a certificate in language proficiency and 89 per cent a certificate of vocational training, while 68 per cent obtained a job at the end of the programme. Over 150 private companies are involved as partners. The programme is currently under evaluation.

DIAIR (*Délégation Interministérielle à l’Accueil et à l’Intégration des Réfugiés*) was created in 2018 and seeks to facilitate co-operation between institutions and support initiatives for refugee integration. It launched a programme of community service in Autumn 2018 promoting both the volunteering of French citizens to help refugees (1,500 in 2019) and volunteering by refugees (500 in the same year) as an initial occupational experience to help advance their integration in the labour market. The community service concerned takes the form of state-subsidised volunteering in public interest organisations, targeted at young people between 18 and 25 who receive a monthly allowance of €580. The main community service organisations employing refugees are *Unis-Cité* (290 in 2019), *la Ligue de l’Enseignement* (60) and the non-profit association *Concordia* (30). The goals of the programme are: involvement in community activities, learning French, acquiring occupational skills and creating social relationships with other young people in France.

On behalf of the Ministry of Labour, a number of programmes have been launched set out in the following paragraphs.

PIC Réfugiés (*Plan d’Investissement des Compétences*). The national programme of investment in the development of competences is a major (€14bn) five-year government programme to combat unemployment among the unemployed and young people, under the direction of a Senior Commission. A specific component of this plan targets refugees through state-supported initiatives offering support for integration in the

labour market and access to housing (€33m). Non-profit organisations and economic actors have developed specific programmes, such as at the car manufacturing company PSA in Rennes or in agrobusiness at Laval.

PIAL (*Parcours d'Intégration par l'Acquisition de la Langue*) is a programme run by *Mission Locale*, a public employment service similar to *Pôle Emploi* but specifically for young people under the age of 25. The programme was initiated in October 2018 and includes counselling over a 46 month period on the basis of a €1,440 allowance (*l'Allocation PACEA*) and language training offered through OFII.

The programme EMILE (*Engagés pour la mobilité et l'Insertion par le Logement et l'Emploi*) was launched in June 2019. This aims to relieve congestion in the housing market around Paris by diverting refugees to less populated and more rural regions (such as Lozère, Ain, Doubs, Seine Maritime, Lot and Maine et Loire) while also providing support in accessing job opportunities. The programme is not, however, specifically targeted at refugees.

A further project was also started at the end of 2019 concerning the facilitation of the recognition of refugees' prior occupational experience, delivering specific diplomas validated by the Ministry of Labour and concerning such sectors as personal care and warehouse management.

### 3.3 Programmes developed by voluntary agencies

A significant part of the reception, accommodation and social services provided to asylum seekers and refugees in France is managed by non-profit organisations (such as *Forum Réfugiés* and *France Terre d'Asile*) or social enterprises (such as *Adoma*, *Coallia* or *Groupe SOS*). In accommodation centres, social counsellors provide information on the labour market and orientation regarding access to housing.

Some agencies have developed broader programmes for refugees. The main one is *Accelair*, an integrated programme of vocational training developed by *Forum Réfugiés* since 2002, with EU funding and favouring a combined approach to housing and work. In 2017 and 2018, this was extended to other regions with governmental funding as PRIR (*Programme Régional d'Intégration des Réfugiés*). In 2018, this reached 1,792 households and resulted in 721 work contracts and 930 courses of vocational training. The programme, which may last for up to 24 months, is based on providing accelerated access to housing, language courses focused on the requirements of specific vocational skills and cooperation with administrations and economic actors to help with labour market integration and access to social rights. According to *Forum Réfugiés*, one of the key strengths is the extended network of local actors that the association has built and strengthened since 2002. The project relies on a broad partnership that brings together institutional actors (*Pôle Emploi*, OFII, *prefectures*, local public authorities and social housing landlords), private actors and those specialised in assisting refugees (such as *Entraide Pierre Valdo* and *Adoma*).

*France Terre d'Asile* has developed integration programmes based also on the combination of support in terms of access to housing and empowerment as regards labour market integration. For example, the programme RELOREF (*Réseau pour l'emploi et le logement des réfugiés*) was launched in 2004 with EU funding to establish partnerships with companies and networks of employers so as to create job opportunities for refugees while offering them access to housing. Other programmes have been developed such as *Cap'intégration mobilité* to encourage mobility across the territory of France.

Voluntary organisations running accommodation centres for refugees have developed initiatives with a view to labour market integration. The number of places available in such centres has greatly increased in the past few years (from 1,500 in 2015 to 7,000 in mid-2019, with 8,700 planned for the end of 2019). The centres are run by social contractors with state subsidies for each refugee given a place. New regulations were published in 2019<sup>12</sup> to develop the social integration of refugees concerning social rights and access to the labour market. People can be taken into temporary reception centres for refugees (CPH) usually for a nine-month period although these can be extended by OFII in successive three-month periods. In addition to social workers, a job counsellor has to be available in each CPH. Specific programmes vary and are dependent on the social contractor running the CPH.

For example, *Groupe SOS* has developed the programme NEXT STEP to support occupational integration starting in the accommodation centre, with vocational training, counselling and mentoring in private businesses. In Massy (to the south of Paris), the contractor *Cimade* (a non-profit organisation specialised in providing support for migrants) has instituted a team of social workers to provide individual counselling to deal with administrative procedures and to help people look for work and accommodation. Support for occupational integration includes support for developing a vocational project, based on the search for work and vocational training and in the search for funding for training. In addition, volunteers provide language training twice a week. Courses in mathematics and informatics are also available.

The *Centre d'Accueil et de Préparation à l'Insertion* (CAPI) run by *France Terre d'Asile* in Ile-de-France offers counselling to all refugees on how to access accommodation, work, training and social rights; it also offers some spaces in temporary housing and manages the project 'Keys to France' (*Clefs de France*) that uses mobility to foster integration: refugees are invited to move out of Ile-de-France to areas where the market offers more opportunities for housing as well as jobs. A total of 887 people received employment counselling through this programme in 2017.

Various other social sector organisations have developed refugee counselling programmes. For example, CASP (*Centre d'Action Sociale Protestant*) has an asylum unit in Paris in which two staff members offer personalised support to some 200 refugees per year, by providing assistance with finding a job or vocational training. They support refugees in dealing with *Pôle Emploi* and in following administrative

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12. Note of the Ministry of Interior, 18 April 2019.

processes such as applications for the recognition of diplomas, and they also organise language training and workshops.

A few volunteering programmes targeting asylum seekers have been developed by NGOs to promote integration and facilitate access to the labour market once they have obtained their documents (Felder 2016). Asylum seekers are also recruited as peer-facilitators and translators in organisations such as *Cedre (Secours catholique)* and *Emmaüs-Solidarité*. In the Paris-La Chapelle reception centre (in 2016-2018), a dozen asylum seekers worked as unpaid volunteers with some later being hired as agents in reception centres once they had received their residency permit. Programmes combining volunteering and vocational training, like the *La Terre en Partage* pilot, near Limoges, bring together linguistic and vocational training in organic farming with social and legal counselling for twenty asylum seekers. The programme is supported by *Les Apprentis d'Auteuil*. The programme *Emmaüs Roya* is a farming community for asylum seekers and refugees. *Emmaüs* communities have some places for asylum seekers: these are non-profit groups offering a place to live and work to the destitute (homeless people, former prisoners and undocumented migrants) who are considered 'companions' and who are occupied with activities in the community for which they receive training and some financial support but no formal work contract.

### 3.4 Programmes and initiatives by other actors

Civil society organisations and actors in the for-profit sector have developed a variety of initiatives. Some employers have asked the Ministry of Labour or OFII for permission to recruit refugees, for example a bank needing computer specialists. Temporary worker sourcing companies, including Humando, have also launched a specific scheme to recruit refugees (*Horizon*, for sixty temporary workers in 2018). In addition, MEDEF (the major employer association in France) has launched *Action Emploi Réfugiés*, a programme which advocates the integration of refugees into the workplace and which has published a guide to help employers recruit refugees. The website of *Action Emploi Réfugiés* publishes job offers for refugees and offers support in the promotion of refugee CVs on job search websites.

Social businesses and associations have also offered a diversity of integration initiatives offering occupational training and counselling for the unemployed. Some of these specifically target refugees, such as *Les Potagers de Marcoussis* (an organic farming cooperative) or the Blois-based *BioSolidaire* association (vine growing). Professional associations that offer programmes of their own include the Association for the Reception of Refugee Doctors and Health Professionals (*Association d'Accueil aux médecins et Personnels de Santé Réfugiés en France* – APSR) which offers information and orientation for medical practitioners. Approximately one hundred people contact the Association every year for information on how to obtain a French diploma or find training or an internship. Most are doctors or nurses, with Syrian nationals representing up to forty per cent in 2015.



In the non-profit sector, *Adie*, a major player in microfinance in France, started Programme AGIR in 2017 which is directed towards refugee entrepreneurs. It funded some 59 projects in 2018 and provides support for business registration. *Singa* is a non-profit organisation providing support and integration opportunities for refugees and asylum seekers. It has run *Finkela*, a business incubator, since 2018 as a means of providing support for refugee entrepreneurs and entrepreneurs committed to the asylum economy. So far, 36 projects have been supported in various fields (including in the arts, fashion, culture, technologies, catering and counselling). The Jesuit Refugee Service (*Service Jésuite pour les Réfugiés* – JRS) has carried out an advocacy campaign for the integration of refugees and asylum seekers and also runs a mentoring programme to promote social and professional integration. Its *JRS Integration* programme offers a counselling service and also developed a pilot programme in Paris with ISS Group (which provides business services) and the CFDT trade union confederation supporting the recruitment of asylum seekers and refugees in the company (with language courses and mentoring). More generally, migrant rights organisations, such as *Cimade* and *Gisti*, have been involved in promoting access to the labour market for refugees and asylum seekers, including through litigation when a work permit is denied to an asylum seeker.

Local authorities, such as in the cities of Paris, Nantes and Lille, have supported projects run by volunteers to promote the integration of refugees. In a variety of places, counselling and schemes to facilitate access to housing have been developed, such as the ‘rolling lease’ (*le bail glissant*) under which an organisation signs a housing contract until the refugee family has enough resources to take on the official tenancy.

In addition, several social start-ups have developed programmes to assist refugees’ labour market integration. *Wintegreat* is a twelve-week programme offering French courses and coaching in elite schools and universities to facilitate labour market integration. Over 760 refugees have benefited since 2016, among whom over sixty per cent resumed education and training while 22 per cent obtained a long-term employment contract. *Kodiko* has developed a buddy programme to help professional integration through a network of buddies in companies mentoring refugees. The organisation also offers workshops, coaching and ‘speed dating’ to help refugees develop a professional plan. Companies participate as part of a *compétence patronage* scheme including, for example, Total, Sanofi, Club Med and Société Générale. *Simphon* has established *Refugeek*, a computer program offer over seven months combining French language training, initiation into computer programming and intensive training. In addition, *Job Grant* has established a multilingual platform for refugees to submit their CV or job application to potential employers.

Several programmes have been developed to help refugees and asylum seekers resume their studies and access higher education. Universities in Lille, Saint-Denis, Paris, Poitiers, Dijon, etc. have developed programmes for refugees or ‘invited students’. In addition, the PAUSE programme (*Le Programme national d’Accueil en Urgence des Scientifiques en Exil*) was developed in 2017 by the Ministry of Research and Higher Education to offer scholarships to refugee academics. The programme supports scientists on the basis of their academic credentials rather than their administrative

status, and many Turkish academics have been able to benefit from the programme without claiming asylum in France. Every year, the *Entraide Universitaire française* grants scholarships to more than 130 francophone refugees in order to allow them to continue their studies in France. Scholarships target, in particular, refugees who are older than 28 who are not eligible for other grants. Since 1945, some 16,000 scholarships have been awarded (UNHCR 2013).

Compared to initiatives at the European level within the framework of the European Trade Union Confederation, trade union initiatives to support refugees in France appear more modest. National trade union confederations regularly take positions defending the rights of foreign workers, claiming equality of treatment between national and foreign workers and for the legalisation of undocumented workers (CGT 2018). However, unions have remained cautious about advocating the better integration of refugees and asylum seekers in the labour market for fear of a ‘social dumping’ effect, especially as regards wages in jobs not requiring higher-order qualifications. Associations of employers, on the other hand, have regularly advocated greater access for immigrants to the French labour market, especially in the fields of construction, agriculture and in the restaurant industry,<sup>13</sup> while MEDEF has, as we have seen, developed an integration programme targeted at refugees.

The need for a broader public policy coordinated by state institutions was officially acknowledged only in 2018 and national programmes are currently in their early stages: any assessment would be premature. A general trend, however, is the government priority to outsource the refugee issue to voluntary organisations, civil society groups and social start-ups rather than developing specific services within government agencies.

## 4. Conclusion

France has not been among the main destinations for asylum seekers, but it has experienced a distinct increase in numbers since 2014, triggering new public policy and civil society initiatives. The few existing studies on the occupational integration of refugees and asylum seekers in France highlight that this population still faces numerous difficulties in accessing the French labour market, in spite of their motivation to find employment as soon as possible. Due to the prohibition on work for the first six months of the asylum procedure and to the administrative difficulties in obtaining a work permit after that date, most asylum seekers do not enter the formal labour market. Refugees, in contrast, enjoy free access to the labour market, at least in principle. Even so, they face higher levels of unemployment than French citizens and other immigrants. When they work, refugees are mostly employed in occupations not requiring higher-order skills or which are precarious or tough, such as in the hotel and catering trade, temporary work, security, cleaning, construction and personal care. Ethnic networks are a major route to finding a job, even though asylum seekers and refugees are less able to rely on the existence of these than other non-EU foreigners. Frequently, asylum

13. See ‘L’hôtellerie-restauration veut embaucher des exilés’, Maia Courtois, *Libération*, 21/08/2018.



seekers and refugees work in the informal labour market, facing related vulnerabilities. Furthermore, many refugees experience professional downgrading which often brings its own social and psychological costs.

The key challenges identified by associations and experts include: the prohibition of asylum seekers from working, which negatively affects integration once they have obtained a long-term residence permit; several professions not being open to immigrants; a lesser French language proficiency among refugees than among other immigrants, mainly due to geographic origin, while several observers point also to shortages in the offer of language training; the match between labour demand and supply being hampered by mismatches between housing and employment offers across France, as well the geographical concentration of refugees; and the legal and practical obstacles to the recognition of qualifications and diplomas contributing to the overqualification of refugee workers and which can be experienced as social downgrading.

Until 2015, no public policy existed for the occupational integration of refugees other than the actions of a few NGOs that either provided individual support in accommodation centres or which ran dedicated regional programmes. Among the latter, the *Accelair* programme ran by *Forum Réfugiés* in the area around Lyon stands out for its effectiveness.

The so-called ‘refugee crisis’ has sparked fresh policy attention towards the integration of refugees. Even though the national authorities are still careful about not creating incentives for asylum seekers to choose or stay in France, they have now accepted the idea that, having specific needs and facing specific challenges, refugees should be targeted with dedicated measures. This change has resulted in focused funding and a centralised strategy that builds on the actions of NGOs and on those of other actors at local level. However, it is too early to assess the impact on the employment situation of refugees of this twist in public policy.

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## Acronyms

CAI	<i>Contrat d'accueil et d'intégration</i> (Reception and Integration Contract).
CIR	<i>Contrat d'intégration républicaine</i> (Republican Integration Contract).
APSR	<i>Association d'Accueil aux médecins et Personnels de Santé Réfugiés en France</i> (Association for the Reception of Refugee Doctors and Health Professionals).
CESEDA	<i>Code de l'entrée et du séjour des étrangers et du droit d'asile</i> (Code of the Entry and Stay of Foreigners and Asylum Law).
CNDA	<i>Cour nationale du droit d'asile</i> (National Court of Asylum).
CPH	<i>Centres Provisoires d'Hebergement</i> (Temporary reception centres for refugees).
DGEF	<i>Direction Générale Etrangers en France</i> (General Directorate for Foreigners in France), Ministry of Interior.
DIAIR	<i>Délégation Interministérielle à l'Accueil et à l'Intégration des Réfugiés</i> (Interministerial Delegation for the Reception and Integration of Refugees).
DIRECCTE	<i>Directions régionales des entreprises, de la concurrence, de la consommation, du travail et de l'emploi</i> (regional directorates for companies, competition, consumption, work and employment).
MEDEF	<i>Mouvement des Entreprises de France</i> (the major employer association).
OFII	<i>Office Français de l'Immigration et de l'Intégration</i> (French Office for Immigration and Integration).
OFPRA	<i>Office Français de Protection des Réfugiés et Apatrides</i> (French Office for the Protection of Refugees and Stateless Persons).
<i>Pôle Emploi</i>	(the national public establishment for access to employment).
RSA	<i>Revenu de Solidarité Active</i> (state social welfare benefit).

# Differential inclusion: the labour market integration of asylum-seekers and refugees in Germany

Helen Schwenken

## Introduction

Five years after Europe became a major destination for refugees mainly from Syria, but also from Afghanistan, Iraq, Iran, Eritrea and other countries, it is time for a review of their labour market integration. As elsewhere in Europe, refugees in Germany also face additional challenges in comparison to nationals and other migrants. These challenges concern having skills recognised, finding jobs that match their qualifications and entering a labour market which, above all, requires sound knowledge of the German language. Despite these and other challenges, 2020 has seen a positive interim evaluation: almost one-half of the refugees who came to Germany after 2013 were employed five years after their arrival (Brücker *et al.* 2020). Compared to earlier cohorts of refugees, this was a couple of months faster.

This chapter looks into these figures and asks about the specifics of Germany's labour market integration of refugees. Despite the overall positive numbers, there are some problematic dynamics and implications.

Compared to the other countries in this book, the German case stands out not only because of the high numbers of refugees that have arrived since 2014, but also because of the especially active labour market integration efforts being undertaken by state agencies, employers and civil society including trade unions. Parliament has passed regulations that have eased access to work for asylum seekers and, in particular, set about their early labour market integration. This approach stands in contrast to previous policies in Germany that were characterised by a restriction of labour market access, not for all refugees and asylum seekers but for a large part of them. The German employment ministry's new approach of intervention contains early screening and access to labour market integration measures for newly-arrived asylum seekers. It has been backed by interests from two sides: first, in 2014/2015, employers in certain sectors experiencing labour shortages (especially small and medium-sized firms, crafts and in elder care and healthcare) were eager to fill the gaps; and, second, this approach can be understood as a result of 'learning organisations' – a desire not to make the same mistakes as in the 1990s of having a high number of refugees whose qualifications were becoming obsolete and who were dependent on welfare over a long period.

Early labour market integration is implemented via funding granted to targeted projects. This includes already-existing projects (for example those with previous ESF funding; for an evaluation, see Mirbach *et al.* 2014), as well as numerous new projects and actors in the field of labour market qualifications, job-related language courses, skills testing

and specific support for finding jobs and apprenticeships. However, not all of them had a previous track record of engaging with labour market issues and/or refugees and migrants, and the quality was variable. For refugees themselves, policy priorities in Germany meant, on the one hand, opportunities to profit from professional support; but, on the other, a pattern of ‘differential inclusion’ emerging as a result of regulations introduced pre- and post-2015. This has meant that not all refugees have almost immediate or unlimited access to language, training and qualifications programmes and to the labour market; only some. The lines of differentiation are based on country of origin and residential status.

Overall, it has to be acknowledged that the approach of actively supporting refugees’ entry into the labour market in Germany is moving in the right direction, allowing refugees earlier access to work-related support structures, the recognition of their qualifications and the labour market itself. However, the legal and political framework has, over the years, been rather volatile (as we can see from Table 2, included later in this chapter) and, after phases of opening up, there have been phases of new restrictions. Thus, refugees have had regularly to adapt to new regulations.

The chapter begins with a brief explanation of the national context of migration in Germany and the relevance of humanitarian migration, including statistics and some characteristics of the recent refugee influx in 2014 and after. Section 2 discusses the reception process and eligibility for employment, while section 3 looks at the labour market performance of different population groups with the objective of highlighting the relative position of asylum seekers and refugees. Section 4 provides an overview of public policies on the labour market integration of refugees by national, regional and local governments. Section 5 evaluates the structural and context-specific challenges for the employment of refugees and the strategies which address these, while section 6 concludes.<sup>1</sup>

## **1. Humanitarian migration in the national context of migration**

For many decades, Germany has been reluctant to consider itself a country of immigration even if, since World War II, the presence of a range of immigrants has been the reality. Until 2005, when a Report by the *Zuwanderungskommission* (Expert and Parliamentary Committee on Immigration) was launched, the term ‘immigration country’ was taboo in German public discourse. The acknowledgement of the country as a diverse society remains contested among politicians as well as the conservative and right-wing parties, movements and strata of society which deny such an acknowledgement. This includes parts of the centre as well as trade union members (Dörre *et al.* 2018).

In the history of immigration to Germany, there are important turning points that need to be mentioned before we can better understand the labour market aspects of recent humanitarian migration.

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1. All tables and graphs that were originally in German have been reproduced and translated by the author; the translations and visual appearance are not the responsibility of the organisations publishing the data.

From 1955 to 1973, the temporary *Gastarbeiter/innen* ('guestworker') scheme was the most important source of initial, temporary immigration although this later became, in part, permanent after recruitment was formally ended in 1973 and the family reunification of former 'guestworkers' became a more relevant aspect. In this phase, migrants came partly for economic reasons but many were also fleeing authoritarian regimes and dictatorships in southern Europe (in particular Portugal, Spain and Greece). As it was the easiest way, these southern Europeans mostly came through labour migration provisions, and only after 1973 did the number of asylum claims rise as other options were closed off. This means that many exiles from southern Europe never showed up in the asylum statistics even though they could easily be labelled as refugees.

Between the 1950s and 1988, around 1.4m ethnic Germans came from Russia, Poland, Romania, Czechoslovakia and other countries. In the 1990s, after the Soviet Union collapsed, the numbers of ethnic Germans that primarily came from former Soviet Union states to Germany again increased significantly. According to *Bundesamt für Migration und Flüchtlinge* (BAMF – the Federal Office for Migrants and Refugees) (BAMF 2020), almost 400,000 arrived in 1990 alone. Technically, most of these newcomers were not counted as 'foreigners' because they received German citizenship right away given their (ancestral) family ties.

Humanitarian migration as a result of worldwide political crises, (civil) wars and the violence of authoritarian regimes is also reflected in Germany. After the Geneva Convention entered into force, the first major refugee influxes were due to the uprising in Hungary in 1956; martial law in Poland during 1981–1983; the 1990s civil war in Yugoslavia (reaching a peak with 438,000 new asylum applications in 1992) and, later, the Kosovo war; and, in the 2000s, the wars in Afghanistan, Chechnya and Iraq, albeit with smaller numbers.

During the civil war in Yugoslavia, German asylum law (which is enshrined in the Basic Law) was significantly cut back in 1993 so that the numbers of asylum applications drastically dropped, from 438,000 in 1992 to 322,000 in 1993 and then to 127,000 in 1994 (BAMF 2020: 5). The lowest numbers since the 1970s were documented in the early 2000s, with around 30,000 per year between 2006 and 2009. Following the Arab Spring in 2011 and the civil war in Syria, numbers started rising (53,000 in 2011, 77,000 in 2012, 127,000 in 2013, 203,000 in 2014 and 476,000 in 2015) to a peak in 2016 with more than 745,000 new applications (*ibid.*). We should note that the numbers of asylum applications do not match the actual number of people arriving in Germany.<sup>2</sup>

2. It goes beyond the scope of this chapter to discuss further the problems with migration and asylum statistics in Germany. There are, in fact, inconsistencies between the different official statistics. The *Ausländerzentralregister* (the Central Register of Foreigners) has, for example, been criticised for carrying significant numbers of foreigners who are targeted for deportation but who have, in fact, already left the country or have died but who have never been removed from the statistics. One member of parliament, Ulla Jelpke, estimates that this inflates the number of people who are liable to be deported by about one-third (Hohlfeld 2017). Also, there are problems with asylum statistics concerning the secondary movements of people initially applying for asylum in Germany but then not withdrawing their applications when moving to another country (officially, this is not allowed in most cases given the Dublin Regulations). However, it is impossible to count precisely the deviances in the statistics.



This was particularly the case in 2016, when most of the applications refer to those who had already arrived in Germany in 2015 but who could only register afterwards. This produced a huge backlog of cases. The main countries of origin in 2016 were clearly Syria (36 per cent), Afghanistan (17 per cent) and Iraq (13 per cent). After 2016, the numbers of new applications dropped again. The most significant decrease (of 222,000) was between 2016 and 2017. In 2018, a total of 185,853 applications (the sum of initial and subsequent applications) were recorded; and the three leading nationalities were applicants from Syria (44,163; 24 per cent), Iraq (16,333; nine per cent) and Iran (10,857; six per cent) (BAMF 2019: 15). In 2019, 166,000 new applications were made. Compared to other EU countries, and despite the drop in numbers, Germany remains among the main destination countries in terms of new asylum applications (before the COVID19 crisis hit Europe, in the first quarter of 2020, Spain recorded 37,220 new asylum applications, Germany 36,360 and France 28,818 (BAMF 2020: 15).

The socio-demographic characteristics of current refugees in Germany show that, in the first phase of post-2014 refugee immigration, the share of young, male migrants was very obvious: about 60 per cent were male. Later, the share of female refugees increased. Another characteristic is the relatively young average age of refugees: 44 per cent are below the age of 25 and two-thirds below 35 (Bundesagentur für Arbeit 2019: 7). This youthful profile indicates significant potential concerning the labour market participation and life trajectory of people when they manage to acquire education and degrees (and are supported to do so).

According to the IAB-BAMF-SOEP refugee survey (Brücker *et al.* 2016a), the level of education and vocational training acquired in refugees' country of origin is highly polarised. A remarkably high share of 40 per cent of refugees have attended (and 35 per cent have graduated from) secondary school. Furthermore, 17 per cent of refugees (16 per cent of men and 17 per cent of women) had attended university or technical college or were pursuing a doctorate. At the other end of the spectrum, 12 per cent of refugees had attended no more than primary school while a further 13 per cent had not attended school in their home country at all.

In summary, between 1952 and 2020 a total of 5.9m asylum applications were submitted in Germany (i.e. in West Germany and then, later, unified Germany). The first decades – 1953 to 1989 – saw just 0.9m applications (16 per cent of the total number); while 1990 to 2020 has seen the remaining five million applications (84 per cent) (BAMF 2020: 5). Taking into account only the most recent phase of humanitarian migration into Germany (2011 to 2019), the numbers add up to 2,257,520 applications.

Humanitarian migration was the dominant type of immigration in the period 2015–2017, but this changed with the tightening of access to the EU with the closure of the land route through the Balkans followed by the EU Turkey Settlement (see also chapter by Kapsalis *et al.* of this publication). Tougher access to the EU has also meant scandalously high losses of life in the Mediterranean Sea, the Sahara Desert and in the detention camps in Libya, as well as the violent and deadly defences against refugees and migrants at the external borders of the EU, including pushbacks. Given these troubling circumstances, the immigration profile in Germany has again 'normalised'

which means that, at the time of writing, around two-thirds of all migration flows can be explained by intra-EU mobility and third country labour immigration from non-EU Europe (BMI and BAMF 2020: 6).

## **2. The national context for access to the labour market by asylum seekers and refugees**

### **2.1 The refugee reception process**

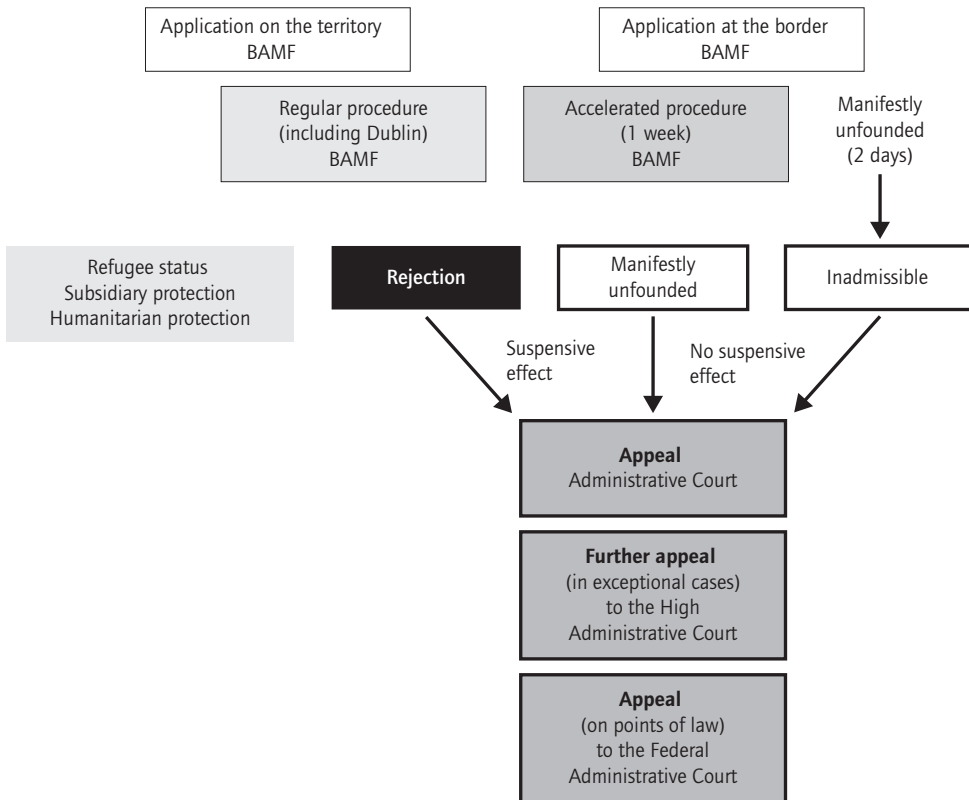
The reception process follows established rules in Germany but, given the high numbers following 2014 and a relatively unprepared and understaffed infrastructure regarding the administrative and practical reception of refugees, these rules came under pressure. Thus, many aspects were improvised and refugees had to withstand long and often opaque processes. Furthermore, civil society stepped in to contribute significantly to the procedures for initial reception and integration (van Dyk and Misbach 2016). The process itself contains several stages, such as the asylum application, the distribution of refugees within Germany and a range of subsequent issues such as housing, schooling, healthcare, labour market integration, language acquisition, family reunification and responding to the economic, cultural, spiritual and social needs of those who have arrived. Not all these aspects can be covered in this chapter, which focuses on the asylum application process because this matters significantly to labour market access.

In order to apply for asylum in Germany, asylum seekers need to announce that they intend to apply for asylum, usually at the border or point of entry. They are then registered. In this process, basic data such as name, country of origin and age are recorded, while fingerprints and a biometric passport picture are taken. Those registered receive proof of arrival, which is important as the actual asylum application was, in busy years, often filed only several months later because of the backlogs. With this proof of arrival, asylum seekers have access to state services such as accommodation, meals, healthcare and cash benefits. At this stage, they are not allowed to work. Their data is stored in a centralised data system to which all the authorities involved in the asylum procedure have access. This is intended to avoid multiple registrations and to check whether the asylum seeker has already filed an asylum application in another EU member state, i.e. whether it is a so-called Dublin case. If this is the situation, Germany is not responsible for the asylum procedure and can request a transfer to the corresponding EU country, most often Italy or Greece where there are known gaps in the support infrastructure for refugees. These transfers are perceived by many of those affected as *de facto* deportations.

Figure 1 illustrates that, once asylum seekers file their application, they are either assigned to the regular procedure or to an accelerated one where their application is classified by the state authorities as ‘unfounded’. The application can either be approved, with the applicant receiving one of the protection statuses (refugee status, subsidiary protection, humanitarian protection), or it is rejected. Applicants can appeal the decision. Appeals generally have suspensive effect, unless the application is rejected as “manifestly unfounded” or as “inadmissible” (e.g. in Dublin cases). In

these cases applicants may ask the court to restore suspensive effect, but they only have one week to submit the necessary request, which must be substantiated. The asylum procedure is quite complex and refugees normally do not have the relevant knowledge, so legal counselling is an important means by which the procedure can be managed competently; all the more so as the negative decisions of the administrative courts can be contested and there is a reasonable chance of such negative decisions being revoked. However, hiring a lawyer is expensive and not all lawyers are specialised in refugee protection. Thus, many volunteers and (semi-)professional counselling NGOs offer such services, as Refugee Law Clinics located in universities.

Figure 1 Flow chart of the asylum procedure in Germany



Source: ECRE (2019a).

It is impossible to identify a regular length for the asylum procedure, which can take between five and 17 months (see Table 1). In 2018, it took an average of eight months. The variation can be explained by (a) the workload of the BAMF authorities (this again varies between branch offices); and (b) the country of origin. Applicants arriving from Syria are handled the fastest, with almost all receiving protection; while applicants from countries with very low recognition rates, such as from Serbia, receive their decision rather quickly. The asylum procedure takes much longer where the applicant contests a negative decision, which is quite often the case since appeals are successful

Table 1 Average length of asylum procedures according to country of origin (in months)

Average duration of the procedure (in months), by country of origin						
	2013	2014	2015	2016	2017	Q3 2018
All countries	7.2	7.1	5.2	7.1	10.7	7.9
Afghanistan	14.1	13.9	14.0	8.7	11.9	11.3
Syria	4.6	4.2	3.2	3.8	7.0	5.0
Iran	13.0	14.5	17.1	12.3	10.3	6.8
Pakistan	15.0	15.7	15.3	15.5	13.9	11.7
Russia	5.6	10.0	11.8	15.6	15.7	11.7
Serbia	2.1	4.0	4.2	8.9	Not known	Not known

Source: ECRE (2019b: 21), based on responses by the German federal government.

about half the time. Thus, in order to establish actual rates of protection, the number of recognitions which follow a lawsuit needs to be added to those which are positive in the first instance.

## 2.2 Which refugees are allowed to work?

In the German legal system, there are four different types of protection: (1) the right to seek asylum; (2) refugee protection; (3) subsidiary protection; and (4) prohibition of deportation (*Duldung*). The right to work is linked to these statuses; however, it also depends on the country of origin, the local labour market and how the responsible administrations play out their discretionary decisions on whether a refugee can work and how individual requests for permission are determined.

In general, access to the German labour market for recognised asylum-seekers and refugees (1 and 2) and those with subsidiary protection (3) is not restricted. This covers the taking up of employment or vocational training and it also refers to self-employment. This unrestricted access also implies access to the labour agency's training programmes and the coverage of costs for the recognition of professional qualifications.

Permission to work is not linked exactly to residential status but to the type of protection awarded (NUIF 2017). Overall, there are three main categories concerning access to the labour market:

1. *Erwerbstätigkeit gestattet*: unrestricted permission to work;
2. *Erwerbstätigkeit nur mit Zustimmung der Ausländerbehörde gestattet*: employment permitted with the consent of the local Immigration Office;
3. *Erwerbstätigkeit nicht gestattet*: employment denied.

Depending on the type of protection, asylum seekers (1) are granted a residence permit (of one to three years with the possibility of extension or transformation into permanent residence). Asylum applicants who have received notice from the BAMF that they have a 'high prospect of remaining' may work without restriction and may also engage in

self-employment. Applicants who are in the middle of asylum proceedings receive ‘permission to reside’ entitling them to stay in Germany until a decision has been taken on their application and to work subject to specific conditions: those who receive limited permission to reside or whose deportation orders are temporarily suspended (4) must seek permission from the Immigration Office plus gain authorisation from the local Employment Agency.

Refugees who are *not* allowed to work are: <sup>3</sup>

- those with permission to reside who are obliged to live in a reception facility (s. 61(1) Asylum Act). The obligation to live in a reception facility (*AE-Wohnverpflichtung*) applies for three months which can be extended to a maximum of six;
- those from safe countries of origin (such as EU member states, Albania, Bosnia and Herzegovina, Ghana, Kosovo, Macedonia, Montenegro, Senegal and Serbia) who filed their asylum applications after 31 August 2015 are obliged to live in reception facilities for the entire duration of their asylum procedure (and, if their application is rejected, in certain cases, until leaving the country) and are not permitted to engage in employment (s. 47(1a) Asylum Act);
- those who have a certificate suspending their deportation orders may not engage in employment if they have prevented residence-terminating measures such as, for instance, providing misleading information with regard to their identity or nationality; or if they come from a safe country of origin and their asylum application, filed after 31 August 2015, has been rejected.

It is evident that not all asylum seekers are allowed to work in Germany and fine lines are drawn between those who can and those who cannot. This uneven access to the labour market is a result of the conflicting interests in the grand coalition between the Christian Democratic Party (CDU/CSU) and the Social Democratic Party (SPD) and among the ministries involved as well as in society at large. While some social democratic forces – such as in the Federal Ministry of Labour and Social Affairs – and certain employer lobbies have attempted further to open the labour market to refugees (either motivated by humanitarian norms or economic interests), more restriction-oriented political forces – such as in the Federal Ministry of the Interior – have successfully advocated only a partial opening while introducing a range of deterrents against unwanted immigrants who, they suspect, are using the ‘asylum ticket’ to come to Germany and remain for work.

The different administrations at the level of the *Länder* (state) clearly have different organisational identities: the Immigration Offices, generally speaking, also operate in a restrictive, security-oriented mode; while the Employment and Social Affairs Offices, again generally-speaking, are in an enabling or socially assistive one. These conflicting,

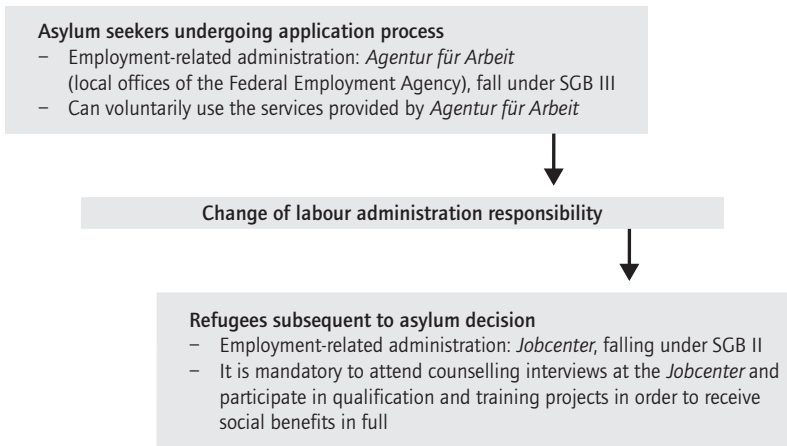
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3. [www.bmas.de/DE/Themen/Arbeitsmarkt/Infos-fuer-Asylsuchende/arbeitsmarktzugang-asylbewerber-geduldete.html](http://www.bmas.de/DE/Themen/Arbeitsmarkt/Infos-fuer-Asylsuchende/arbeitsmarktzugang-asylbewerber-geduldete.html) (28 July 2020).

or contradictory, orientations may appear as policy inconsistencies but in fact they are structurally embedded in the German system of asylum and migration policy. The state does not act in a unified way. This is important in terms of understanding the guiding hypothesis of this chapter about the differentiated labour market integration of asylum seekers and refugees. Such a lens – informed by critical state theory (Jessop 2008) – does not assume that a solution to these contradictions lies in reforms towards greater policy coherence but regards it as a result of deeply entrenched social conflict in (migration) societies.

An important administrative division of responsibility is made between asylum seekers who are in the middle of their application process and those for whom the process has been completed (see Figure 2). First, those who are asylum seekers fall within the jurisdiction of *Sozialgesetzbuch III* (SGB – Social Security Code III) and are subject to the *Agentur für Arbeit*, which is usually responsible for residents who have recently become unemployed and which handles unemployment insurance benefits; asylum seekers are able to make use of its services on a voluntary basis. After the asylum decision has been taken, refugees fall into the jurisdiction of *Sozialgesetzbuch II* and are subject to the services of a second type of administration, the *Jobcenter*. The *Jobcenter* usually handles social welfare for residents who are unemployed on a longer-term basis and who mandatorily have to attend *Jobcenter* counselling and employment-related training in order not to suffer cuts in their social benefits. This legal and institutional transition often creates challenges to the labour market integration of refugees (see further below).

Figure 2 **Divided administrative responsibility for the employment issues of asylum seekers and refugees**



Source: Own illustration.

### 3. Access to the labour market for migrants in Germany

#### 3.1 German citizens and foreigners in the labour market in Germany

A report by the Federal Employment Agency (Bundesagentur für Arbeit 2018b) has identified 3,848,231 foreign citizens with regular employment<sup>4</sup> in Germany as at June 2018, making up 11.7 per cent of total regular employment in the country and representing a 10.9 per cent increase on the previous year. Foreigners in work did not necessarily come for work reasons but have a multitude of personal backgrounds and a huge majority are, in fact, long-term residents.

After the period of the recruitment of *Gastarbeiter/innen* between 1955 and 1973, Germany had a restrictive approach to labour migration and only in 2000 did Germany opt selectively to open the labour market to (highly) skilled migrants and certain groups of asylum seekers (see Table 2). In 2018, for example, only 44,752 people received a new work visa (s. 18 *AufenthG*) (BMI and BAMF 2020: 60). The most common regions or countries of origin were the western Balkan states (Serbia, Bosnia and Herzegovina, Kosovo, North Macedonia and Albania, for whom there is a special agreement on labour migration); while other significant groups were from the United States of America, India, Turkey, Japan and China (*ibid.*). Two-thirds of these new labour migrants were male while about one-half were designated to take up positions that required a qualification. Interestingly, the share of migrants with completed professional qualifications is decreasing (*ibid.*: 62). Compared to other labour migration schemes, the Blue Card scheme for highly-skilled immigrants (s. 19a *AufenthG*) does not attract huge numbers of migrants; in 2018, a total of 12,015 Blue Card holders were registered, the main country of origin being India (3,549), followed by the Russian Federation, Turkey, China and Brazil (*ibid.*: 67). A category that is often overlooked when examining labour migration is the self-employed. Under certain conditions (see 21 *AufenthG*), a residence permit can be issued for self-employed and, in 2018, a total of 1,718 self-employed people entered Germany (mainly from the United States, China, Turkey, Iran and Canada) (*ibid.*: 70).

As in many other EU member states, the employment rates for those with German citizenship are higher than those of foreigners (a category which encompasses long-term residents many of whom could naturalise but have not done so; the term ‘foreigner’ thus refers only to citizenship status). German citizens’ employment rate is around 60 per cent while that for foreigners is c. 15 to 20 percentage points lower, being 45 per cent in 2018 (Bundesagentur für Arbeit 2018b: 21). This gap has been quite stable over the years.

Concerning the key structural characteristics of foreigners and German nationals in ‘regular employment’, the main differences identified by the Federal Employment

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4. German statistics in this area are based on *sozialversicherungspflichtige Beschäftigung* (‘regular employment’) which means employment under which social security contributions are duly paid; the employment rates presented here refer to this category and do not include mini-jobs. This is the meaning of ‘regular employment’ throughout this chapter.



Agency (Bundesagentur für Arbeit 2018b) are as follows: a higher share of employees who are of prime age (25-55) among foreigners (78.4 per cent) than among Germans (68.9 per cent); a significantly higher share of men than women (63.4 per cent vs. 52.6 per cent, respectively); and a much lower share of completed professional qualifications for foreigners than for German nationals (47.4 per cent vs. 81.0 per cent).

## 3.2 Characteristics of the employment of refugees

### Labour market performance

Germany's official labour market statistics give evidence of nationalities but not of residential status. Thus, the number of refugees who are employed cannot be stated precisely. There have been two workarounds developed in recent years in order to determine the most realistic numbers of those arriving after 2014. Working on the basis of official labour market statistics, the nationalities of the main countries from which refugees come may be taken as a proxy for 'refugee'. This means, however, that a Syrian doctor who arrived in the 1970s is counted as a refugee while a transgender person fleeing Ecuador is not. For countries such as Turkey, with a long history of labour and other migration to Germany, but also significant numbers of today's refugees, this workaround cannot help to determine the number of refugees in employment. Therefore, a targeted survey instrument – the IAB-BAMF-SOEP refugee survey – has been developed.<sup>5</sup> This annual panel survey currently consists of 7,950 refugees and asylum seekers (the participants are drawn from the *Ausländerzentralregister* and are, therefore, representative) who have arrived in Germany since 2013. The first survey was taken in 2016, with repeated surveys in 2017 and 2018. Combining and comparing both sources gives the most realistic picture of the labour market participation of refugees and asylum seekers in Germany.

Five years after the major influx of refugees reached Germany, the IAB-BAMF-SOEP survey summarises that the labour market integration of those refugees (aged 18-64 years) that arrived after 2013 has occurred a little faster than for those refugees who arrived in the 1990s (Brücker *et al.* 2020: 7). One-half of post-2013 refugees have taken up their first 'regular employment' by 46 months following their arrival; whereas, for earlier cohorts, it was 50 months. Thus, labour market integration for the current refugee cohort arrives four months faster. Furthermore, the overall employment rate of refugees has significantly increased over the years, which speaks to a sustainable labour market integration.

Faster labour market participation compared to earlier cohorts is especially noteworthy because the earlier cohorts (mainly coming from the countries of the former Yugoslavia) were considered to have better preconditions – level of education, knowledge of the German language and the presence of networks within Germany due to previous migrations – for labour market integration. At the same time, policies on whether and

5. For more information, see: <https://www.bamf.de/SharedDocs/ProjekteReportagen/DE/Forschung/Integration/iab-bamf-soep-befragung-gefluechtete.html;nn=283560>



after what waiting period refugees are allowed to work have changed various times (see Table 2). In current times, unemployment rates are lower in Germany; policies allow the majority of refugees to take up employment relatively early; and, last but not least, refugees are entitled to, or are offered, a wide range of language courses, integration courses and employment-related training. The authors of the IAB-BAMF-SOEP study conclude: 'Participation in language, integration and education programmes may have initially delayed labour market integration, but may have contributed to an increase in the employment of refugees who have moved in since 2013 once such measures have been completed' (Brücker *et al.* 2020: 8).

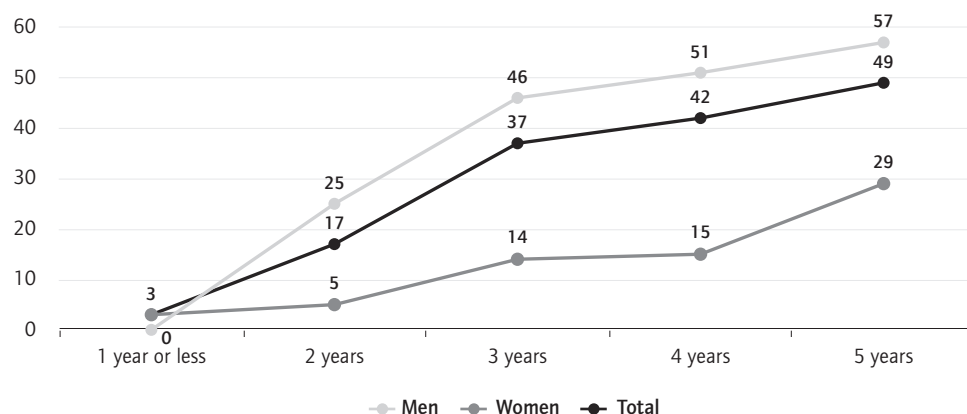
**Table 2 Introduction and the lifting of employment bans on refugees in Germany (1973-2015)**

1973	After the recruitment stop for Gastarbeiter/innen ('guest workers'), a prohibition on work for asylum seekers and refugees was introduced
1975	To ease the burden of social welfare on municipalities, the employment ban for refugees was lifted
1980	Introduction of a one-year employment ban; in Baden-Württemberg, employment was prohibited for the entire duration of the asylum procedure
1982	Increase in the employment ban to two years; also, the introduction of a residence obligation and the introduction of hostels for mass housing under the new Asylum Procedure Act (AsylG) as standard accommodation
1985	Bavaria introduces a general employment ban for asylum seekers throughout the duration of the asylum procedure
1987	Increase in employment ban to five years for asylum seekers (during the asylum procedure)
1991	As from 1 January 1991, a decrease in the employment ban to one year; with it lifted altogether by 21 January 1996 (65,000 work permits issued in 1991 and 85,000 in 1992); a permit for taking up a specific job, however, is dependent on priority checks (German and EU citizens first). Motivation for the reform: saving social welfare costs
1992	Introduction of a waiting period of three months for asylum seekers; asylum seekers living in hostels prohibited from working
1993	Tightening of the procedures for granting a work permit for refugees (the first 'Blüm-decree')
1997-2000	Total employment prohibition on refugees entering Germany after 15 May 1997 ('Blüm/Clever-decree')
2000	Decrease in the period of prohibition to two years; motivation: saving social welfare costs
2007	Continued restrictions on asylum seekers and refugees with suspended deportation orders (Duldung): families with children for six years of stay; single persons for eight years
2008	Decrease in priority check period to four years for people with suspended deportation orders
2009	People with suspended deportation orders able to receive a work permit through vocational training (s. 18a AufenthG)
2013	Reduction in prohibition of work for asylum seekers to nine months; limit of duration of priority check period for asylum seekers set at four years; immediate labour market access for refugees with subsidiary protection
2014	Since November 2014, asylum seekers not allowed to work for three months; priority check limited to 15 months
2015	Refugees from 'safe countries of origin' not allowed to work in Bavaria; contracts even for vocational training revoked

Source: <https://www.aktionbleiberecht.de/blog/wp-content/uploads/2015/08/Arbeitsverbote-von-1973-bis-heute-Liste.pdf> (5 July 2020)

Five years after their arrival, 49 per cent of all refugees are in regular full-time or part-time employment (57 per cent of male and 29 per cent of female refugees) (see Figure 3; data are consistent with other employment data of the *Agentur für Arbeit*). Taking all employed refugees together, 68 per cent are employed or self-employed; 17 per cent are in paid vocational training; three per cent are on a paid internship; while 12 per cent are in ‘minijobs’ (with earnings up to €450/month) (*ibid.*).

Figure 3 Employment rate of refugees (aged 18-64) in Germany by gender and number of years after arrival



Source: Brücker *et al.* 2020: 8.

There is evidently a significant gender gap – which we can find in many other countries, too. The gender gap seems widest four years after arrival and then women’s employment seems to double within a year. Looking at gender, though, tells only half the story: it is, in fact, gender plus caring responsibility for (small) children. Previous research has shown a very high valuation of women’s employment as an important means of (economic) independence by male and female refugees alike (Brücker *et al.* 2016a: 13). Additionally, the employment aspirations of female refugees are high: 86 per cent of not (yet) employed women (including those with children) intend to take up employment in the future (Brücker *et al.* 2016b).

It was noted above that recognised refugees and those with subsidiary protection have access to the German labour market and that this includes the ability to take up vocational training. Indeed, the number of refugees opting for this path is high, in total number as well as when compared to previous cohorts of migrants and refugees. In September 2019, 55,000 persons with a nationality of the top 8 refugee source countries were doing a vocational training (Bundesagentur für Arbeit 2020: 13). Trainees who are refugees are, on average, older than vocational training applicants as a whole: a good one in four is 25 years or older while, across all applicants, this proportion is only around seven per cent (Bundesagentur für Arbeit 2018a: 11). Refugees taking up vocational training have, on average, lower schooling than their non-refugee counterparts; but, at the same time, the share of those with a high school degree is higher (*ibid.*).

There are parallels between the top ten career aspirations of refugees and those of all applicants. The most frequently sought apprenticeships for the former are motor vehicle mechatronics technician; sales person; and hairdresser. Four occupations are, however, different from the top ten of all applicants: cook; electronics technician in energy/building services engineering; plant mechanic in sanitary/heating/air conditioning technology; and painter (*ibid.*).

Germany's *Ausbildung* (dual vocational training system) is quite specific because it is highly regulated (by the trades themselves and by the state as part of the education system) and because it values almost exclusively those certificates issued from within its own system. About one-half of all German citizens have completed vocational training or are acquiring it. On the one hand, such a system makes it very difficult for refugees who learned their occupational skills via on-the-job training programmes in their countries of origin or during their period of transit to Germany.<sup>6</sup> On the other, however, it also opens a path to vocational employment and education to those whose academic interests, knowledge and language skills are less strong. Completing vocational training in Germany implies having a good reputation in society.

The reasons for starting vocational training are that the *Jobcenter* actively promotes vocational training and informs newly-arrived refugees of this option. Also, skilled labour shortages in many sectors lead firms of all sizes to become quite open to employing international trainees. Another reason lies in the legal regulation that, under certain conditions, participation in vocational training can prevent rejected asylum seekers from being deported (*Ausbildungsduldung*).<sup>7</sup> Being threatened with deportation creates uncertainty, not only for the directly affected person but also for the employer, and some refugees hope that participation in the labour market as a trainee may improve their probability of staying. The *Ausbildungsduldung* has certainly become a contested issue, with several politicians considering it an illegitimate strategy to avoid deportation. Employers, on the other hand, do not want to lose their workers or, otherwise, they feel a social responsibility for their trainees and thus often protest against the threat of deportation of 'their' trainees or employees.

### Pathways of labour market integration

In order to analyse the processes of refugees' labour market integration, it is important to look in more detailed at the manner of labour market integration. In the German case, overcoming a phase of unemployment and entering the regular labour market on the basis of social security contributions being paid appears to be the main indication of a successful transition for refugees. However, the largest number does this via temporary labour agencies and contract staffing, as Figure 4 shows (Bundesagentur für Arbeit 2018a: 9).<sup>8</sup> Critics object that the conditions and job security for refugees are in

6. See: <https://www.make-it-in-germany.com/en/study-training/training/vocational/system/> (28 July 2020).

7. The conditions to obtain an *Ausbildungsduldung* are, however, very stringent.

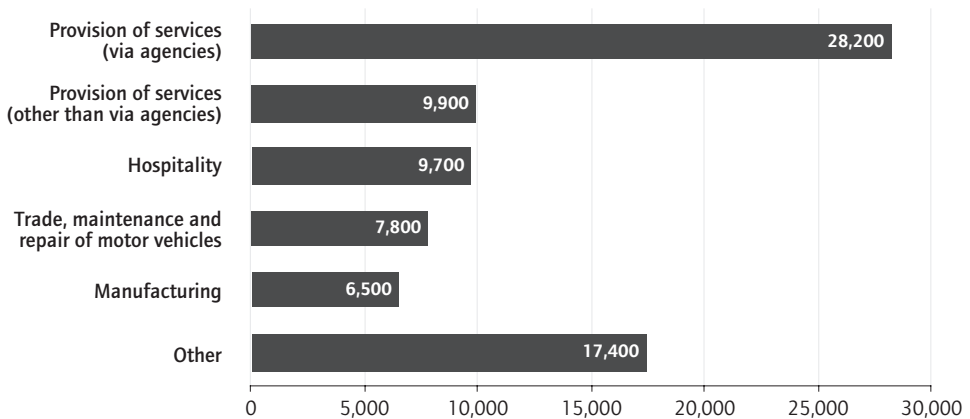
8. The hiring of workers is legally regulated in the *Arbeitnehmerüberlassungsgesetz* (AÜG – the Temporary Employment Act); two collective agreements exist (DGB-iGZ; DGB-BAP); and a minimum wage has been set (since 2019) at €9.96 (in *Länder* in western Germany) and €9.69 (in the east). A worker can be employed for up to 18 months in one company under such a temporary employment relationship and only after nine months is the worker entitled to be paid the same wage as other workers in the company.

this way lower than for those entering the labour market via direct hiring (LabourNet Germany, 2020); while supporters see it as the only realistic low-threshold facilitation for refugees' entry to the market. Besides the many for-profit temporary work agencies (for Adecco's perspective, see: *Die Zeit Online* 2018), a start-up – Social Bee – has gained quite some public attention. It considers itself a non-profit temporary agency targeting refugees' labour market integration (Social Bee 2020).

As of now, it is too early to evaluate definitively whether the path via temporary agencies will end up in more sustainable modes of employment for refugees. But there is reason for some scepticism: a 'spring board,' or bridging, effect is often assumed to take place but, given that many refugees perform 'auxiliary work', these might not be that strong (see Jahn 2016 for analysis of an earlier cohort, for 2005-2014, of foreign residents in Germany). Workers remain hired by temporary employment agencies for a relatively long period (on average three months), in terms of international comparison, and often their move from one job to the next is agency-facilitated. Jahn (2016: 6) establishes negative effects in terms of the ability to find a job that is not facilitated by a temp agency the longer a worker remains in the sphere of contract staffing.

Figure 4 also indicates that the hospitality and catering sector – one that is not often characterised by job stability and good working conditions – is an important employment sector for refugees. Thus, the types and sectors of employment that are widespread amongst asylum seekers and refugees may well entail significant degrees of precarity.

Figure 4 Initial pathways of refugees from unemployment to the labour market



Note: total numbers from the eight non-European main countries of origin of asylum applications during the period August 2017 to July 2018.

Source: Bundesagentur für Arbeit (2018a: 9).

### Qualitative aspects of employment

Being employed is one thing; being employed in one's own profession, or in a field that allows both a living wage and job satisfaction, is quite another. Therefore, we turn next to the types of employment in which refugees are involved. As mentioned previously, many refugees have occupational experience but, as the German system of vocational training is certificate-based, they lack qualifications that are easily transferable to the German labour market.

The IAB-BAMF-SOEP survey finds that significant numbers of employed refugees are able to make use of their occupational experience despite not having the documents that are usually necessary in Germany: 44 per cent in 'auxiliary activities', 52 per cent as skilled employees, two per cent as specialists and three per cent as experts (Brücker *et al.* 2020: 9). This explains why astonishingly high numbers of refugees – one-third – are categorised in the data as being employed above their level of formal qualification. This is indeed an interesting finding because labour migration studies commonly find that migrants are deskilled and downgraded when moving across borders (McGuinness 2006). Another explanation for being employed above the level of formal qualification might be that many refugees spend time in transit or in the first country of reception; thus, their formal training might have been carried out in the country of origin while, during the transit period, they have acquired new skills and experience but no formal certificates (*ibid.*: 10). However, it is also the case that 28 per cent of refugees are employed below the level of employment they were doing before coming to Germany – rising to 35 per cent of women – and thus experience as downgrading or deskilling such a level of mismatch between their qualifications and their actual employment (*ibid.*).

Another factor that is important in terms of characterising the labour market integration of refugees is income. Salaries are very low when refugees enter the labour market but then increase (Brücker *et al.* 2020: 10). Respondents to the IAB-BAMF-SOEP survey who were working full-time earned a gross monthly income of €1,678 in 2016 and €1,863 in 2018 (*ibid.*). Across all employed refugees (including part-timers, apprentices, interns and mini-jobbers), gross income was €810 in 2016 and €1,282 in 2018 (*ibid.*). Such an increase can, most likely, be explained by a general increase in full-time employment amongst refugees. Additionally, the IAB-BAMF-SOEP survey found that, each year a refugee is employed, his or her wage increases by 12 per cent (*ibid.*: 13).

If one compares the income levels of refugees with those born in Germany, people working in jobs that do not require extensive training or vocational qualifications earn 89 per cent of the 'German' level; young refugees (aged 18-25) without significant experience earn 74 per cent of the median income of the same 'German' group; and, in skilled professions, refugees earn just 69 per cent of the level of their 'German' counterparts (*ibid.*: 11). The more a job requires qualifications, the greater the wage gap. There is also a gender pay gap: women refugees earn, after controlling for education and experience, and irrespective of whether they have small children, about 16 per cent less than male refugees (*ibid.*: 13).

#### 4. How the idea of a fast labour market integration in the public policies by national, regional and local governments works in practice

The differentiation between groups who are allowed to work and those who are not or who need special permission from the Immigration Office has a significant impact on refugees' options for labour market integration. This section concentrates on those who are being actively encouraged to look for a job or being prepared to do so.

The idea of a fast labour market integration is characterised by an approach that attempts to focus on refugees as (future) employees at a much earlier stage than was the case with earlier refugee cohorts. The official integration strategy for refugees (see Figure 5 and Walwei 2016) is considered to last from nine to fifteen months. It does not start when the asylum application procedure is completed (as in previous times), but almost directly after arrival – at least, for those asylum seekers who are considered to have very good chances of staying.

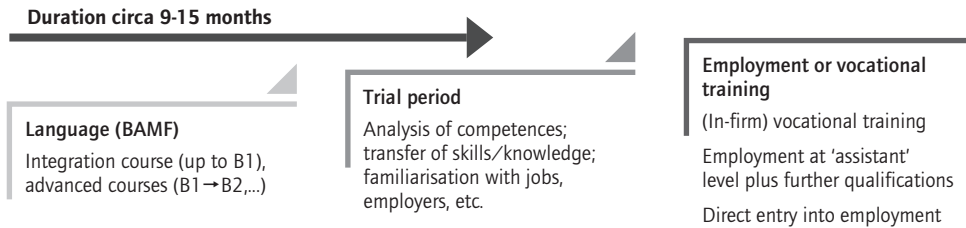
The first step is to learn or improve German language competence. Asylum seekers are assigned to a course at their level and then move up. However, some refugees (in particular fast learners) complain that they are on the wrong type of course, while (mostly female) refugees with small children have issues as only few courses offer childcare (Ullmann 2019). Additionally, people with an advanced degree and who have already learned foreign languages might be sitting next to others who have not completed even their basic education. There is also a significant lack of alphabetisation courses in many regions, as well as advanced courses that would qualify people for study, for example. In the latter case, universities have stepped in to offer language courses which build upon the government-sponsored courses as a means of establishing bridges to higher education. Refugees also often have to wait a long time to find a course. Thus, the idea of a fast and smooth qualification and integration process has found its limits with the existing course offer (and continues to do so).

This not only concerns language courses but any other employment-related training provision. Course and training providers are, in many cases, aware of the problems but face a shortage of qualified language teachers and need to fill their courses to cover their costs. Given the very large number of course providers, including many without a previous track record in offering courses to refugees or migrants, the quality has not always been good. The courses also differ significantly, depending on the educational approach of the course provider. In our research,<sup>9</sup> comparing six different courses for

9. This section draws on the experiences of refugees, volunteers and project staff in a research project on the labour market integration of female refugees (Ullmann and Schwenken, forthcoming; Schwenken and Ullmann 2019). The project is part of a consortium-developed research project 'Gender, Forced Migration and the Politics of Reception', financed by the Ministry of Science and Culture of Lower Saxony, 2017-2020). The research design is for a comparative case study with six cases, all of them being non-profit projects offering training and qualifications courses for female refugees. A total of around 65 interviews and discussions were conducted between 2017 and 2018, including 13 interviews with experts and 16 with practitioners; a group discussion with employees of the labour administration; 25 interviews with participating refugee women; and 11 interviews with local actors.

female refugees, we found a range of approaches from gender and diversity-sensitive ones, aiming at the empowerment of refugee women, to paternalistic approaches (Ullmann and Schwenken Forthcoming).

Figure 5 Main stages in the official labour market integration strategy of the Federal Employment Agency



Note: Short internship, vocational German language training and employment possible in parallel.

Source: Bundesagentur für Arbeit (unpublished slide, Robert Steinbock, Agentur für Arbeit Waiblingen, greenmeetings and events conference, 2017).

After language, the ideal-type of integration process next tries to facilitate a test of existing skills<sup>10</sup> and hold trial periods in potential occupations and with potential employers. Finally, the third step is hard-edged entry into the labour market. Depending on education and qualifications, there are several options: (a) vocational training; (b) an unqualified job to begin with, but undertaking further qualifications measures in parallel; or (c) start working directly in a job where the necessary qualifications are in place.

The underlying rationale beneath this integration strategy is not to push refugees into the first available job but to create the environment and preconditions for sustainable labour market integration in long-term employment relationships. This implies, further, a match with refugees' own skills and qualifications; the intention to improve and document their existing qualifications; and a desire to motivate younger refugees to invest in their own education.

In order to discover the best individual strategy, staff from the *Agentur für Arbeit* establish a profile for each refugee. The strategy of early labour market integration, at one point in the current period, translated into profiling refugees directly after their arrival: the *Agentur für Arbeit* opened offices in the reception centres and sat down with refugees and asked them about their education and qualifications. However, this was far too early for many refugees who were often confused about the procedures and wondered why they were having a work-based interview before their asylum interview.

10. The Federal Employment Agency developed the computer-based test 'MYSKILLS – Recognising Professional Competencies'. This test has been designed in particular for refugees who have lost their documents in the course of their flight or who do not have formalised credentials of their occupational skills. It is offered for about thirty occupations and can be completed in German, English, Farsi, Arabic, Turkish and Russian and with the support of pictures and videos (<https://www.arbeitsagentur.de/institutionen/myskills>).



Refugees are offered by the *Jobcenter* and *Agentur für Arbeit* – initially voluntarily; later as a part of the conditions set down for receiving the full amount of social assistance – the standard set of active labour market policy instruments. These are not specific for migrants or refugees although, besides these standard instruments, there are services that address the specific needs of migrants and refugees, such as skills testing and the recognition of certificates offered by foreign institutions. As age also matters, there are specific teams and services for young people below the age of 25.

Results from an ongoing research project (Ullmann and Schwenken Forthcoming; Schwenken and Ullmann 2019) on the labour market integration of female refugees indicates that experiences differ substantially. Many refugees are extremely happy with the active approach taken and they take every chance to learn German and improve their qualifications. But for some it is also a burden, in particular given the relatively high prevalence of mental strain and the difficulties for adult learners to acquire a new language, in particular for those with low degrees of formal schooling. Thus, the activating approach which lies behind the goal of early labour market integration can cause additional stress. Another issue of concern about the integration process which refugees raise is the recognition of their credentials: this is expensive, complex and they may well need to repeat whole courses of vocational training or study. Furthermore, the vast arrival bureaucracy is often experienced as a bureaucratic nightmare and administrative decisions are hard to understand given the high degree of discretion. Refugees are, ultimately, left dependent on advice either from volunteers or from professionals – but not all refugees have access to these sorts of support structures and some do not feel comfortable with being dependent on others.

Research on refugee women in different countries shows that gendered discourses (e.g. Ullmann and Schwenken (Forthcoming) in Germany; Koyama 2014 in the US; and Ghorashi and van Tilburg 2006 in the Netherlands), as well as national citizenship discourses (Hagelund and Kavli 2009 in Norway), matter in approaches to labour market integration.

Above all, gender equality is a norm within the German employment bureaucracy: ‘Gender equality between men and women is a cross-cutting principle to be applied’ (s. 1 Abs. 2; p. 3 SGB II). Thus, women are addressed directly in policy terms. As many female refugees have family responsibilities, staff in the employment agencies are confronted with an activation dilemma: women with children under three years of age can not be forced to take up employment by the *Jobcenter*; however, they may choose to participate in training measures. However, interviews with women refugees in the context of our research project indicate that many women refugees are not encompassed by *Jobcenter* offers of training measures and integration courses. In these interviews, both with refugees and *Jobcenter* staff, the assumption is raised that small children are a barrier and that their husband’s labour market integration is more promising. As the assumption is that both parents in a family are not likely to be working at the same time, it is mainly the male family members that are offered training measures or jobs (Schwenken and Ullmann 2019).



Racism also matters as an experience raised in particular by male, mostly young, refugees but partly also by women wearing a headscarf. *Antidiskriminierungsstelle des Bundes* (the Federal Office for Non-Discrimination) reports that many refugees in 2016 in Germany had experienced racism, primarily in their work environment or when searching for a job (55 per cent); followed by racist encounters in bureaucracy, in everyday life, in the housing market and with police (*Antidiskriminierungsstelle des Bundes* 2016). Refugees also encounter racist experiences in employment-related settings with employers, colleagues and clients; and, surprisingly, there are also some well-intentional employers who decide against employing a refugee on the grounds that they do not want to expose their new employee to colleagues with racist attitudes (Huke 2020).

## **5. Structural and context-specific challenges to the employment of refugees and selected strategies for overcoming them**

I raised in the previous section that refugees face substantial challenges concerning their integration into the labour market and turn in this section to exploring these in greater detail.

Some of these challenges are due to the differences between humanitarian migration and more employment-driven forms of migration (such as, the case of the former, a frequent lack of preparations for leaving a country, the often long duration of forced migration and associated health-related issues); some are built into the German system of refugee policies (such as asylum procedures, restrictions on looking for a geographical location to live, placements in hostels for shorter or longer periods of time, etc.); while other challenges lie in the difficulties of transnational mobility that are not congruent with labour markets that continue to be fundamentally nationally-organised, including as regards the recognition of skills. There is, however, a great deal of experience and empirical knowledge of the importance of these and other challenges on the part of refugees as well as of professionals in employment agencies and among non-governmental projects and volunteers. The perceptions of these actors overlap to a large degree, but they differ at certain points when it comes to the identification of the barriers that lie within employment agencies and the effects of (gendered) stereotyping.

*Institut für Arbeitsmarkt- und Berufsforschung* (IAB – the Institute for Employment Research) asked in a qualitative survey (Dietz *et al.* 2018) a total of 1,580 refugee advisers in employment agencies (894 from *Agentur für Arbeit* offices and 766 from *Jobcenter* offices) about the main challenges in the labour market integration of refugees. The study differentiates between asylum seekers who are in the middle of their application process (who fall under the jurisdiction of SGB III and the *Agentur für Arbeit*) and refugees after the asylum decision has been taken (who fall under the jurisdiction of SGB II and the *Jobcenter*). Some of the challenges are similar to both groups of refugees, but for others there are significant differences that have to be taken into account in developing adequate labour market integration strategies.

The main challenge mentioned in the IAB study (Dietz *et al.* 2018: 3) is the lack of language competencies (mentioned by almost all advisers). Learning German is considered a key prerequisite for most jobs in Germany, except in some internationally-oriented firms and in parts of the ethnic economy. Thus, those refugees with 'high prospects of remaining' are offered German courses quite promptly after their arrival. Additionally, most labour market integration projects contain general or employment-specific German language classes. Debates about quality, the lack of tailored courses and the reasons why some refugees have problems on these courses (such as psychological issues due to family separation or trauma; not having quiet environments to learn; only some courses offering childcare; refugees in rural areas often not having adequate transportation to where the courses are held) have been identified and widely discussed (see, for an internal evaluation of BAMF integration courses, Tissot *et al.* 2019).

The second most frequently mentioned barrier is qualifications that cannot be utilised in the German labour market context, either because formal certification is lacking or because of different professional standards or types of job. There have been several attempts to respond to the problem of the recognition of professional qualifications (which is the case also for other groups of migrants). One response lies in offering skills testing, partial and complementary qualifications courses and occupationally-oriented language classes. The Germany-wide IQ Network of projects advising migrants on employment-related issues, in particular the recognition of credentials and skills, is one example of an institution which has provided support over many years. The German government has also set up *Anerkennung in Deutschland* ('Recognition in Germany'), an online information portal that provides information on the procedures involved in gaining recognition. With regard to skills that cannot be utilised, there are many (pilot) projects and initiatives as well as negotiations between stakeholders (craft and trade associations, trade unions, employer organisations, the professional education sector, universities and governments) about skills testing, complementary training schemes and the recognition of skills that have been acquired outside the German vocational training system. One measure that could be helpful in dealing with this barrier is to promote and facilitate short-term internships, or trial periods, before a contract for an employment relationship or vocational training is signed. This can give both sides access to more informed judgements on which to ground their decision. The danger, though, is of prolonging the trial period and the consequent development of an unpaid labour force.

For asylum seekers in the middle of their application, insecure legal status is an important barrier, the third most important in the IAB study. Employers tend to be hesitant when it is unclear whether or not their new employee will be allowed to remain. Given the very different lengths of the asylum procedures (see Table 1), the situation is worse for people for whom the procedure is likely to be longer, such as Afghanistan. To remedy this hurdle, some non-profit organisations and crafts associations offer coaching for employers on how to handle the legal and other difficulties that may come with employing refugees. For employers as well as for refugees, such support can provide important information and, in the event of conflict, mediation between the parties. Given the range of potential problems, such support or coaching should cover the periods both before a refugee is employed and during the period of employment

itself. In particular, small and medium-sized firms that do not have many experiences with international employees are likely to benefit from it.

Low mobility (mentioned by one-half of advisers), and also *Wohnsitzauflage* (the requirement to reside in the assigned county or city) (mentioned by 14 per cent of advisers working with asylum seekers and 11 per cent of those working with refugees whose status is recognised) are also considered problematic to successful labour market integration. In response to this challenge, the OECD (2016: 22) has called for employment rationales to be factored into states' refugee dispersal schemes, which would allow greater mobility than is currently the case in Germany. The OECD refers to a study from Sweden which concluded that 'Eight years after settlement, refugees who had been dispersed to areas on the grounds of available housing earned 25 per cent less on average, showed employment levels that were 6 to 8 percentage points lower, and were 40 per cent more welfare dependent than refugees who were not settled through a dispersal policy' (OECD 2016: 24; referring to a study by Edin *et al.* 2004).

In Germany, the *Königsteiner Schlüssel* ('key') is a formula used to calculate the number of refugees that are allocated to each *Landkreis* (county) and city. Refugees are, in general, not allowed to leave the county for three years after their asylum case has been determined. This residence requirement may be waived where 'regular employment' is taken up of at least 15 hours per week (s. 12a(5)(1) *AufenthG*). However, in particular for those refugees who are actively looking for employment or who work in specialist occupations, and for those located in areas with high unemployment or poor infrastructure, the existence of such mobility restrictions is already a barrier to their labour market participation (i.e. that matches their skills and qualifications) and because employers are in fear of bureaucratic procedures with frequently uncertain outcomes.

Refugees who have a job offer, but not yet a signed contract, also complain about the administrative hurdles. A report on an Afghan asylum seeker (going through the asylum procedure which takes, on average, up to one year or so for Afghan applicants) who had gained a job offer at BMW in Leipzig reports: 'For him, the German bureaucracy is a single Kafkaesque obstacle course: no signed employment contract without a work permit from the Immigration Office; and, without an employment contract, the Immigration Office does not allow people to move' (Fluter 2019). Non-profit organisations in the field of refugee employment counselling state that the decision as to whether a refugee with a job offer can or cannot move is often handled with wide discretion and, frequently, refugees have to file a lawsuit. This takes time and can be costly while the job offer is, in most cases, likely to have already disappeared.

In an informal conversation in the course of my own research, a former staff member of the *Agentur für Arbeit* pointed to the problem of the Agency supporting refugees in such cases as these while the Immigration Office continued to turn down requests to waive employment restrictions or give permission to take up employment. This was a frustrating experience, depicting the very different and contradictory organisational cultures and identities among the agencies and their staff. There was, during 2015-2018, some attempts to create one-stop agencies which brought together staff from the

Federal Employment Agency, the Immigration Office and other local administrations into one office. Non-profit organisations considered this to be a step into the right direction; however, most of them were dissolved rather too quickly.

A further challenge, mentioned by about one-half of employment advisers to recognised refugees (among whom it was mentioned third most often in the IAB study), is a lack of knowledge about Germany, its cultural value system and ‘German’ employment traditions. This chapter does not elaborate on the debate about the culturalisation of differences and ‘moral panic’ with regard to flight and migration, but simply points out that newcomers have either no, limited or otherwise distorted knowledge of the work cultures and routines of which most people born in Germany have habituated knowledge. Projects that explicitly deal with this not only from a managerial perspective on how best to fit into German work culture, but that also point to workers’ rights as part of the struggles and cultural achievements of the German trade union movement, are scarce.

One example of best practice here is offered by the DGB office in Osnabrück-Emsland, which has developed a train-the-trainers programme for refugee advisers: ‘For this purpose, we had the idea of founding the “GIBA” (Refugee Information Office – World of Work). The DGB’s approach is to train people to spread the message as a means of explaining the first basics of the “German labour market”’ (DGB Osnabrück-Emsland 2015). The local DGB had noticed that most refugee support NGOs and initiatives were doing very good work but had less of a clue about labour rights or other work-related issues.

The degree to which care responsibilities are an obstacle to refugees finding employment is a hotly debated issue. The IAB study mentions that one-third of advisers working with asylum seekers in the process of their applications, and more than one-half of those dealing with recognised refugees, consider this a barrier to successful job placement. This is in line with the statistics presented above that female refugees with small children are least likely to attend language courses, employment-related training or take up a job or vocational training. Besides care responsibilities, female refugees had, on average, not only a lower educational level (differing greatly, depending on country of origin) but also less experience in employment (about 80 per cent of men, but only 40 per cent of women, had been employed before they came to Germany; Brücker *et al.* 2016b). These factors are likely to have an impact on the employability of women refugees.

There are various responses to the challenge of care responsibilities: one – in the light of the generally very high aspiration of female refugees to work – is to wait with targeted offers until children are attending school (or kindergarten); another, more proactive, approach would be to provide childcare as a component of training courses, deliver women-only courses or cover segments of the labour market that mainly address the needs of women (for example: *Perspektiven für weibliche Flüchtlinge* (PerF-W – Perspectives for Female Refugees) and *Stark im Beruf – Mütter mit Migrationshintergrund steigen ein* (Strong at work – Mothers with a migration background get involved)). However, such courses always bear the danger of gender

stereotyping and channelling women into professions that are considered female. A gender-reflexive approach (Ullmann and Schwenken Forthcoming) would be cautious in this respect and offer a broad range of potential development paths combined with the option of tasting a variety of professions. Furthermore, such an approach is not only limited to women; a gender-reflexive approach would do the same for male refugees.

The IAB study also asks about potential barriers within the German system of employment counselling and job placement. What is mentioned by *Agentur für Arbeit* and *Jobcenter* staff is the different institutional set-up behind working with refugees in both agencies. While some have established specialist teams for refugees in the post-2015 situation, other offices have integrated this work into their regular procedures. The majority of staff interviewed by IAB (Dietz *et al.* 2018: 6) support a specialisation of some of the specifics about engaging with refugees. Most specialist staff consider themselves well-qualified for their tasks, but 70 per cent of non-specialist staff say that their qualifications are insufficient. Well-qualified staff is an important point, in particular as asylum regulations are a fast-changing field of expertise while the international composition of the client base itself demands specific competences.

The IAB study is rather silent on a range of issues that might be seen as too sensitive to raise in the context of an internal study; nevertheless, these represent equally important challenges to the labour market integration of refugees.

One such point is indeed the institutional set-up, in particular the division of competences between the governmental agencies handling asylum cases. According to informal conversations with *Agentur für Arbeit* advisers working with refugees, pragmatic solutions are often not possible because someone else is formally responsible. Bureaucracies are hierarchically organised, so individual staff do not have much room for manoeuvre. One former employee also notes that the legal logic (that refugees are initially with *Agentur für Arbeit* and then, after their asylum process has been completed, move to the responsibility of *Jobcenter*) often interrupts the integration processes. The organisational logic, i.e. placement in the labour market, also lies in conflict with that of the migration regime since it hinders the integration of certain groups by placing those with 'high chances of remaining' in a significantly better position than those with 'poor prospects of remaining' as a result of coming from so-called 'safe countries of origin'.

Another important factor that is not directly mentioned in the IAB study is that – as in any other organisational field – some employees have racist attitudes and prejudices that make international clients feel that they have not been well attended (Antidiskriminierungsstelle des Bundes 2017). *Agentur für Arbeit* specialist staff have commented that there is not enough diversity training and that, sometimes, such training courses as are held are provided informally.

In some cities, *Agentur für Arbeit* and *Jobcenter* have set up so-called 'Integration Points' bringing together different services on the basis of an 'under one roof'

philosophy.<sup>11</sup> The most important advantage is that there is no disruption to services despite a formal change of jurisdiction when refugees' asylum application has been determined. Staff members in the Integration Points are usually better trained in intercultural communication, speak languages besides German as 'the language of administration' and can overcome the institutional divisions of responsibilities and bring people, as appropriate, around one table. The idea behind such Integration Points is to overcome the challenges that refugees face when dealing with the employment bureaucracy, while they also demonstrate a greater willingness to reflect on the problems that refugees face within the system.

Some of the Integration Points continue to exist although specialist units for refugees were discontinued in many cities around 2018. Sometimes, the specialist staff transferred their knowledge and this networked way of organising the counselling of refugees to their new units. Elsewhere, however, the knowledge was allowed to diffuse as a result of the discontinuation of official, as well as informal, exchanges with other organisations and non-profit organisations working in the field of the labour market integration of refugees.

To sum up, there are two types of structural challenge: the first lies in the legal framework and the implications for the competences of the organisations involved; while the second lies within the organisational structure and the profile of the staff within the employment agencies.

## **6. Conclusion**

One evident fact is that many asylum seekers and refugees will stay in Germany. Thus, labour market integration will remain an important topic for refugees and all other involved actors alike. This encompasses not only, as in the first years after 2014/2015, the question of entry into the labour market, but also the long-term perspectives. Thus, new challenges will appear on the agenda.

The last five years of organised labour market integration in Germany show that the current cohort of refugees is managing to find their first 'regular' employment a little faster than refugees in the 1990s. There remains, however, a gender gap in labour market participation with, in particular, mothers of small children not having paid employment relationships despite, overall, high employment aspirations.

Governments at all levels in Germany are investing significant resources in programmes to achieve the public policy aim of language acquisition and employment training. Uncountable profit and non-profit labour market training projects are playing a major role in delivering the infrastructure required by the active and early labour market integration strategy. The courses are almost all (many of them fully) subsidised by the state. The state infrastructure is, compared to other countries, quite well-equipped;

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11. Examples are the Integration Points in Bonn: [http://www.job-center-bonn.de/site/integration\\_point/](http://www.job-center-bonn.de/site/integration_point/); and in Essen: [https://www.essen.de/leben/fluechtlinge\\_1/integration\\_point.de.html](https://www.essen.de/leben/fluechtlinge_1/integration_point.de.html)



however, without the voluntary support of millions of citizens, refugee reception would not have taken place in such a relatively welcoming and ordered way. This is also the case for labour market participation: such volunteers are using their own networks to find jobs for refugees, help with job applications and provide translation during interviews with bureaucracies or with potential employers.

The German vocational training system plays a major role for younger refugees who will, upon completion, have a solid base for good employment prospects. Employers, especially in sectors with labour shortages, are very open to take on refugees for vocational training; however, the large amount of bureaucratic hurdles and, sometimes, the insecurity of investing in a person's education, without knowing whether s/he will remain in Germany or be deported, makes it difficult for employers. In addition, refugees face challenges in taking on apprenticeships, such as that the German learned in integration classes deviates from the German used in occupational settings.

For refugees, incorporation into the labour market is often perceived to be difficult in terms of the relevance of sound language knowledge, the matching of skills and qualifications with the job, the recognition of education and job credentials and, last but not least, the very human experiences of loss of status and of racism. From the perspective of decent work, the mode of labour market integration leaves some dark blots on the statistics that, otherwise, tell a success story on account of the high number of refugees who are employed via staffing agencies or under precarious conditions in low-wage sectors.

Germany is following an early labour market integration strategy for those refugees who have a high likelihood of remaining in the country which operates at the simultaneous expense of those asylum seekers who are categorised as having insufficiently good prospects. Therefore, the tone of refugee labour market integration is one of differentiated integration. This is in line with the overall policy orientation in Germany of combining a security-based approach with a neoliberal, or utilitarian, one while meeting the international responsibility of receiving humanitarian migrants. This pre-existing stratification was further developed in the 2015-2018 period during political reforms concerning eligibility for language courses, occupational training and access to the labour market. This phenomenon of boundary drawing and classification is one that is typical for labour migration policies (Paul 2015). However, the specific situation in Germany can only be understood when we take the antagonistic struggles of the forces of pro-refugee ('Welcome culture') and anti-refugee (conservative and populist right) actors into account, with both positions not marking extremes but covering wide parts of the centre. Discussions about refugee and migration issues have become major dividing lines among families and friends up and down the land. The result of these struggles at the national level is a refugee reception infrastructure and environment that combines humanitarian motivations, liberal-utilitarian approaches, restrictionism and structurally-racist perceptions of refugees. Sometimes all of this is visible within the same organisation which, self-evidently, makes it difficult for refugees to find room for manoeuvre.

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## List of abbreviations and translations of German institutions

<i>Agentur für Arbeit</i>	Employment Agency
AsylbLG	<i>Asylbewerberleistungsgesetz</i> (Asylum Seekers' Benefits Act)
AsylG	<i>Asylgesetz</i> (Asylum Act)
AufenthG	<i>Aufenthaltsgesetz</i> (Residence Act)
AufenthV	<i>Aufenthaltsverordnung</i> (Regulation on Residence)
BAMF	<i>Bundesamt für Migration und Flüchtlinge</i> (Federal Office for Migration and Refugees)
BMI	<i>Bundesministerium des Innern</i> (Federal Office of the Interior); since 2018: Bundesministerium des Innern, für Bau und Heimat (Federal Ministry of the Interior, Building and Community)
BVerfG	<i>Bundesverfassungsgericht</i> (Federal Constitutional Court)
DGB	<i>Deutscher Gewerkschaftsbund</i> (Confederation of German Trade Unions)
ECRE	European Council on Refugees and Exiles
IAB	<i>Institut für Arbeitsmarkt- und Berufsforschung</i> (Institute for Employment Research)
SGB II	<i>Sozialgesetzbuch</i> (Social Security Code) II
SGB III	<i>Sozialgesetzbuch</i> (Social Security Code) III



# Trapped in Greece: is there any perspective for labour market integration?

Apostolis Kapsalis, Sissy Levanti and Ioannis Vlassopoulos

## Introduction

The two-year period 2015–2016 marked a radical change in the phenomenon of migration regarding Greece. The massive influx of people, mainly asylum seekers, into the Greek islands via Turkey from the middle east and the warring regions of Asia and Africa, particularly north Africa, has reached the upper limits of capacity for reception and hospitality in a country with a depressed economy and fragile political balances resulting from efforts to address its multiple internal and external problems.

In the years between 2012 and 2017, it was predominantly the degraded situation in a number of countries around the Mediterranean, where there had been a deterioration in living conditions amidst political tensions (i.e. Morocco, Tunisia, Algeria and Libya), that created new, strong migratory pressures (Ministry of Immigration Policy 2018). The vast majority of arrivals in the previous five years originated initially from Asia's least developed countries but, later, the intensification of conflicts mainly in the wider region of the middle east (and in some other African, sub-Saharan countries) created large numbers of people seeking escape routes. The situation within Greece deteriorated considerably after the border closure by North Macedonia, when tens of thousands of migrants became trapped on the Greek side. By early 2020, this had escalated even further with over 40,000 asylum seekers trapped in overcrowded facilities under the threat of a looming health emergency in the context of the Covid-19 pandemic.

At the same time, it should be remembered that the large majority of those who have arrived after 2011 in Greece are not aiming to settle in our country but to move quickly to another, more 'attractive' one than Greece (Ministry of Immigration Policy 2018).

It is important also to mention at this point that the EU did not have a common migration policy and was totally unprepared for the numbers of arrivals, leaving first destination countries to face the challenge. Furthermore, the Greek public administration had no experience, coordination was inadequate and resources – just like external assistance – were, and remain, limited. Equally, it is not obvious: (a) whether and for how long Turkey will be able – and willing – to stick to the 'zero flows' policy commitment, in line with the EU-Turkey Statement;<sup>1</sup> and (b) whether a number of EU countries (and, if so, how many) will accept the settlement of existing asylum seekers and migrants (still less those arriving in the near future). Evidently, the situation in the main source countries for these flows to Europe has not been normalised, while major instabilities

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1. See further in Section 2 of this chapter.

continue to exist in countries outside the wider middle east (mainly in Africa), caused by the rapid growth in their population and from exceptional inequalities (Kasimati and Panagiotopoulou 2018).

This chapter focuses on the challenges posed by historical migration since 2015, with Greece being one of the main entry points for those seeking to reach Europe. Section 1 provides the national context of migration in Greece and sets the background for the recent history of migration in the country, while Section 2 describes and analyses the main processes behind the numbers of people entering Greece since 2015. Section 3 introduces the main policies of reception and registration for asylum seekers, proceeding in Section 4 to an overview of labour market integration policies. Section 5 presents social integration policies towards refugees and asylum seekers, highlighting the important role played by actors in the field, such as NGOs and trade unions. Finally, Section 6 provides conclusions that summarise the major points.

## **1. National context of migration**

### **1.1 Recent history of migration**

The phenomenon of migration has always been important in the history of Greece, but developments in recent years have led to its profound transformation from a country of emigration to one of immigration. This change occurred, initially hesitantly, in the second half of the 1970s before strengthening in the 1980s and intensifying during the last decade of the 20th century.

Of particular interest here is the pattern of immigration in the 1990s arising from the magnitude of the flows and the changes which could be observed in the characteristics of the migrants themselves. Additionally, one significant development at this time was the recognition of the need to develop an immigration policy from the perspective of Greece as a host country for migrants.

Even though there has been net immigration since 1975, the differences between 1975-1990 and from 1990 to date are particularly significant. The net immigration of the 1975-1990 period is linked to the gradual shrinking in emigration flows and the return (or repatriation) of Greek nationals who had migrated abroad during the initial post-war period, as well as the arrival of foreign citizens in Greece (Mousourou 1991). The first migratory flows in the late 1980s came mainly from neighbouring Balkan states and the former Soviet states in which there was a Greek diaspora, mainly as a result of civil conflicts. These inflows found the country unprepared and somewhat disoriented as it had never before regarded itself as a host country and lacked corresponding policies. Initially, however, there was not only a reception but also a partial acceptance of migrants, many of whom came from Albania (Kasimati 2003).

Common cultural references and the employment of migrants in sectors of the national economy where there was a shortage of labour, due to a shift of native workers into the service sector and also to the stronger entry of women into the labour market, created

suitable conditions for integration into Greek society. Migrants largely contributed both to the revitalisation of the primary sector and to the overall development of the country. Migrants were mainly employed in agriculture and livestock farming, construction, cleaning and catering, and they also provided household services as well as care for children, sick and elderly people. Their employment was complementary to that of the native population, but also favoured the competitiveness of Greek products due to their low wages relative to native workers (Kasimati and Panagiotopoulou 2018). Neither did the small number of migrants from Asia (from the Philippines, Sri Lanka and Indonesia), north Africa and Egypt raise any issue as this was focused either on the migration of women (from Asia) finding work in the care sector or men (from north Africa) finding work in unskilled or low-skilled segments.

## 1.2 Population structure

Census data (see Table 1) demonstrates the change reported above of Greece, a traditional country of emigration, becoming since 1990 a country of immigration. In 1981, nationals of third countries accounted for 171,424 people (less than two per cent of the total population); whereas in 2011 their numbers stood at 911,929, almost 8.5 per cent of the total population (Kasimati and Panagiotopoulou 2018).

Despite the methodological and scientific difficulties involved in accurately recording quantitative and qualitative data on migration in Greece, it may be concluded that the overall dimension of the phenomenon was moving within the normal limits for a modern European host country. At no point between 1990 and 2011 did the number of permanent foreign nationals exceed 8.5 per cent of the country's total permanent population, as Table 1 shows.

The financial and economic crises arising in the last years of the first decade of the 21<sup>st</sup> century again changed the balance of inflows and outflows which, once more,

Table 1 Total population in Greece by nationality

Year	Total population	Foreign citizens *	Foreigners in total population (per cent)
1971	8,768,641	92,568	1.05%
1981	9,740,417	171,424	1.76%
1991	10,259,900	167,276	1.65%
2001	10,964,080 (10,929,178 permanent population)	797,093 (762,191 permanent population)	7.27% (6.97%)
2011	10,939,727 (10,815,197 permanent population)	n.n. (911,929 permanent population**)	n.n. (8.43%)**

Notes: \* This number includes expatriates and people from the European Union. \*\* In the 2011 census, with regard to foreign citizens, ELSTAT exclusively quoted the permanent population and not the real population.

Source: Population Censuses, ELSTAT (2011)

turned negative (251,000, according to ELSTAT for the five years from 2011-2015), with inflows amounting to 300,000 people and outflows to 550,000. Leavers were predominantly concentrated in two major groups: a) economic migrants of the two previous decades returning – even if not permanently – to their countries of origin due to the crisis; and b) young Greeks of working age (2011-2015), but also older ones (35-50 years). Entrances, on the other hand, were focused among new foreign citizens (mostly migrants), but secondarily to older Greeks.

A perpetual problem continues to be the legal status of migrants in the country (Kapsalis 2019a). Throughout the thirty-year period up to 2018, the share of undocumented migrants in the total population remained very high; in fact, much higher than in almost all European countries receiving migrants. The stock of undocumented migrants numbers approximately at least 300,000 people; and, in general, always corresponds to a figure of between 35 and 50 per cent of foreign citizens who might, or would be, entitled to acquire a residence permit. At the peak of the economic crisis (in 2012), the OECD (2018) estimated that, out of a total of 1.2m foreign citizens in Greece, those staying with illegal status exceeded 500,000, i.e. they were as numerous as were estimated for Italy, a country with a much larger population (both migrant and indigenous).

Table 2 Migrant population with residence permits in Greece by country of origin (2017)

Country of origin	Number of residence permits	Percentage of all residence permits
Albania	353,826	67.56
Georgia	18,865	3.60
Ukraine	18,447	3.52
Pakistan	16,853	3.22
Russia	14,486	2.77
India	13,580	2.60
Egypt	11,586	2.21
Philippines	9,949	1.90
Moldova	7,958	1.52
China	7,226	1.38
Bangladesh	7,175	1.37
Armenia	6,043	1.15
Syria	5,467	1.04
Serbia	2,988	0.57
USA	2,553	0.49
Other countries	26,713	5.10
<b>Total</b>	<b>523,715</b>	<b>100.00</b>

Source: Migration Information System, Ministry of Immigration Policy, April 2018.

At the end of 2018, out of a total of 543,973 valid residence permits, a small share concerned employment and the permits which refer to this either indirectly or initially (and which are, mainly, long-term). Table 3 shows that the largest share of permits, more than 40 per cent of the total, concerns all aspects of family reunification. Without such a possibility, the percentage of unofficial stayers would be overwhelmingly higher (Kapsalis 2019a).

Table 3 Residence permits by type and background (December 2018)

Type of permit	Total
Residence permit of indefinite term	16,243
Residence permit for family reunification	11,944
Humanitarian reasons	1,421
Independent residence rights	1,665
Ten-year long residence permit	61,252
Ten-year term	69,304
Second generation	24,248
Exceptional reasons	25,135
Investor: permanent residence	6,892
Long-term EU resident	28,148
Special purpose workers	2,798
Work	68,016
Family member*	293,325
Economically independent person	1,598
<b>Total</b>	<b>543,973</b>

Note: \* Family member of Greek citizen, EU citizen or permanent resident.

Source: Migration Information System, Ministry of Immigration Policy, December 2019.

## 2. The refugee crisis since 2015

All the relevant literature (for example Xipolitas 2018; Tramountanis 2017) establishes that the current influx of migration into Greece is indeed unprecedented in its intensity. Data from the European Border and Coast Guard Agency (Frontex) show that, during the period from 2007 to 2015, irregular entrants to the European Union reached 3m people, of which 58.4 per cent (1.8m) had entered through Greece. In the period 2015–2018 alone, the number of foreign nationals reaching European territory was almost 2m of whom up to 56 per cent (1.2m) had entered via Greece (UNHCR 2019b).

According to the main scenario in demographics forecasts (Kotzamanis and Karkouli 2016), the impact of recent immigration in the medium term will not exceed 100,000 people and this is expected to have a balanced and smooth dispersion across the territory of the country. It is worth reminding ourselves at this point that, while migrants during the two decades before 2015 have settled in the country as permanent residents, most of the newcomers since then have already left Greece. Within a volume of 11.2m permanent foreign residents in Greece since the mid1990s, tens of thousands of new arrivals cannot be considered to constitute a phenomenon deserving of the term ‘crisis’.

### 2.1 Background

Greece faced an unprecedented stream of humanitarian inflows between January 2015 and February 2016 with the arrival of more than 950,000 people. Most were passing



through Greece on their way to elsewhere in Europe and, so far, less than 1 per cent of them have requested asylum in Greece.

The whole two-year period between 2015 and 2016 nevertheless marked a radical change in the phenomenon of immigration in Greece which served to push Greek reception facilities and hospitality to their limits. In particular, since North Macedonia sealed its border in 2016, closing the so-called western Balkan Route, a significant number of people (around 65,000) have been trapped within Greece, hoping for European Union member states to implement their commitments under the Relocation Programme.

Despite the efforts of the authorities, the timely delivery of international protection status, as well as the integration of those who have been granted recognition in the host community, still presents a huge challenge even after the significant management improvements that have been made. The safeguarding of applicants for international protection and the integration of the beneficiaries of such status is recognised as a key priority and challenge for the Greek state both because of its scale and the distinct qualitative characteristics of the particular population (see further in Section 2.3).

### **The EU-Turkey Statement**

One of the measures that the European Commission formulated in order to manage and control mixed migration flows across the EU was the statement it drew up with Turkey. On 18 March 2016, the European Council and Turkey essentially reached a joint agreement aimed at stopping the flow of irregular migration via Turkey to Europe. According to the EU-Turkey Statement, all new irregular migrants and asylum seekers arriving from Turkey to the Greek islands, and whose applications for asylum had been declared inadmissible, should be returned to Turkey which the Statement recognised as a safe third country for refugees. Moreover, the Statement envisages that all new irregular migrants crossing from Turkey to the Greek islands from 18 March 2016 would be returned to Turkey; and that, for each Syrian returned to Turkey from the Greek islands, another would be resettled in the EU.

## **2.2 Arrival and asylum applications**

Numbers have always played a significant role in the civic debate regarding immigration and the number of refugees. In this context, it seems crucial to examine the situation that Greece was called upon to deal with in the light of available comparative data. This can help to decipher aspects of immigration and people seeking refuge as well as contribute to the interpretation of these processes.

In 2015, the number of refugees was the largest that Europe has experienced since the Yugoslav wars of the mid-1990s. Greece had already dealt with similar substantial issues of migration at this time but, in certain circumstances, the current situation is completely different in terms of both the qualitative characteristics of migrants and the intensity. Indeed, the large-scale arrival of refugees from Syria substantially changed both Greek and international public opinion regarding the nature of migration.

According to the International Organization for Migration (IOM 2016), monthly arrivals of immigrants and refugees in Greece over the three-year period between January 2015 and December 2017 reached a peak in October 2015, with 212,168 arrivals. During 2014–2018, over 1.1m people were recorded as arriving in the country via the territorial waters of the Aegean, while another 36,000 entered by land. Undoubtedly, it is a tragedy that 1,878 people lost their lives, or are still missing, during their dangerous journey to Greek territory in this five-year period alone.

With regard to the corresponding statistics for 2019, arrivals started to pick up again, reaching nearly 75,000 of whom some 60,000 arrived by sea (almost doubling the 2018 figure) with the remaining 15,000 coming by land (UNHCR 2020a). Furthermore, the number of total arrivals in the first three months of 2020 reached almost ten thousand.

Table 4 Type of arrivals by year

Years	Sea arrivals	Land arrivals	Total number of arrivals	Dead and missing
2020 Q1	7,569	2,072	9,641	
2019	59,726	14,887	74,613	70
2018	32,494	18,014	50,508	174
2017	29,718	6,592	36,310	59
2016	173,450	3,784	177,234	441
2015	856,723	4,907	861,630	799
2014	41,038	2,280	22,401	405

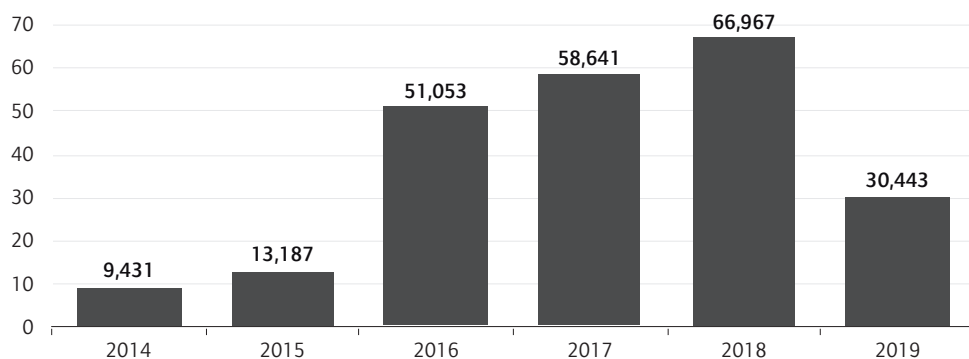
Source: UNHCR.

### Data analysis on asylum and relocation applications

According to UNHCR (2020a) figures, following the closure of the western Balkan route and the implementation of the EU-Turkey Statement in March 2016, some 118,000 asylum seekers and refugees continue to be stranded in Greece, 76,000 on the mainland and 42,000 on the islands, as of February 2020. Regarding the statistics provided by the Greek Asylum Service, it is quite obvious that, since the announcement of the Statement, asylum seekers have been trapped in limbo in particular hotspots within the Greek islands and so have to request asylum as this seems to be their only option of remaining on European soil and gaining legal status. Consequently, the rise in asylum applications since 2016 seems quite logical, as Figure 1 shows (Greek Asylum Service 2019).

The number of asylum applications does not, however, precisely depict the situation in Greece regarding trapped asylum seekers. While there has been an increase in asylum requests, this does not mean that people who requested asylum in previous years are still in the country. In accordance with the Relocation Programme and the Dublin Regulation procedures (concerning family reunification), those affected have to apply for asylum and are then able to submit the relevant documentation that will offer the right to be included in Dublin or Relocation procedures.

Figure 1 Asylum applications in Greece (2014-2019) (in thousands)



Source: Greek Asylum Service.

Given the harsh economic situation in Greece over the last decade, it is certainly not the destination of choice for refugees. This can be seen in the thousands of applications that asylum seekers made under the Relocation Programme, which offered relocation to various European countries to some 66,400 asylum seekers. As Table 5 shows, however, by 25 March 2018, when the Programme reached its end,<sup>2</sup> just 22,822 had actually been relocated. Most requests that had been made were met with acceptances, but the number of the former being well within the Programme's superficial capacity demonstrates, among others, the bureaucratic and time-consuming procedures it entailed as well as the political constraints that member states put up in the effort to avoid receiving refugees (Greek Asylum Service 2018).

Table 5 Relocation procedures, by gender (up to 25 March 2018)

Men	14,052
Women	10,859
Total requests	24,911
Total acceptances	22,822

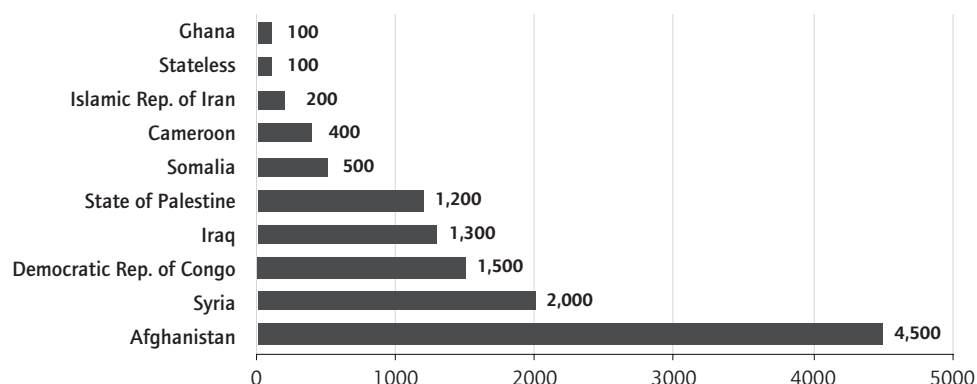
Source: Greek Asylum Service.

### 2.3 Main characteristics of asylum seekers

The main countries of origin for asylum seekers arriving on the Greek islands between January and June 2019 are shown in Figure 2, based on UNHCR data. This highlights the role of wars, conflicts, disasters and political instability in prompting refugee numbers.

2. The Relocation Programme, set up in September 2015 by Council Decisions (EU) 2015/1523 and 2015/1601, was designed as an emergency measure to alleviate pressure on Italy and Greece. In accordance with these Decisions, the Relocation Programme was officially ceased at the end of September 2017, but the Relocation Unit continued operations on pending cases until the end of 2017.

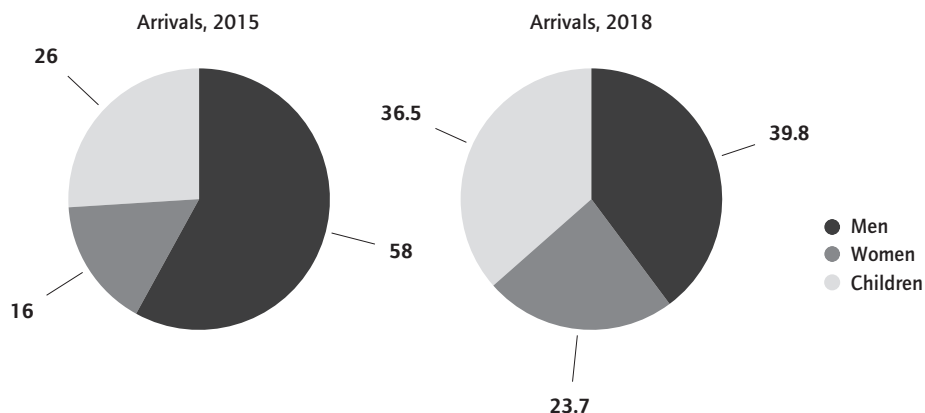
Figure 2 Arrivals in Greece by sea, by country of origin (January-June 2019)



Source: UNHCR.

In current years, there have been variations in the gender and age characteristics of such movements of people. In 2015, 58 per cent of those entering Greece were adult men, while 16 per cent were women and 26 per cent children; but, by June 2018, the demographics had shifted to 40 per cent men, 24 per cent women and 36 per cent children, as Figure 3 shows.

Figure 3 Refugee arrivals in Greece by gender and age (2015 and 2018)



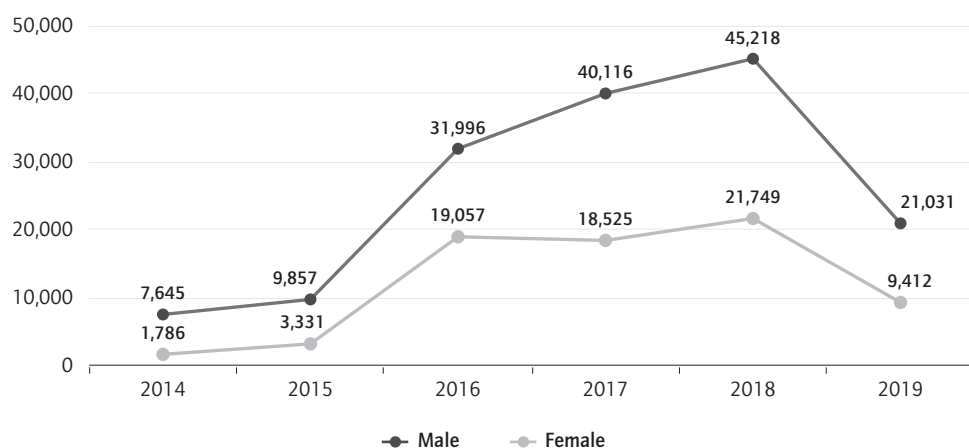
Source: UNHCR, UNICEF and IOM.

Figure 4 shows the trends in asylum applications by gender. It is important to highlight the rising number of women and children travelling in groups formed of extended family or kin, or groups of friends of different sizes. According to one source, one in ten refugee women travelling through Europe is pregnant (Huffington Post 2016).

The increase in the number of women travelling to Europe alone or with children in extremely dangerous conditions and with uncertain outcomes is a particular response to the continued presence of conflicts and instability in countries of origin. It is also,

however, a consequence of trends in the asylum practices of European countries. The Women's Refugee Commission (NGO) states that, such are the problems with family reunification procedures in Europe, women are deciding to risk their lives making dangerous and costly journeys rather than use complex and lengthy processes directly from their own country. Moreover, we should mention that there is ample evidence from the outset of this unprecedented human mobility that women on the move – and to a lesser extent, but of paramount importance, children – have been at risk of, and have experienced, severe and widespread forms of sexual violence and harassment as they travel (Women's Refugee Commission 2020).

Figure 4 Asylum applications in Greece by gender (2014-2019)



Source: Greek Asylum Service.

### Unaccompanied and separated children

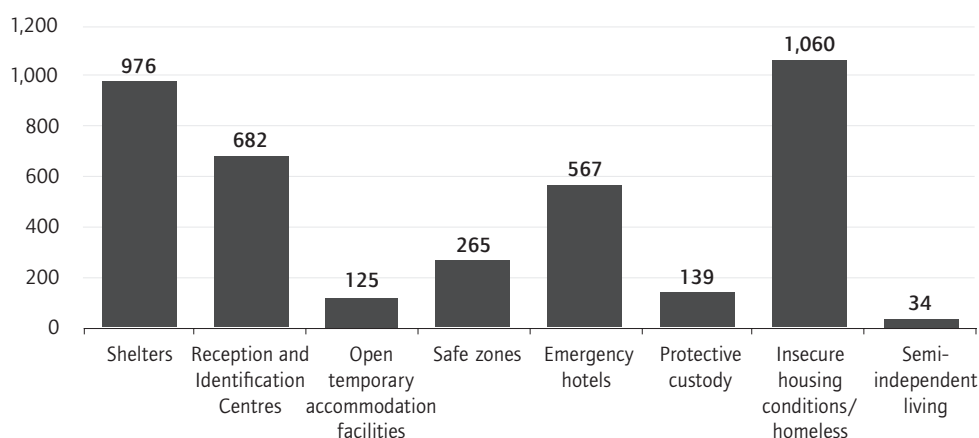
Approximately one-third of those seeking protection are children, including a growing number of unaccompanied and separated children (UASC) who have arrived in Greece without a parent or guardian and who are extremely vulnerable to various forms of abuse and exploitation. More specifically, according to official figures, it is estimated that unaccompanied and separated children amount to 5.5 per cent of the total migrant and refugee population currently residing in Greece. Statistical data provided by UNHCR show that, between January and June 2018, over 5,000 children arrived in Greece by sea, including 636 (13 per cent) classed as UASC. Although the overall arrival of children in Europe decreased by 37 per cent in the first half of 2018, children arriving in Greece increased by more than two-thirds compared to the first half of 2017 (when it stood at over 3,000). The arrival of numbers of unaccompanied and separated children also increased by 57 per cent on the first half of 2017. Most of the children, including those unaccompanied and separated, arriving in Greece by sea in this period were from Syria, Iraq, Afghanistan and Pakistan.

According to official data provided by the National Centre for Social Solidarity, there are currently 3,868 unaccompanied and separated children in total residing in Greece,

out of which 94 per cent are boys and just six per cent girls. Some 6.6 per cent are under 14 years old.

As is often the case, a large number of unaccompanied and separated children remain in detention facilities in Reception and Identification Centres and/or are in protective custody in the absence of suitable accommodation facilities. This is inconsistent with the European Parliament's 2013/33/EU Directive of 26 June 2013 on common rules for the reception of applicants for international protection, in which unaccompanied minors are to be subject to detention only as a last resort and for as short a time as possible. At the same time, the number of minors who are reported to be living in precarious conditions, and even in conditions of homelessness, is remarkable. Furthermore, temporary forms of hospitality, such as safe zones and emergency hotels, tend to end up being permanent, as highlighted in Figure 5 (National Centre for Social Solidarity 2019).

Figure 5 Reported place of stay for unaccompanied and separated children (as at 30 July 2019)



Source: Greek Asylum Service.

### 3. Reception, registration and the management of the asylum process

#### 3.1 Reception

The majority of reception capacity remains within hotspots for asylum seekers established on the Greek islands under the legal form of Reception and Identification Centres (RIC). Their functioning is regulated by Law 4375/2016, which was developed out of the EU-Turkey Statement which foresees a fast-track asylum procedure for those entering Greece irregularly via the islands. All new arrivals are transferred to the respective RIC, where they are subject to a three-day 'restriction of freedom within the premises of the centre,' which can be extended for a maximum period of

25 days, and which is revoked once registration is completed. Applicants considered to be vulnerable, including unaccompanied children and single parent families, or applicants falling within the scope of the family provisions of the Dublin Regulation, are excluded from the fast-track border procedure and are transferred to the mainland where they enter the regular procedure.

The islands-based asylum procedure might have been envisaged as fast-track but, in practice, it lasts for significantly longer periods during which applicants are obliged to remain where they are. For example, in December 2017, the average waiting time for a first instance decision, i.e. between the registration of the intention to apply for asylum up to the issue of that decision, was 83 days. This time is prolonged where appeals and judicial review procedures are initiated (Greek Council for Refugees 2018).

Currently, the Greek state operates five hotspots that are located in the eastern Aegean on the islands of Chios, Kos, Leros, Lesbos and Samos. The breakdown of the data by RIC presented in Table 6 demonstrates a major shortcoming in terms of how reception needs are addressed. The situation has been dramatically escalating in the last eighteen months, with occupancy rates far above capacity: for the largest one in Lesbos by almost seven-fold and, for Samos, by almost twelve.

In the context of the spread of the Covid-19 pandemic, overcrowded reception centres with low sanitary standards and limited health care provision pose a life-threatening emergency and present a looming humanitarian catastrophe.

Table 6 Reception and Identification Centres (RIC) for asylum seekers in Greece

Island/RIC	Start of operation	Capacity	Occupancy October 2018	Occupancy March 2020
Lesbos	October 2015	2,757	7,352	19,271
Chios	February 2016	1,014	2,361	5,363
Samos	March 2016	648	4,185	7,291
Leros	March 2016	860	718	2,117
Kos	June 2016	816	1,114	2,970
<b>Total</b>		<b>6,095</b>	<b>15,730</b>	<b>37,012</b>

Source: National Coordination Centre for Border Control, Immigration and Asylum. Situation as of 31 December 2018: <https://bit.ly/2N1znbX>; and, as of March 2020: <https://infocrisis.gov.gr/8275/apotyposi-tis-ethnikis-ikonas-katastasis-gia-to-prosfygiko-metanastefiko-zitima-tin-22-3-2020/>

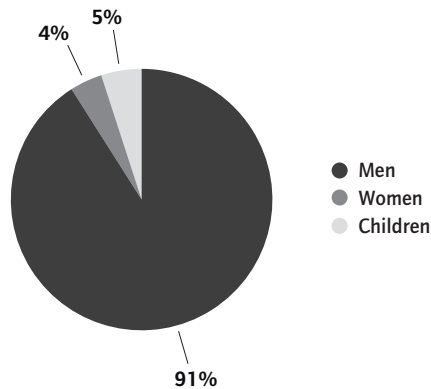
People entering Greece across the River Evros are subject to reception and identification procedures at the RIC in Fylakio, located in the region of Orestiada. After the implementation of the EU-Turkey Statement, the number of newcomers crossing into the region of Evros between 2016 and 2018 was greater than the 28,390 new arrivals registered there. For example, about 2,900 people arrived in Evros in April 2018, mostly families from Syria and Iraq. This equates to about one-half of the estimated number of arrivals in Evros during the whole of 2017. According to data collected by UNHCR, land arrivals in April 2018 exceeded arrivals by sea (UNHCR 2019b).

Delays in transfers to the mainland originate in the lack of accommodation for vulnerable people. For example, as of June 2018 some 2,700 people, whose geographical restrictions had been lifted by the authorities, remain on the islands due to limited accommodation capacity. Moreover, the extremely precarious living conditions within the Greek hotspots (overpopulation, lack of protected spaces for children and single women, prolonged detention, etc.) increases the risks of the exploitation of vulnerable groups while they are waiting for their legal status to be processed and/or their transfers to other locations to be put in place. Children, especially those who are unaccompanied and separated, represent the largest vulnerable group on the Greek islands and in the Evros region due to these protection gaps that affect both them and women (Greek National Commission for Human Rights 2018).

### 3.2 Returns from Greece to Turkey

We can examine the numbers of returns to Turkey made within the context of the two main provisions of the EU-Turkey Statement. The Greek Ministry of Citizen Protection stresses that, between April 2016 and June 2019, the total number of returns from Greece to Turkey were 1,885, the distribution of whom is shown in Figure 6.

Figure 6 Total returns to Turkey under the EU-Turkey Statement (as of June 2019)



Source: UNHCR

Most of the people who had been returned under this scheme had come from Pakistan (38 per cent of the total). Syrians constitute 18 per cent of returnees, followed by Algerians, Afghans and Bangladeshis. In total, 347 Syrians had been returned to Turkey as of June 2019 (UNHCR 2019b).

### 3.3 First instance decisions on asylum applications

International protection, according to the law, includes those with refugee status (i.e. those who have been granted asylum) and those with subsidiary protection status, commonly referred to together as 'international protection', which means that a person



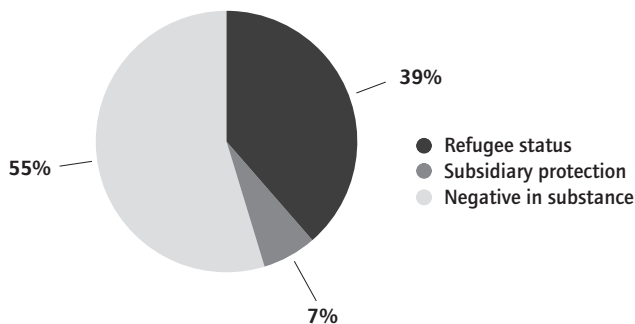
enjoys the protection of the international community in the safeguarding of his or her fundamental human rights. The requirements for granting asylum are based on the Geneva Convention of 1951, relating to the status of refugees, while subsidiary protection status is granted to people who are in danger of serious harm in their country of origin.

In order to understand what asylum applications mean in reality, we have to pay attention to the chaotic European regulatory framework. The Dublin Regulation states that the first country of entry is responsible for examining the asylum claims of people looking for international protection in the EU. At the same time, most refugees are aiming to claim protection not in Greece but in other member states and, in order to prevent being sent back at a later stage, avoid making asylum claims there. Even though Germany and some other member states have suspended the implementation of the Dublin Regulation, the situation remains chaotic: the Greek authorities have been simply overburdened while the European solidarity mechanism for the redistribution of asylum seekers remains non-functional. Consequently, the actual numbers of asylum applications need to be interpreted with caution.

Data on decisions on asylum applications are available at two levels: namely, first instance decisions; and final decisions taken following appeal or review.

Between 2013 and 2019, almost 93,887 first instance decisions on asylum applications were made in Greece and a further 51,023 appeals were submitted by applicants. First instance decisions resulted in 36,224 persons being granted protection status while a further 6,260 received subsidiary protection. Figure 7 shows the distribution of substantive decisions in terms of shares of the total number of applications. Negative first instance decisions accounted for more than 51,000 cases, i.e. 55 per cent of total applications. Countries of origin with the highest recognition rates include Syria, Yemen and Palestine (up to 97 per cent), followed by those made stateless, Eritrea and Somalia where the recognition rate was up to 88 per cent. There then followed Afghanistan, Iraq, Sudan and Iran, reaching an average recognition rate close to 66 per cent (Greek Asylum Service 2018).

Figure 7 First instance decisions on asylum applications (2013-2019)



Source: Greek Asylum Service.

## 4. Labour market inclusion

### 4.1 Barriers to labour market access

Before discussing the labour market integration of asylum seekers and refugees, it must be stressed that, for those trapped in overcrowded reception centres under life-threatening conditions, this is a very distant, if not impossible, perspective.

There is also a paradox emerging out of the economic crisis with, on the one hand, the related stress on the labour market and, on the other, legislative initiatives to attribute legal status to irregular immigrants and to manage asylum procedures more effectively. This paradox may be observed in the trends toward a greater degree of convergence between the employment relationships of Greek workers with those of immigrants, asylum seekers and refugees than had been the case in the past. However, this trend is not necessarily due to any improvement in the working conditions of foreign workers, more to the deterioration of labour rights and a worsening of the working conditions of Greek citizens arising from liberalisation and the flexibilisation of the labour market. As a result, there has been a kind of convergence between common labour law and immigration law in a downwards spiral (Kapsalis 2018c).

According to national legislation (Article 71 of Law 4375/2016 and Article 15 of Law 4540/2018), asylum seekers have automatic access to the labour market and to the possibility of finding employment or work at an early stage, i.e. as soon as they have formally requested asylum and received an asylum seeker card (Petracou *et al.* 2018). However, in practice, few beneficiaries and applicants for international protection are able to access the labour market as a result of bureaucratic obstacles (Skleparis 2018). Even though certain regulations on the asylum seeker card have recently been repealed, further obstacles remain. The effects of economic crisis and high unemployment rates, combined with the unresolved issues of previous years and the settlement of new refugees, have raised specific barriers that obstruct the practical integration of immigrants, refugees and asylum seekers into the labour market.

The legal obstacles include the prolonged absence of changes to the legal framework that regulate the residence and work of thousands of immigrants. As a result, these people are at an *impasse* and in a position of insecurity as regards their employment and legal status (Kapsalis 2018a). Indeed, the process of issuing and renewing residence permits has been criticised for the high fees required, the income criteria and the number of required stamps that led to many non-renewals (Bagavos *et al.* 2019; Kapsalis 2018b).

Furthermore, administrative delays during applications for residence permits have left many immigrants with temporary protection against deportation but, over an extended period, without the right to access the labour market legally. Also, there have been problems with the initial grant of work permits to asylum seekers (Bagavos *et al.* 2019). This has led them to turn to undeclared work in order to survive, which is having a significant impact on the Greek insurance funds (Kapsalis 2018a). In addition, NGOs emphasise that long delays in the application process for international protection are

driving applicants towards undeclared work since pre-registered asylum seekers are denied the right to work (Bagavos *et al.* 2019).

In this already difficult situation, further administrative problems have caused added problems in connection with the provision of a social security number (AMKA) and tax number (VAT). This creates difficulties regarding the right of asylum seekers to register with the Hellenic Manpower Employment Organisation (OAED). Furthermore, beneficiaries or applicants of international protection face additional hardships in connection with opening bank accounts, including those dedicated to the payment of salary. The four major banks in Greece have repeatedly refused to open bank accounts for asylum seekers, even in cases where an employer has certified the recruitment.

The liberal-conservative government that entered office in 2019 (led by New Democracy – ND) revoked the decree on the assignment of AMKA to foreign citizens (Press Project 2019) which had made it easier for immigrants, applicants for international protection and unaccompanied refugees to receive AMKA. The aforementioned decree was one of the main facilitators in integration of all those people into Greek society by granting them access to a range of rights regarding health, education and employment.

A 2019 decision by the new Minister of Labour (42862/2019) on the provision of AMKA encompassed a differentiated approach for European citizens, irregular immigrants from other countries and recognised refugees for international protection. Now, the only opportunity for irregular immigrants to receive an AMKA is if they work in the agricultural economy or if deportation has been deferred and they have a work permit. Minors from third countries born to irregular immigrants in Greece are not entitled to AMKA under this Ministerial decision. However, all recognised refugees with international protection normally receive AMKA. It seems that, under the new approach, the provision of AMKA in Greece, especially for irregular migrants, is directly linked to employment/work or the development of business activities.

At the same time, the Greek Ombudsman (2019) has highlighted that there is a problem in Citizen Service Centres (in Greek: KEPs) with incorrect translations into the Greek language of applicants' personal data. This has created administrative problems as well as duplicate registrations within the AMKA system. If refugees, asylum seekers and unaccompanied minors do not have the required documents translated into Greek, then, in some cases, KEPs have refused to grant them AMKA. This problem may worsen, not only as a result of the continued non-activation of the Health Care Card for Foreigners (in Greek: KYPA – prescribed in law three years ago but not implemented), but also by the failure to grant AMKA which, up to now, has been the only way to ensure access to free health care services (Greek Ombudsman 2019).

In addition, amendments introduced under a new law adopted at the end of 2019 (Law 4636/2019) seeking to overhaul the asylum system promote a rather complicated procedure. Upon the filing of an application for asylum, entitlement to employment is granted but only after a delay of six months under the normal procedure and twenty days in the accelerated one. According to the UNHCR, this delay may lead to a longer duration of the *de facto* ban on working and thus raise doubts as to whether applicants

can have effective access to the labour market, while it will also result in people turning to undeclared work, thereby manifesting labour exploitation (UNCHR 2019a).

Apart from the legal barriers, an important factor regarding labour market integration is knowledge of Greek; this is considered by migrants, refugees and asylum seekers themselves to be the main obstacle.

Furthermore, in a survey by the NGO SolidarityNow, a large percentage (70 per cent) of specifically Syrian refugees said that they do not have documents proving their level of qualifications. This makes it difficult for them to integrate quickly into the labour market and thus they are heavily dependent on the financial and humanitarian aid provided by NGOs (SolidarityNow 2017).

The government emphasises that a lack of knowledge of the skills, work and educational profile of foreign citizens will not allow targeted employment programmes to be implemented (Bagavos *et al.* 2019). Consequently, it is not possible for them to be linked to occupations that meet the needs of the market and to positions that may be more specialised than the native workforce is able to meet. Alternative paths to the validation of skills and the recognition of qualifications are of particular importance for asylum seekers and refugees especially where there is a lack of paperwork proving their education and qualifications (Greek Ombudsman 2013).

In addition, discrimination based on nationality in the selection, access and pursuit of a particular professional occupation has been the subject of many reports examined by the Ombudsman and the REACT housing and legal support programme. The findings indicate that many migrant women have limited opportunities to benefit from policies and programmes specifically aimed at integrating them into the labour market, via vocational training and education, since such policies and programmes were *ad hoc* and fragmented (Bagavos *et al.* 2019). Moreover, nationality represents an obstacle in terms of access to new opportunities, as does the employment of many migrant women in sectors of the economy marked by informality, such as care services and domestic work. It should be noted that there is a difference in the protections afforded by social and labour rights between female migrants working in the informal economy and those working in the formal sector (Kapsalis 2018a). Indeed, female immigrants are frequently treated in an institutional context as dependent family members rather than as autonomous and active actors.

What is clear is that the economic crisis has exacerbated the problems associated with the informal employment of immigrants. Academic research findings highlight that ‘Residence permit requirements and procedures and labour rights issues are the biggest obstacles to overcome’ (Bagavos *et al.* 2019). Ultimately, due to the ongoing economic crisis in Greece and the lack of assistance programmes for job seekers, the integration of foreign citizens, in particular refugees and asylum seekers, is also hampered by them being likely to want to relocate to another European country and not to integrate into the labour market of Greece, which is considered by many to be a transit country.

## 4.2 Labour market participation rates

The active participation of applicants for international protection in the labour market as well as in the local community is extremely crucial in ensuring both social integration in the host country and the ability to function as autonomous and productive citizens. However, access to the official labour market in Greece, at both national and local levels, is seriously compromised by the economic, legal and bureaucratic obstacles set out above, all of which may prevent integration in host countries' labour markets and drive foreign citizens into undeclared work. In practice, it is mostly the financial circumstances that shape the labour market outcomes of both foreign- and native-born workers (OECD 2018).

It is likely that the increased numbers of refugees during the 2014-2018 period had only a minor impact on labour market participation on the whole. However, given the lack of statistical data regarding access to the labour market among refugees and applicants for international protection, it is difficult to examine the situation in Greece in practice.

Furthermore, in the very first phase, people were acting on the basis of their high expectations of moving elsewhere within Europe and, thus, they did not seek employment in Greece amidst the hope of a quick departure from Greek territory. Despite the lower prospects for mobility that has followed the closure of the western Balkans route and the implementation of the EU-Turkey statement, this new situation has not been accompanied by any changes with respect to the labour market integration of refugees and asylum seekers: the vast majority remain out of any kind of employment and without a significant upwards trend in integration.

In the light of this unsustainable situation, we assume that: a) expectations of moving elsewhere in Europe still remain, either by regular or irregular means; b) the lack of language support is a major barrier; and c) national policies on integration, especially regarding access to the labour market, are still at an embryonic stage (Papastergiou and Takou 2019).

Before the economic crisis, the employment rates of the immigrant population in Greece stood at very high levels (see Table 7), higher even than those of natives. Additionally, based on data from the 2001 statistical census regarding salaried employment, it seems that the employment rate of immigrants reached 89 per cent while among Greeks it stood at just 62.8 per cent (Kapsalis 2019a).

In the context of the economic downturn and the financial and economic crisis, the access of foreign citizens to the labour market has deteriorated significantly. In particular, during the period 2008-2018, unlike for native workers, the percentage of employed migrants decreased from 68.9 per cent in 2008 to 46.1 per cent in 2013, before recovering a little by 2018 to 54.1 per cent. In the meantime, the proportion of migrants who were employers or self-employed increased, over the same timeframe, from 7.1 per cent to 11.2 per cent in 2015 before falling back to 9.3 per cent in 2018. These trends indicate that many immigrants have been turning to entrepreneurial activity in order to address the impact of unemployment and income loss.

**Table 7 Trends in the employment participation rate of foreign citizens in Greece (2008-2018)**

Year	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008
	54.1%	54.5%	54.0%	52.5%	50.9%	46.1%	49.5%	61.0%	64.8%	67.0%	68.9%

Source: Greek Asylum Service.

Migrants are, as a rule, much more widely affected by labour market downturns because of their tendency to be over-represented in cyclical sectors and in specific occupations. Moreover, in the majority of OECD countries, immigrants are more concentrated than native workers in jobs involving routine tasks, which renders them more at risk of job loss as automation progresses (OECD 2018). The majority of immigrant workers are mainly concentrated in just four sectors: construction; manufacturing; private households; and hotels and restaurants. Throughout the 1990-2010 period, one in two immigrant men was employed in construction and two in ten in manufacturing; whereas women, in the exact same respective proportions, were employed in private households and manufacturing. The strong degree of concentration in these sectors is only different in the case of young women descended from immigrants and who have completed basic education in Greece. In this case, 27 per cent are employed in hotels and restaurants and only 20 per cent as domestic help in private households (Kapsalis 2019a).

## Unemployment

It is crucial to stress at the outset here that the data refer to official unemployed foreign citizens, meaning that unregistered or undocumented people are not encompassed by them.

As can be easily noted from the figures presented in Table 8, foreign citizens tend to have a higher rate of unemployment than native workers. It is also worth mentioning that, as is captured by the data, we can notice that there has been a gradual reduction in unemployment among all categories since 2013. As far as the picture of unemployment rates during the economic and financial downturn is concerned, it is clearly the case that the access to employment of foreign citizens was dramatically affected. In practice, the percentage of unemployed immigrants (i.e. from third countries outside the EU) soared from 6.4 per cent in 2008 to 38.6 per cent in 2013, and still stood at 25.4 per cent in 2018.

**Table 8 Unemployment rates by nationality (2008-2018, in per cent)**

Citizenship	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008
Greek	18.60	20.80	22.70	24.10	26.00	26.30	22.90	16.30	11.70	8.90	7.40
non-EU	25.40	25.70	28.10	29.60	33.00	38.60	32.80	18.10	14.40	9.90	6.40
EU	22.80	23.40	24.10	21.70	28.50	34.50	22.90	12.60	12.00	9.90	6.40

Source: UNHCR.

In particular, the employment status of immigrants is less stable and, as a consequence, people tend to enjoy less seniority which makes them more likely to be laid-off. There is also some, albeit limited, evidence of employers internationally selectively firing immigrants first (Arai and Vilhelmsson 2003; OECD 2009). As a result, immigrant unemployment rates grew much faster during the economic crisis and financial downturn than those of native populations, particularly in those countries most affected by it, such as Greece (OECD 2018).

## **5. Social integration**

### **5.1 Social integration measures**

Greece's common national policy provides for equal treatment concerning rights and procedures both for Greek citizens and for legal residents of foreign citizens. The principle of equal treatment concerning rights therefore applies to those who are legal immigrants as well as those who are recognised as in need of international protection regarding access to the labour market, housing, education and other social services and benefits.

#### **Housing – ESTIA programme**

Under the influence of EU policies, the main form of refugee housing implemented in Greece was camps which in no way guarantee the protection of human rights (Kourachanis 2019). The Ministry of Migration Policy closed the camps and moved refugees into social housing; this was achieved through the implementation of the ESTIA Programme (Emergency Support to Integration and Accommodation) whose purpose was to improve living conditions and promote social integration for asylum seekers.

At the end of March 2020, the ESTIA accommodation programme (UNHCR 2020b) had created 25,533 places in total. Actual capacity was 22,593, while the numbers accommodated stood at 21,983, reflecting an occupancy rate above 97 per cent. Accommodation is in 4,600 apartments and buildings in 14 cities and seven islands, with 54 per cent of the places being in Athens and a further 39 per cent in the rest of the mainland (and seven per cent on the islands). Meanwhile, the ESTIA cash assistance scheme aimed to reach 80,000 people during 2019. Under its provisions, refugees and asylum seekers receive a pre-defined monthly cash grant through a dedicated cash card. This allows them to meet their basic needs as they choose, with a degree of dignity, while supporting the local economy.

In 2017 and 2018, the ESTIA programme was funded by the European Union Civil Protection and Humanitarian Aid fund. In 2018, €167.5m was made available for Greece, an increase on the 2017 budget of €139m (UNCHR 2019b). In 2019, a further step-up in funding to £190m was provided under the EU's Asylum, Migration and Integration Fund.



## Labour market – OAED

A prominent example of integration in the labour market is the registration procedure with the Hellenic Manpower Employment Organisation (OAED) for foreign citizens (including migrants, refugees and the beneficiaries of subsidiary/humanitarian protection) legally residing in the country. This follows the same procedure as for Greek citizens regarding employment and covers the right of legally-resident foreign citizens to access free public education (Skleparis 2018). Legally-resident foreign citizens thus enjoy access to the labour market on an equal basis to each other and to Greek citizens – especially in relation to dependent employment, unemployment benefits and employment enhancement programmes (Petracou *et al.* 2018).

Good practice from the OAED can be seen within the ‘I\_ReF\_SoS’ project, developed within the framework of the ERASMUS+ Youth Programme, which is aimed at developing an effective reception and social support programme to facilitate the smooth integration of new refugees aged 16-24. The coordinating agency in ‘I\_ReF\_SoS’ – Innovative Response to Facilitate Social Assistance for Young Refugees – is the OAED, while project partners include the Centre for the Development of Educational Policy (KANEP) of the General Confederation of Greek Workers (INE-GSEE); the Ministry of Education of Turkey – the country from which refugees come – and the DEKRA Akademie Training Organisation of Germany – the country of refugees’ potential final settlement (Gerakopoulou and Christakis n.d.).

The central idea behind the project is to take advantage of the time between the arrival of new refugees in their countries of entry up to the time of their final residence in their host countries – time which is still untapped within the official mechanisms of states receiving large-scale refugee populations. Under this project, the OAED is seeking to create a new approach to the vocational training of newcomers, enriched with innovative educational counselling, mentoring, language and intercultural training and career guidance for trainers and trainees. The project has been designed and implemented at pilot level for new refugees who have applied for asylum (Gerakopoulou and Christakis n.d.).

## 5.2 The role of trade unions and the outsourcing of migration-related services to NGOs

### The role of trade unions

The relevant research literature on the attitude of Greek trade unions towards immigration is very limited. In the context of a more comprehensive study of labour relations and policies concerning the Greek immigration experience, however, two general conclusions could be drawn (Kapsalis 2018a).

Firstly, the – presumably – immigrant-friendly attitude of the Greek trade union movement over time has not translated into increased trade union membership by immigrants. Secondly, in the absence of comprehensive and targeted strategic trade



union planning for immigrant workers, there is a significant gap among trade unions regarding the registration and regulation of collective and individual labour relations issues.

The Greek trade unions have shown elements of both resilience and continuity in relation to their historical role in defending workers' rights in connection with the rise in immigration from 2015 onwards. The ideological context on the basis of which they approach the refugee question implies the development of a humanitarian logic, inextricably linked to an authentic tradition of internationalist solidarity that has been prevalent in the Greek case for the last thirty years (Kapsalis 2019b). Despite such an exemplary approach, however, ideological and organisational weaknesses have mounted a block on effective action in the pursuit of this humanitarian logic over this timescale (Kapsalis 2019b). Unlike in many other European countries, the Greek unions have adopted a solidaristic and supportive attitude towards immigrants' rights and claims in the long-term, whether or not in the presence of economic crisis. Even so, there are very few cases since the early 1990s in which unions have been involved in national, sectoral or operational negotiations to address issues specifically related to the employment or residence of immigrants.

One example of this is the GSEE (the General Confederation of Greek Workers) press release on World Refugee Day (20 June 2017) on the issue of practical solidarity and the social integration of refugee-migrant populations in the period after 2014-2015: 'The organised trade union movement was mobilised immediately, offering every possible help. In the eastern Aegean islands, as well as in the rest of Greece, labour centres and unions continue to contribute to the reception, care and hospitality of refugees, utilising every available means but also collectively responding to and condemning public racist and xenophobic practices which have appeared in some areas.' Equally, there are records of action by public sector unions related to the responsiveness of public services towards the management of the administrative requirements posed by the reception and accommodation of displaced people, and particularly in the area of access to public education by refugee children.

### **Outsourcing of migration-related services to NGOs**

One of the key features of state immigration policy concerns the privatisation of the work of the ministries responsible for services, a practice which is rapidly spreading in several environments in the wake of the recent humanitarian migration towards Europe. The term 'privatisation' in the context of migration-related services describes the phenomenon of the state gradually withdrawing from its obligations regarding the management of modern transnational movements and, although a matter of public interest, leaving a significant part of the implementation of policies on the reception and integration of displaced populations to the private sector (Kapsalis 2018a).

Many trade unions in the private and public sectors have pointed to the dangers of engaging any kind of NGOs or individual professionals in 'refugee management'. This cautious attitude of a large part of the Greek trade union movement usually derives from ideological starting points under which social policy generally entails specific

obligations on the part of the state which should not be circumvented by outsourcing, contracting-out or privatisation in general.

A new blend of the commercialisation of solidarity and the professionalisation of humanitarianism has resulted from these trends towards privatising social policy and refugee policies, with the third sector of the economy becoming 'NGO-ised' (Kapsalis 2019). The delegation by the Greek state of responsibilities and functions – even part of them – to third parties, whether they are international organisations or domestic NGOs, leads to small-scale organisations, often with a kinship background in the 'rights' field, suddenly turning into large-scale employers employing hundreds of workers on a permanent basis when the vast majority (95 per cent) of the country's businesses employ fewer than ten employees.

According to recent theoretical work in the field (Kapsalis and Mentinis 2018), employment in many NGOs typically entails a model of labour relations that combines a number of characteristics such as militarised organisation, indeterminate and unpredictable work, extremely short-term or project-based contracts, delayed payrolls, the abolition of the eight-hour day and the limitless extension of hours of work, exorbitant salaries, high-priced missions for meaningless training commitments, nepotism, poor customer relations and opaque recruitment procedures. Furthermore, the phenomenon of 'burn-out' among the workforce of agencies and NGOs may also be observed due to the limited financial resources (Kourachanis 2019).

## 6. Conclusions

The question of the integration of refugees and asylum seekers into today's Greek labour market is raised in exactly the same way as it has been for economic migrants over recent decades: in terms of entrapment and self-regulation. Although the Dublin Treaty has been *de facto* suspended from 2012 with respect to Greece as a result of European Court of Justice cases, compliance with the EU-Turkey Statement has abandoned tens of thousands of asylum seekers in the Greek islands under conditions of geographical immobility and a lack of social freedom.

Asylum seekers obtain the right to work six months after filing their application for refugee status. Up to that point, their employment can only take place in the context of undeclared work, the same as all those who will not be recognised as refugees but who will remain in the country undocumented. In addition, the relocation of those who are recognised as refugees to areas of mainland Greece is hardly ever accompanied by state policies for the recognition of professional skills or vocational training, while NGOs' action at this level is extremely rare and on a very limited scale.

However, whether in the context of undeclared work or not, occupational immobility is the issue that is more or less dominant in respect of all new entrants after 2015. Specifically, opportunities for flexible and undeclared work are limited to sectors such as tourism or the rural economy which are, incidentally, those to which the Greek state is, indirectly, trying to push them. The Greek trade unions as a whole have adopted a

solidaristic and supportive position on the fundamental rights of refugees and asylum seekers but, for reasons of general ideological and organisational weakness, their involvement in the field of social rights protection is not particularly active.

Greek immigration policy remains residual and privatisation is being promoted in the area of 'refugee management'. Many trade unions highlight the dangers of engaging NGOs or individual professionals in the reception and integration of refugees. In the face of increased demands and needs, NGOs themselves are sowing the seeds of poor working relationships with their employees, dominated by insecurity and short-term contracts. On top of that, the phenomenon of 'burn-out' in the workforce is very often the result of the limited financial resources.

It would not be an exaggeration to say that all these factors are contributing to a prescribed course as regards the employment future for the victims of this humanitarian crisis: integration into the labour market will be a strictly personal affair, implemented in a precarious fashion and on the basis of undeclared terms, in particular in dirty, dangerous and demeaning jobs and in a limited number of sectors. This is probably not the result of a failure or insufficiency of Greek immigration policy but rather a reflection of how this policy has tacitly been pursued.

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# Migration at the crossroads. The inclusion of asylum seekers and refugees in the labour market in Italy

Beppe De Sario

## Introduction

In recent years, Italian society has been the scene of different and interconnected migration processes. Italy is a country of regular legal immigration, in which migration into the country is concentrated on family reunification and, to a limited extent, for work reasons. People with a migrant background (either on their own account or arising from their parents' rights) continue to acquire Italian citizenship, a phenomenon that, in recent years, has reached peaks of 150,000-200,000 per year, not forgetting that hundreds of thousands of foreign minors born or raised in Italy still lack the recognition of citizenship. We should note that Italy is, as well, a country of emigration that, during the global economic crisis since 2008, has seen at least one million Italian citizens emigrate to other countries, in particular within the EU (Germany, Spain, United Kingdom, etc.).

The contribution of immigrant workers to GDP and also to the stability of the public pension system is considerable (Fondazione Leone Moressa 2019). Immigrants are also net contributors to social services and welfare benefits (De Sario and Ferrucci 2020), considering also the legal limits to which they are subjected.

The historical pattern of migration in Italy has changed recently, due to the wider factors affecting migration trends: the intensity of immigration has grown substantially, in particular between 2015 and 2017; and the main component of new arrivals is through asylum channels and international protection while the regular entry of workers has been very low (mainly for seasonal work and self-employment). This change has been strengthened over the last five years, and it does not seem that legislation and the system of services for immigration have adapted to this new scenario sufficiently to respond to the new needs of integration. In particular, social inclusion and the integration of legally-resident immigrants has not been supported by a solid national system of services and opportunities: reception services have been subjected to legislative restrictions and the cutting of resources, as well as to organisational stress.

This chapter examines the most recent migration of asylum seekers and refugees that reached Europe and Italy in the last five years and focuses on their labour market integration. Section 1 highlights the national context of migration in Italy, while section 2 analyses migration trends in recent years, in particular the peak of 2015-2017 in the context of the slight growth in immigration in the last decade overall. Section 3 focuses on the evolution of the legal framework, between constitutional guarantees and the politicisation of migration policies based on 'security' and 'emergency' concepts,

in the context of the public debate on immigration through the Mediterranean route. Section 4 outlines the characteristics of the reception system for refugees and asylum seekers, in terms of both positive aspects (quality services, especially at local level, and professional challenges for social cooperatives and NGOs) and the negative ones (bureaucratisation, centralisation and poor conditions for work in the large reception centres in particular). Section 5 presents the common guarantees of social rights for migrants, refugees and asylum seekers in the context of social policies and work legislation in Italy, and also considers the lack of strong active labour market policies (for both nationals and non-nationals). Section 6 highlights the role of trade unions in supporting migrants via 'social negotiation' with public institutions, especially at local level, and the participation of migrants themselves in terms of their strong levels of unionisation. Section 7 outlines the main elements of the level of inclusion of immigrants in the labour market compared with nationals, as well as the extent of segmentation, exploitation and lack of safety. Section 8 analyses labour force survey data and tries to define some characteristics of asylum seekers and refugees in the Italian labour market, focusing on those nationalities that show the highest rates of recognition in terms of international protection in recent years.

## **1. The national context of migration**

As of 1 January 2019,<sup>1</sup> there were 5.26m foreign residents registered in Italy, approximately 110,000 more than one year before. In the preceding four years, between January 2015 and January 2019, the number of resident foreigners increased by only 4.8 per cent (+240,000). The substantial stability in the number of foreign residents includes the period between 2017 and 2018 in which the entire amount of the increase over the four years was concentrated. This is the phase in which the number of asylum seekers and refugees was, in terms of the consequences for residents, at its most intense. It is not a coincidence that this increase in non-EU immigration is almost entirely attributable to those countries of origin from which most asylum seekers in Italy have already come: Nigeria, Pakistan and Bangladesh.

Recent analysis by the National Institute of Statistics (ISTAT 2019b) reveals that the demographic contribution of immigrants to Italian society does not compensate for the reduction in the number of national citizens residing in the country. The total number of residents in Italy continues to decline: on 31 December 2018 (ISTAT 2019a), there were 60.36m residents, 124,000 fewer than the previous year and around 435,000 fewer than on 31 December 2014.

In a nutshell, Italy finds itself in a condition of a demographic crisis that is not being effectively addressed either by policies to support the condition of workers and their families, by intervention in support of the birth rate or by migration into the country. The demographic crisis is concentrated on Italian citizens and appears primarily from

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1. cf. <http://demo.istat.it/>



the negative natural balance (374,000 births as against 625,000 deaths in 2018) as well as from the number of citizens who have moved residence abroad, which is in the order annually of 120,000 in the most recent period. Moreover, according to Istat estimates, around one in four Italian emigrants is a recently-naturalised Italian citizen.

The distribution by nationality<sup>2</sup> of foreign residents in Italy highlights that the EU component of immigration is significant (about 30 per cent of the total number of foreign residents). Of these, around three-quarters (1.2m) are Romanian citizens. A further twenty per cent is represented by citizens from non-EU European countries. The remaining one-half of foreign residents come from non-European countries and this was the only growing component in 2017 and 2018: from 48.3 per cent to 49.8 per cent of the total, in particular from western Africa and central-southern Asia.

**Table 1 Foreign residents in Italy (number, 2017-2019)**

	2017	2018	2019
EU citizens (EU-28)	1,537,223	1,562,147	1,583,169
Europe (non-EU)	1,070,445	1,058,110	1,056,278
Other third-country nationals	2,439,360	2,524,183	2,616,056
Total foreign population	5,047,028	5,144,440	5,255,503
Total resident population	60,589,000	60,484,000	60,360,000

Source: Istat.

One of the factors that has mitigated the increase in the foreign population in Italy is represented by citizenship acquisitions. Between 2013 and 2018, around 870,000 foreign citizens obtained Italian citizenship. For the most part, this arises from duration of residence (44.9 per cent in the 2013-2018 period), while 14.5 per cent of new citizenships take place by marriage. The remaining 40.6 per cent is accounted for by miscellaneous other reasons, including requests for Italian citizenship by young foreigners reaching the age of eighteen, those who are able to acquire citizenship from Italian ancestors (most frequent in recent years concerning new citizens coming from Brazil) and the children of naturalised citizens who inherit Italian citizenship from their parents.

**Table 2 Acquisitions of Italian citizenship per year (number, 2013-2018)**

	2013	2014	2015	2016	2017	2018	2013-2018
Acquisition of Italian citizenship	100,712	129,887	178,035	201,591	146,605	112,523	869,353

Source: Istat.

2. cf. <http://dati.istat.it/>



## 2. Migration in recent years

Between 2014 and 2018, the number of new residence permits issued to non-EU citizens varied between approximately 225,000 in 2016 and over 260,000 in 2017, at an average of around 243,000 per year. The most relevant element that has influenced the fluctuation in numbers is represented by residence permits granted for asylum and humanitarian reasons which, as Table 3 shows, increased from a share of 19.3 per cent of total residence permits in 2014 to a peak of 38.5 per cent in 2017, followed by a drop to 26.8 per cent in 2018. At the same time, there has been a continual decline in residence permits granted for work reasons, amidst constant – especially in absolute values, i.e. around 100,000 per year – numbers granted for family reasons (with the exception of the growth recorded in 2018).

If we widen our gaze to extend back to 2008, it is clear that the number of new residence permits granted to third-country nationals has been declining since 2011, with the sole exception of 2017. It can be noted that the period between 2008 and 2013 saw very limited numbers of entries on a humanitarian basis compared to the total: in 2011 they reached 11.8 per cent but they were decidedly lower in the other years.<sup>3</sup>

Table 3 Reason for the permit of residence (percentage and total number, 2008-2018)

	Reason for the residence permit					Total (No.)	Change on previous year (%)
	Work	Family	Study	Asylum/humanitarian reasons	Other*		
2008	50.7	35.5	4.3	6.4	3.1	286,242	
2009	63.8	28.3	4.0	1.9	2.1	393,031	37.3
2010	60.0	29.9	4.4	1.7	4.0	598,567	52.3
2011	34.4	38.9	8.7	11.8	6.2	361,690	-39.6
2012	26.9	44.3	11.7	8.7	8.4	263,968	-27.0
2013	33.1	41.2	10.7	7.5	7.6	255,646	-3.2
2014	23.0	40.8	9.9	19.3	7.1	248,323	-2.9
2015	9.1	44.8	9.6	28.2	8.3	238,936	-3.8
2016	5.7	45.1	7.5	34.3	7.3	226,934	-5.0
2017	4.6	43.2	7.0	38.5	7.4	262,770	15.8
2018	6.0	50.7	9.1	26.8	7.3	242,009	-7.9

Note: \* For example: elective residence, religion, health, etc.

Source: Istat.

During 2019, the migratory pressure on Italy was considerably lower than in the previous period, in particular compared with 2015-2017. In the first ten months of 2019, the Ministry of the Interior registered 31,136 applications for international protection, as Table 4 shows.<sup>4</sup> At the same time, migrants arriving by sea (the so-called *sbarchi*)

3. Also considering that, between 2009 and 2011, regulations were issued on the normalisation of foreigners present in Italy, often already in work but without residence documents.

4. cf. <http://www.libertaciviliimmigrazione.dlci.interno.gov.it/documentazione/statistica>. Source: Ministry of the Interior.

amounted to 11,471, of which a significant percentage will be applying for international protection. These figures show, above all, that *sbarchi* no longer represent the main route of entry into the country for foreigners applying for international protection. This is, instead, formed by other and different channels of entry: by land, across the eastern border with Slovenia; or through other forms of independent arrival. There is no doubt, however, that the Mediterranean route represented in previous years the main point of access for asylum seekers and refugees.

Table 4 Asylum seekers, migrant arrivals (Mediterranean route) and new residence permits, by status (number, 2015-2019)

	2015	2016	2017	2018	2019*	2015-2019
Asylum seeker applicants <sup>5</sup>	83,970	123,600	130,119	53,596	31,136	422,421
Migrant arrivals (Mediterranean route) <sup>6</sup>	153,842	181,436	119,369	23,370	11,471	489,488
New residence permits (asylum/humanitarian reasons) <sup>7</sup>	68,859	77,927	101,065	64,819	n/a	312,670
Number of resident immigrants for international protection on 1 January (refugees, asylum seekers) <sup>8</sup>	118,020	155,177	197,234	243,577	262,444	+144,424

Note: \* Up to October.

Source: Istat.

Overall, between 2015 and October 2019, applications for asylum and international protection amounted to 422,421, while entries by sea were about 67,000 higher (489,488). This difference can be explained by considering those who did not apply for protection or, at least, did not do so in Italy, choosing to continue the journey to other European Union destinations. Moreover, there are two distinct periods: in 2015 and 2016, the number of arrivals by sea was much higher than the total number of asylum applications. This is due to immigrants arriving in Italy who were registered in the asylum application system only with some delay, such that they were included in the following year's figures. For the most part, this indicates a significant share of migrants who have continued on the migration route to other countries. In 2017, the ratio between the two values was reversed while, in 2018, the number of asylum applications (53,596) was more than double that of arrivals by sea (23,370). In the first ten months of 2019, the number of entries by sea constitutes about 31 per cent of the total number of asylum applications.

As of 1 January 2019, the number of foreign residents with a residence permit granted for asylum, making a request for asylum or for humanitarian reasons was 262,444, representing an increase of just under 20,000 compared to 1 January 2018. This is the smallest annual increase in the 2015-2019 period, although the total number has

5. *ibidem*.

6. *ibidem*.

7. cf. <http://stra-dati.istat.it/>

8. cf. Istat 2016-2019.

more than doubled (from 118,020 on 1 January 2015). Over the four years from 2015 to 2018, new residence permits granted for these reasons amounted to 312,670 although the actual increase in foreign residents with permits granted in these categories was limited to 144,424. This may, in part, be due to the independent movement of a number of asylum seekers to other European countries but, to a large extent, it can be attributed to the transformation of some of those residence permits issued for ‘humanitarian reasons’<sup>9</sup> into work permits or to the loss of legal residence status due to long-term unemployment.

With the continual increase registered in the previous four years, the number of foreign residents with permits granted for asylum, to make a request for asylum or for humanitarian reasons had reached, by 1 January 2019, a number that is difficult to stand by in the near future. Above all, this stems from the drastic increase in the number of applications being rejected (from around 60 per cent to over 80 per cent); essentially, this is related to the most recent legislative changes that have eliminated the category of ‘humanitarian protection’, with asylum being maintained only in a strict sense and even then only in connection with subsidiary protection (see further in next section). The number of foreign residents with permits related to international protection will probably be reduced without a substantial influx of new asylum seekers. This is even considering that, in recent years, at least two-thirds of the residence permits issued in a single year, regardless of reason, were temporary permits equal to or lasting less than twelve months, including permits for making a request for asylum and for temporary humanitarian protection.

### 3. The legal framework for immigration in Italy

The rules governing immigration in Italy are defined in the *Consolidated Immigration Act*,<sup>10</sup> as subsequently amended at several salient points. The text focuses on the rights and duties of foreign residents and, of course, on entry and removal procedures to and from the national territory. The foreign resident is entitled to equal rights with Italian citizens as regards civil, social and labour affairs, also in observance of the Italian Constitution which, in Article 10, establishes that: ‘The legal status of foreigners is regulated by law in conformity with international provisions and treaties.’ In particular, concerning the right of asylum and international protection, the Italian Constitution states: ‘A foreigner who is denied the effective exercise of the democratic liberties guaranteed by the Italian Constitution in his or her own country has the right of asylum in the territory of the Italian Republic, in accordance with the conditions established by law.’

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9. Up until 2018, they represented about two-thirds of residence permits granted to asylum seekers after applications had been examined and consisting usually of short permits for up to one year. The remaining portion consists of residence permits granted for asylum and subsidiary protection, both lasting five years (renewable).

10. Legislative Decree No. 286 del 1998, *Testo unico delle disposizioni concernenti la disciplina dell’immigrazione e norme sulla condizione dello straniero*.

The 1998 Consolidated Act established entry procedures related to the definition of an 'entry quota' programme, basically for work reasons and taking into account family reunification and international protection measures. In 2002, extensive changes were introduced through Law 189 (the so-called Bossi-Fini Law, named after the leaders of *Lega Nord* and *Alleanza Nazionale*, both right-wing parties). The Bossi-Fini Law introduced a tightening of the conditions for regular entry, with the obligation for the migrant to be in possession of an employment contract in order to apply for a residence permit. Furthermore, the Law permitted refoulement within extraterritorial waters based on bilateral agreements between Italy and other countries.

Specific legislation on asylum seekers and refugees has been a clear gap in the Italian legislation that was filled only in 2015 with Legislative Decree No. 142.<sup>11</sup> This Decree, in addition to incorporating European regulations and directives on the subject, systematises the Italian reception system into three levels: first aid and initial reception; first stage reception in the strict sense; and then second stage.

During the most acute phase of the arrival of refugees and asylum seekers by sea, the centre-left government issued the so-called 'Minniti Decree',<sup>12</sup> from the name of the prevailing Minister of the Interior. This Decree reduced legal rights by removing the second tier of judgment for asylum seekers looking to appeal against a denial of their application, abolished the option of a personal hearing<sup>13</sup> and extended the network of detention centres for irregular migrants.<sup>14</sup> The Minniti Decree also 'introduced' volunteering for asylum seekers in the local communities in which they are hosted, although it should be noted that such a concept was previously neither prohibited nor at all limited. The new Decree does not allocate resources; it only establishes that the prefectures (government territorial offices) must 'promote' such voluntary activities in agreement with the municipalities (which already had full authority). In essence, this represented more of a message in response to public opinion than an effective measure.

The most important regulation came in August 2017 with the introduction by the Minister of the Interior in the Gentiloni centre-left government of a code of conduct for NGOs engaged in search and rescue operations concerning migrants at sea. The provisions in the code of conduct are, in fact, based on an application of the so-called 'pull factor' principle in relation to relief operations being conducted by NGOs in this area. Furthermore, it questions their 'loyal cooperation' and requests that they play a

11. Legislative Decree No. 142 of 2015, *Attuazione della direttiva 2013/33/UE recante norme relative all'accoglienza dei richiedenti protezione internazionale, nonché della direttiva 2013/32/UE, recante procedure comuni ai fini del riconoscimento e della revoca dello status di protezione internazionale*.

12. Decree Law 17 of 2017, *Disposizioni urgenti per l'accelerazione dei procedimenti in materia di protezione internazionale, nonché misure per il contrasto dell'immigrazione illegale*, then converted into legislation by Law 46 of 2017.

13. In the first instance, the ordinary procedure has been replaced with a chamber rite without a hearing in which a judge examines a video recording of an interview between the asylum seeker and the territorial commission without the right of challenge and without the judge being able to address questions to the asylum seeker presenting the appeal.

14. Via the introduction of Permanent Centres for Repatriation (CPR), the creation of which was planned in every Italian region. Compared to the four centres operating in 2017, in the following two years only three additional centres were opened.

role somewhere between the humanitarian level and that of helping judicial and police activities in combating illegal immigration.<sup>15</sup>

Despite the sharp decline in the numbers of refugees and asylum seekers, the government established by the 5Star Movement and *Lega* in June 2018 placed strong legislative and administrative restrictions on the reception of migrants. The regulations introduced by Decree Law 113 of 2018 (the so-called ‘Security Decree’<sup>16</sup>) completed the stigmatisation of NGOs by imposing criminal and financial sanctions on rescue ships that are not operating in conjunction with the Italian authorities. Additionally, the Decree again reshaped the Italian reception system, excluding asylum seekers from secondary protection (SIPROIMI) and reserving this category only for the beneficiaries of international protection. In this way, the Decree abolished ‘humanitarian protection’, which represents about two-thirds of the residence permits granted for international protection in Italy and cancelled the registration of asylum seekers in the municipalities in which they are hosted. All this was accompanied by administrative measures to reduce the resources allocated to centres for asylum seekers and the consequent downsizing or elimination of socialisation activities, language training, legal support, mentoring, psychological and health assistance, etc.

In the meantime, several independent observers (NGOs, civil rights lawyers and trade unions) have complained about the negative consequences of the legislation in terms of the increase in irregular migrants. According to estimates there are around 500,000–700,000 migrants who do not have a residence permit (IDOS 2019; Fondazione Leone Moressa 2019), a growing number which also encompasses about 60,000 asylum seekers who, since October 2018, have lost their right to stay in reception centres, many of them as a result of the abolition of humanitarian protection.

The government installed in September 2019 (consisting of the 5-Star Movement, Democratic Party and *Liberi e Uguale*, a left-wing party) has changed the decrees established by the previous government in December 2020.<sup>17</sup>

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15. Under the code, the Libyan SAR (Search and Rescue) area is requested to undertake ‘The commitment not to make telephone communications or send light signals to facilitate the departure of migrants.’ It is also required to undertake the following express commitments: ‘To receive on board, if necessary and for the time strictly necessary, at the request of the competent Italian authorities, judicial police officers so that they can collect information and evidence aimed at investigating migrant trafficking’; ‘To cooperate loyally with the Public Security Authority at the migrants’ planned landing location’; and ‘To declare [...] to the competent authorities of the State in which the NGO is registered all the sources of funding for their rescue operations at sea and to communicate this information to the Italian authorities upon request.’ NGOs present in the central Mediterranean area have also been urged to adhere to the code.

16. Decree Law 113 of 2018, *Disposizioni urgenti in materia di protezione internazionale e immigrazione, sicurezza pubblica, nonché misure per la funzionalità del Ministero dell’interno e l’organizzazione e il funzionamento dell’Agenzia nazionale per l’amministrazione e la destinazione dei beni sequestrati e confiscati alla criminalità*.

17. Law 173 of 18 December 2020 reintroduced humanitarian protection (called ‘special protection’, convertible into a work permit); made the rules for NGOs engaged in search and rescue operations less punitive; reformed the Italian reception system for both asylum seekers and refugees; and strengthened the role of local authorities.

#### 4. The reception system and the integration of asylum seekers and refugees

The reception system for asylum seekers and refugees in Italy is articulated at different levels. After arriving by sea or by land, asylum seekers are assisted in particular hotspot areas,<sup>18</sup> passing through initial reception and rescue centres, both first aid and reception (CPSA) and general reception centres (CDA). First-stage reception also includes CARA (Reception Centres for Asylum Seekers), in which migrants are identified and procedures for international protection started. The reception period should not exceed 35 days, after which the asylum seeker should receive a residence permit for six months, renewable up to the outcome of the asylum request. Capacity in the CARAs is around 4,000, and management is generally contracted to private companies, NGOs and consortia of social cooperatives. The lengthy time required for the definition of an asylum seeker's status by Italy's territorial asylum councils leads to the first-stage reception system being continually over capacity. Because of this, starting in 2015, national government prefectures have been authorised, in the case of the exhaustion of capacity, to activate Extraordinary Reception Centres (CAS), contracted directly to private companies or consortia of social cooperatives. Unlike CARA and CDA, which are stable and permanent structures, CAS units are activated according to need and are intended, by nature, to be temporary.

It should be emphasised that many contractors of CAS centres have been charged with corruption, the misappropriation of funds and the mistreatment of migrants while, as of 2015, 'extraordinary' reception had become the norm: by 31 December 2017, 186,681 migrants had been hosted in reception facilities during the course of the year although, by the end of 2018, their number had fallen to 135,858 and then to 96,862 by 31 October 2019. Out of this current total, 71,935 migrants are hosted in first-stage reception centres (CARA and CDA, but mainly in CAS), while 24,577 are the guests of ex-SPRAR, now SIPROIMI, facilities.

The decrease in guests in reception centres is certainly linked to the reduction in arrivals from the end of 2017. However, the largest drop (equal to a reduction of about 5,000 each month) was recorded in the six months following the elimination of humanitarian protection by the 'Security Decree' and the continuing increase in the rejections of applications for international protection.

Guests in the SIPROIMI centres are, in the main, recent holders of international protection participating in social inclusion programmes although some are asylum seekers awaiting response to a request for international protection (and who had already filed their claim before the new legislation came into force). The SIPROIMI system represents second-stage reception and constitutes a 'decentralised reception system' (each project has an average of twenty guests), coordinated by the Ministry of the Interior through the Central Directorate of Civil Services for Immigration and Asylum, and in which the Italian municipalities play a direct role. They adhere to the

18. There are four hotspot areas (Lampedusa, Trapani, Pozzallo and Taranto) set up to facilitate the provision of initial assistance, identification and information regarding procedures for requesting international protection.

SPRAR network, manage resources, often provide facilities and make agreements on their management with the social cooperatives and NGOs involved in assisting migrants. Hospitality is often organised in small reception centres and in apartments made available by associations, social cooperatives and even by individual citizens.

The local administrations (single municipalities or those which are jointly associated) are responsible for the management of the reception system and are in charge of the assistance and protection of unaccompanied migrant children. In addition to these commitments, the municipalities carry out integration activities through programmes and welfare services which are provided at territorial level. The Italian Constitution also assigns legislative powers to the regions regarding social services, welfare policies and integration, and it is the region that has the task of outlining integration strategies and policies and defining a system of interventions and services for its area. Therefore, the role of the regions is also present in initiatives towards the social inclusion of immigrants, starting from the definition of the regional regulatory framework up to the activation of projects based on European funds (the National and Regional Operational Programme within the Asylum and Migration Integration Fund).

Social cooperatives active in welfare services represent an important sector of the Italian economy and labour market: they employ around 400,000 people;<sup>19</sup> of these, 294,000 work in 'type A'<sup>20</sup> or mixed (A+B)<sup>21</sup> cooperatives. Social cooperatives are also a key player in the immigration services system, especially in former SPRAR projects where, in 2017, they employed 11,734 workers (12.2 per cent on a full-time basis, 60.1 per cent part-time and 25.1 per cent as consultants) (SPRAR 2018). The main activities were dedicated to reception, socio-economic integration and the provision of social and health assistance (17.3 per cent of the total), administrative staff (13 per cent), linguistic-cultural mediators (11.4 per cent), team coordinators (6.3 per cent), legal operators (5.9 per cent), social workers (5.4 per cent) and teachers (5 per cent). Some 58.8 per cent of the professionals employed in such projects are women. Moreover, women are concentrated in particular professions and tasks: they prevail in the roles of social worker (91.8 per cent), psychologist (80.4 per cent), teacher (71.1 per cent), administrative employee (64.6 per cent) and social assistance worker (64.1 per cent).

Taking into account those employed in the extraordinary reception centres, around 40,000 workers were employed up to 2018 across the entire reception system (first and second stages). However, unions of public workers have estimated that, due to the entry into force of the 'Security Decree', around 18,000 jobs could be cut.

From the point of view of national institutions, the Department for Civil Liberties and Immigration operates within the Ministry of the Interior. Within the Ministry, the Central Directorate for Immigration and Asylum Policies deals with the definition

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19. cf. Euricse, *Economia cooperativa. Rilevanza, evoluzione e nuove frontiere della cooperazione italiana*, Rapporto 2015.

20. Social welfare, social health and educational services cooperatives.

21. 'A+B' (mixed) and 'Type B' cooperatives operate to assist people belonging to disadvantaged groups (people with mental disabilities, former drug addicts, the disabled, etc.) and can be engaged in providing employment in various sectors but especially in gardening, catering, cleaning, warehousing, etc.



of the government's migration policies and the analysis and planning of migration policies through territorial immigration councils established in every prefecture. The Directorate manages the European Fund for the Integration of Third-Country Nationals and also participates in the coordination of activities carried out in the implementation of the legislation on immigration and asylum, coordinating, in particular, the activities of the prefecture-level one-stop offices for immigration (see below).

Also part of the Ministry of the Interior is the Central Directorate of Civil Services for Immigration and Asylum, which is responsible for the reception and assistance of immigrants arriving without a residence permit and for whom it is necessary to provide first aid. With respect to asylum, the Directorate manages activities related to the assistance and reception of asylum seekers and those who have already obtained international protection. This also includes the management of the National Fund for asylum policies and services, out of which the Ministry allocates funds to those local authorities that have activated reception and integration services for the applicants and holders of international protection within the SIPROIMI system.

The National Commission for the Right to Asylum operates in the Department for Civil Liberties and Immigration and has the task of directing and coordinating the territorial councils.

The prefectures operate one-stop offices for immigration. Here, foreign nationals may apply for certificates of employment (in relation to fixed-term, permanent and seasonal contracts) within the quotas established annually; for authorisation of the entry of foreign citizens for family reunification purposes; and for the conversion of residence permits granted originally for study or training purposes or for seasonal work into work permits.

Applications for international protection are received at the *Questura* (police and public security headquarters at territorial level) or by the border police, via the completion of a 'C3' form containing the personal details of the applicant, family context and origin, the reasons for the request and the initial specifics useful within the procedure for international protection. This procedure is carried out by the civilian and public security personnel of the *Questura*, usually assisted by cultural mediators.

From the perspective of the Ministry of Justice, particular attention is paid to unaccompanied migrant minors in order to guarantee their protection. The establishment of the Committee for Foreign Minors<sup>22</sup> meets the requirements of the 1998 UN Convention on the Rights of the Child (UNCRC) and is composed of nine representatives from various ministries, bodies and associations operating in the sector, including the Ministry of Justice. The Juvenile Justice Department links up with the Directorates of the juvenile justice centres in the territories.

<sup>22</sup>. According to Article 33 of the Consolidated Immigration Act, Legislative Decree No. 286 of 1998.



## 5. National and local policies on the social rights and integration of migrants

Access to work for asylum seekers is regulated by Legislative Decree No. 142/2015.<sup>23</sup> The residence permit granted to allow an applicant for international protection to make a request for asylum allows that person to be legally employed sixty days from the date of submission of the application. There are no legal limits for access to the labour market for holders of international protection provided they have a valid residence permit. At the same time, there are no dedicated services, provided in a structural and permanent manner, targeted at the inclusion into the labour market of asylum seekers and holders of international protection. They can, however, make use of the active policy tools aimed at 'weak' labour market subjects as well as avail themselves of public services for work, social benefits and allowances provided for all workers legally employed in Italy.

Active labour market policies and, in general, policies and services assisting labour inclusion are, according to the Italian Constitution, within the competence of the regions. Through the Ministry of Labour and Social Policies (MLPS), however, the national government promotes projects and tenders usually on the basis of AMIF and ESF resources. Among these, the most recent is the PUOI (Protection allied to Integration) project.<sup>24</sup> This is based on the activation of individual social and work placement capabilities for people regularly residing in Italy who are characterised by vulnerability or who, according to the current legislation, are citizens with international and humanitarian protection, holders of other residence permits for special protection and citizens who have entered Italy as unaccompanied minors. The PUOI project is focused on no fewer than 4,500 employment paths and seeks to involve public and private operators in the labour market. Courses provide access to a series of integrated services for social and work placement (which include, among others, tutoring, guidance and job search support, and skills assessment) and to a six-month internship. Additionally, attention towards young migrants is present in the PERCORSI project (Pathways to the training, work and integration of young migrants), promoted by the Directorate General for Immigration and Integration Policies within MLPS, as a means of promoting the social and work integration of unaccompanied foreign minors in transition towards adulthood as well as of young migrants up to 23 years of age who entered Italy as unaccompanied foreign minors.

The Ministry of Labour and Social Policies is also a resource provider when it comes to AMIF and ESF applications in the shape of territorial-level proposals for job placements and training provided under regional programmes. Calls for training also envisage access for asylum seekers and the holders of international protection, who are considered to fall within the categories of citizens at greatest risk of social exclusion. The regulatory framework is uniform at national level, since the guidelines regarding internships were defined in an agreement between the national government and the

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<sup>23</sup>. See note 11, *infra*.

<sup>24</sup>. In Italian, the literal meaning of the acronym is 'you can'.

regions in 2017.<sup>25</sup> However, the effective participation of asylum seekers and refugees in internships and work placements depends on the commitment and conviction of the different regional and local administrations. Also in this area there are territorial programmes which can propose various support measures. For example, in 2018 the Emilia-Romagna region authorised 29,378 training and professional internships, carried out by young people, the unemployed, people with certified disabilities and disadvantaged people; these included 1,758 places for asylum seekers or holders of international protection. Internships are generally a job placement tool which, in the case of asylum seekers, is frequently managed by the municipalities in accordance with the paths created by social cooperatives and other project management bodies within SIPROIMI.

Italian language courses for foreigners are offered by the public system in Provincial Centres for Adult Education (CPIA). These are educational institutions that offer services and activities for education and functional literacy and are aimed at Italian and foreign citizens over the age of 16. Courses in literacy and language learning last on average 200 hours, of which 180 are for teaching and 20 for reception and orientation activities. At the end of the course and following the passing of a final test, a certificate is issued that is valid in obtaining or renewing a residence permit (this is a condition of Integration Agreements<sup>26</sup> as well as EU long-term residence permits).

Of course, there are also many initiatives by associations and NGOs committed to defending the rights of migrants, especially those included in the reception centres.

Access to welfare services and benefits is generally open to legally-resident foreigners and also to asylum seekers and the holders of international protection. Nevertheless, especially at local level there are measures which have a discriminatory effect, or which discourage access by immigrants: the length of residence criterion for access to social housing or childcare services; the request for special documents to account for assets owned in the country of origin before accessing social benefits; etc. A registered residence is a necessary condition for obtaining any kind of social benefit, starting with access to the National Health Service. In Italy, the right to health protection for people outwith European Union citizenship, even if not in compliance with the rules for entry and stay, is guaranteed by the Consolidated Immigration Act. The right to healthcare has also been extended to foreigners present in Italy under conditions of legal irregularity (Temporarily Present Foreigners – STP), guaranteeing them essential, continuous and preventive medical programmes in addition to emergency treatment. Almost all the regions have regulated access to health services, similarly to STPs, through a code of conduct (European Non-Member – ENI) which gives universal coverage consistent with the Italian Constitution. There are also specialised services

25. *Accordo tra il Governo, le Regioni e Province autonome di Trento e Bolzano sul documento recante Linee guida in materia di tirocini formativi e di orientamento*, 25 May 2017.

26. The Integration Agreement is a pact set out at the time an application for a residence permit is submitted. The Italian State undertakes to provide the tools for the acquisition of the principles of the Italian Constitution and of the bases of Italian culture and language; while the immigrant undertakes to adhere to the courses and initiatives proposed and, in particular, to achieve A2 level knowledge of the Italian spoken language and to comply with the obligation of education for minors.

that focus on foreign beneficiaries: including volunteering and social activities but also public services (from local clinics to structures such as the National Institute for Health, Migration and Poverty (INMP) in Rome).

The regulations introduced by Law Decree 113 of 2018 (the ‘Security Decree’) deprive asylum seekers of the right to register with the municipalities in which the reception centres where they are resident are located. The ‘Security Decree’ makes access to welfare services and other opportunities particularly complex, even without establishing specific prohibitions. This legislative intervention places asylum seekers in a grey area that is a source of unease, delay and contradictions of administrative practice since asylum seekers in possession of a residence permit to make a request for asylum are not uniformly recognised as regards access to employment services, schooling, private financial services, etc. Moreover, various court rulings<sup>27</sup> have established the right of asylum seekers to register with the municipalities in which they reside, even if these judgements will not have general application until the Constitutional Court has pronounced on the ‘Security Decree’ that withdrew this requirement of asylum seekers. In addition to the anticipated judgement of the Constitutional Court and individual judicial rulings, various interventions by local administrations have allowed the registration of asylum seekers. At regional level, Tuscany has issued Regional Law 45 of 2019, which defines *Provisions for the protection of the essential needs of the human person*. This Law establishes that all those residing on the territory of Tuscany, foreign or otherwise, have equal right of access to essential medical care, nutrition, social assistance, temporary housing, education and childcare. These rights are, therefore, now explicitly recognised even in respect of those who do not have a residence permit.

## **6. The role of trade unions in promoting the rights and social inclusion of migrants**

There are initiatives undertaken by trade unions which have also produced results at territorial level. For example on the territory of the Association of Municipalities of the Reno Lavino and Samoggia Valleys<sup>28</sup> (part of Emilia-Romagna) an agreement was signed in February 2019 ‘With regard to Security Decree No. 113/2018’ between the association of local administrations and the CGIL, CISL and UIL trade union confederations. In line with this agreement, the public administrations have undertaken to set up a ‘register’ for asylum seekers (and those appealing against rejection decisions by the territorial asylum councils), so as to guarantee them access to administrative procedures, public health and the social benefits of local welfare services.

The participation of trade unions in such institutional initiatives and agreements is part of a very original practice among the Italian trade union confederations: so-called

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27. In spring 2019, the courts of Florence and Bologna accepted the appeal of asylum seekers who, because of the ‘Security Decree’, had been denied the possibility to register with the municipality even though they held residence permits to make a request for asylum.

28. This is an association of municipal administrations that share services and jointly carry out some municipal functions (local police, registry offices, childcare services, social services, urban planning and environmental planning, etc.).

‘social negotiation’. This is negotiation activity carried out by CGIL, CISL and UIL with local administrations, the Association of Municipalities, public health care agencies, consortia of providers of social services, etc. Social negotiation is not part of collective bargaining – it does not establish contracts but agreements, shared objectives and protocols – and it is asymmetrical because public administrations control the policies and functions that realise the content of such agreements. In 2018, social negotiation involved around 1,000 Italian municipalities to the benefit of a population that can be estimated at around 15 million (80 per cent concentrated in the regions of northern Italy in which some 60 per cent of immigrants reside). The result of these negotiations takes the form of agreements that define some aspects of municipal financial budget lines, applied levels of taxation and tariffs, services and the performance of local welfare.

Immigrants, both directly and indirectly, are among the growing beneficiaries of social negotiation agreements. Data from the CGIL and SPI Observatory on Social Negotiation (CGIL *et al.* 2019) show that, in 2018, agreements that defined interventions in favour of immigrants stood at 28.4 per cent of the total. These agreements focused on the territorial services intended for the reception of migrants (CAS, SPRAR, etc.); assistance to unaccompanied foreign minors; and interventions concerning family care and assistance workers (most of whom are foreigners). Alongside this, in recent years a greater number of agreements has emerged on immigration issues, especially regarding integration: combating racism and xenophobia; intercultural initiatives; integration measures aimed at foreign minors attending primary and secondary schools; language courses; and adult education. Moreover, social negotiation can be linked to collective bargaining, especially in economic sectors that are of particular importance in respect of the social and labour rights of foreign workers, i.e. where immigrants are present to a very significant extent in these fields, with such initiatives resulting in agreements on contractual regularity; health and occupational safety; and undeclared work, especially in public procurement contracts. The commitment of trade union organisations to migrants is also carried out through information campaigns and projects in collaboration with NGOs.<sup>29</sup>

An important resource for social inclusion and the protection of immigrant workers’ rights is trade union membership. Membership trends among foreign workers have been positive for several years, and this is something which has not been affected by the large number of acquisitions of citizenship (which, if anything, may have positively affected Italian unionisation rates). In 2018, the figure for foreign members in CGIL, CISL and UIL surpassed the symbolic threshold of one million members for the first time: a total of 1,016,095 (De Sario 2019). Compared to 2017, there has been a growth of over 40,000 foreign members in the three confederations; and about 90,000 compared to 2016. In percentage terms, foreign workers represent nine per cent of the total number of affiliates of the three unions: CGIL had the highest share, at 9.6 per cent in 2018 (compared to 8.9 per cent in 2017), followed by CISL with 8.4 per cent (+ 0.4 percentage points) and UIL (stable at 8.4 per cent). If we consider the share

29. See the recent *Io accolgo* campaign, promoted and sponsored by CGIL, CISL and UIL, Arci, Save the Children, Action Aid, Médecins Sans Frontières, Caritas and many others. <http://ioaccolgo.it>

of foreigners among active workers only (i.e. excluding pensioners), the incidence is much higher and approaches 15 per cent (for CGIL, 15.7 per cent; CISL, 13 per cent). Again focusing only on active workers,<sup>30</sup> the concentration of immigrants among trade union members is particularly significant in specific sectors, albeit that there are some differences between the confederations: construction (between 25 per cent and 30 per cent); trade and services (22-23 per cent); agriculture and the food processing industry (16-27 per cent); and the industry sector (15-16 per cent).

## 7. Immigrants in the Italian labour market

The focus of this chapter is the labour market integration of asylum seekers and refugees, particularly in the wake of the 2015/2016 migration levels in Italy, but a background to the general picture regarding the employment of immigrants in Italy is presented here as a point of departure for what we will describe in section 8.

The employment of foreigners in Italy is strongly characterised by fragility, uncertainty and elements of inequality above all because of the place they occupy in the labour market: over one-third of foreign workers are employed on involuntary part-time or temporary contracts; 32 per cent of occupied immigrants work in unskilled professions (compared to about ten per cent of nationals); and, as regards industry sector, more than one-quarter work in personal services (mainly family care and assistance) while a further quarter are in hotels and restaurants, transportation, warehousing and construction. Furthermore, the pay gap is significant and delineated by an average net wage for Italian citizens of €1,530 (full-time) and €825 (part-time) compared to €1,188 and €675 for foreigners (Ferrucci 2018). This is not only due to limited professional mobility but also to the violation of contractual rights and the underemployment of foreign workers.<sup>31</sup>

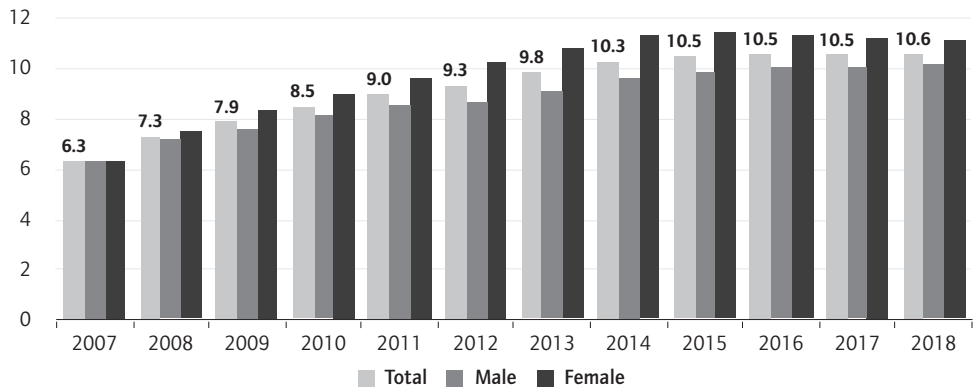
The active population of foreign citizens in Italy (i.e. employed and unemployed people looking for a job) comprised 2.86m foreign citizens in 2018, representing 11.0 per cent of the total. This percentage has been stable since 2015 following the significant increase registered in the previous eight years (+4.5 percentage points). The employed population comprises 2.46m foreign citizens, 10.6 per cent of the total; this percentage increased significantly between 2007 and 2015 (+4.3 percentage points) but it has not changed significantly since (Figure 1).

The share of foreigners in female employment grew considerably between 2007 and 2015, at which point it reached an all-time high of 11.4 per cent, consistently exceeding the share of immigrants in male employment.

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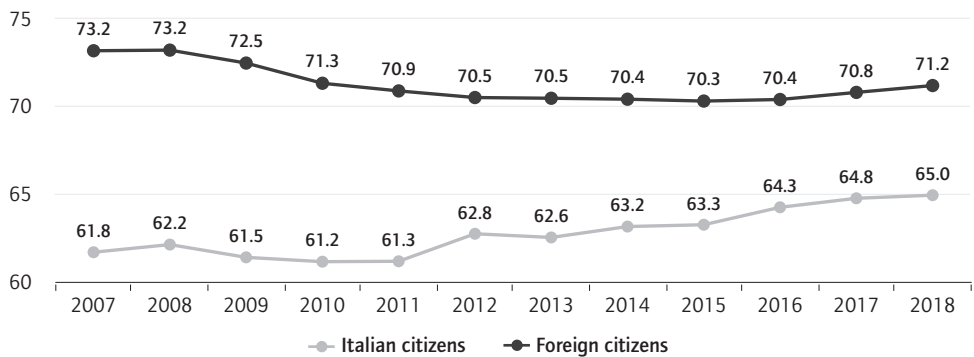
30. Peculiarly, each of the main Italian trade union confederations is structured along the lines of industry federations and pensioner associations. The pensioner associations are, essentially, composed of former active workers but whose affiliation to the confederation is as pensioners with no connection with industry origin.

31. The values presented in this paragraph and in the following ones are our own elaborations (Giuliano Ferrucci, Fondazione Giuseppe Di Vittorio) of Istat data (the Continuous Labour Force Survey – CLFS).

**Figure 1 Foreign workers in employment as percentage of total employment (2007-2018)**

Source: Fondazione Guiseppe di Vittorio elaborations of Istat CLFS data.

The contribution of foreign citizens to the labour force is particularly significant in Italy where, unlike in other European countries, their activity rate has been higher than that of nationals (Figure 2).

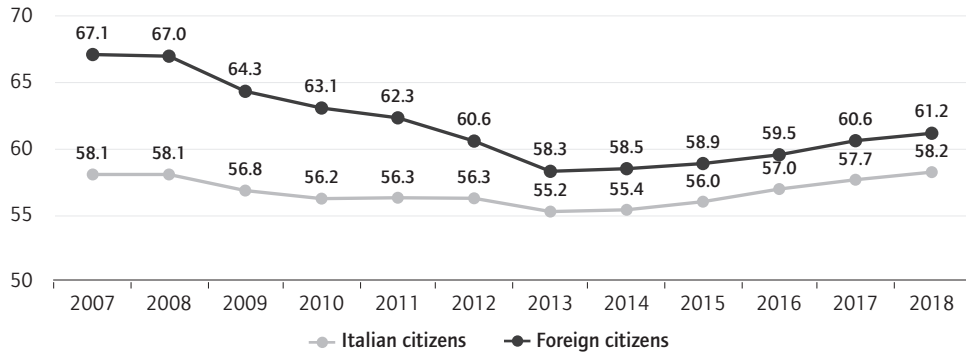
**Figure 2 Activity rates (15-64 years) of Italian citizens and foreigners (percentage, 2007-2018)**

Source: Fdv elaborations of Istat CLFS data.

Despite a decrease in the activity rate of immigrant males in the years of the crisis (from 88.3 per cent in 2007 to 81.3 per cent in 2014) – determined at least in part by their over-representation in those sectors most affected by the recession (such as construction) – the participation of all immigrants (both men and women) remains more than six percentage points higher than that of Italians, as Figure 2 shows.

While the employment rate of foreign citizens is also higher (+3 percentage points compared to the employment rate of Italians in 2018; see Figure 3), the difference on this measure has significantly decreased over the last eleven years (in 2007, it was +9 percentage points). This narrowing gap is not so much due to an increase in employment among Italian citizens as to a considerable fall in the employment rate for

Figure 3 Employment rates (15-64 years) of Italian citizens and foreigners (percentage, 2007-2018)



Source: Fdv elaborations of Istat CLFS data.

foreigners, mostly driven by the sharp drop in the employment rate of male foreigners (-15.4 percentage points between 2007 and 2014; not shown in Figure 3) due to the first and, more so again, the second recession.<sup>32</sup>

The difference between the employment rates of foreigners and Italians is clearly attributable to the high rates among all male immigrants as well as among women from EU countries. The occupational situation of women of non-EU origin is more problematic and it is this which exerts a significant weight in compressing their employment rate and increasing the rates of unemployment and inactivity. Despite the difficulties we have mentioned, the presence of women among employed migrants is significant. For example, women represent 44 per cent of immigrant blue collar workers but two-thirds of immigrant white collar employees (+11.5 and +9.5 percentage points compared to the share of women in the same groups who have Italian citizenship), as well as 46.7 per cent of freelancers (+11.8 percentage points compared to the Italian figure).

Another distinctive aspect of the employment of foreign citizens in the labour market is age: 29.7 per cent of foreign workers are under 35 (26.9 per cent of EU workers and 31 per cent of non-EU workers), a very high share when compared to the 21.1 per cent for Italian citizens.

As regards territorial distribution, employees with non-EU citizenship are concentrated in northern regions (60.7 per cent), in particular in the north-west (36.5 per cent). Those coming from other EU countries are more likely to work in central regions (31 per cent). Finally, the south has only 15.2 per cent of EU employees and 16.7 per cent of non-EU ones, compared to 27.9 per cent of Italian citizens.

32. It must be said that the absolute number of employed immigrants of working age (15-64 years) never decreases from one year to the next but, in the years of the crisis, it increased proportionally less than the reference population (foreign residents aged 15-64).



Turning next to educational qualification, the share of EU and non-EU foreign employees with lower secondary education or below is higher than the percentage estimated for Italians (respectively, 33.2 per cent and 58.6 per cent vs. 28.6 per cent), while the percentage of graduate foreign workers is far below that of the Italian population. Furthermore, from an analysis of data by workers' level of education and the skill level required by occupation, it is possible to estimate the rate of over-qualification of those in employment; in other words, the percentage of people with a university degree who are carrying out work requiring only intermediate or a low level of skill (OECD 2018).<sup>33</sup> The fraction of foreign graduates employed in a low or intermediate skill profession is very high, rising as far as 63.1 per cent (46.2 per cent among EU citizens and 73.6 per cent among non-EU citizens) compared to an estimated 17.5 per cent for Italians (MLPS 2019).

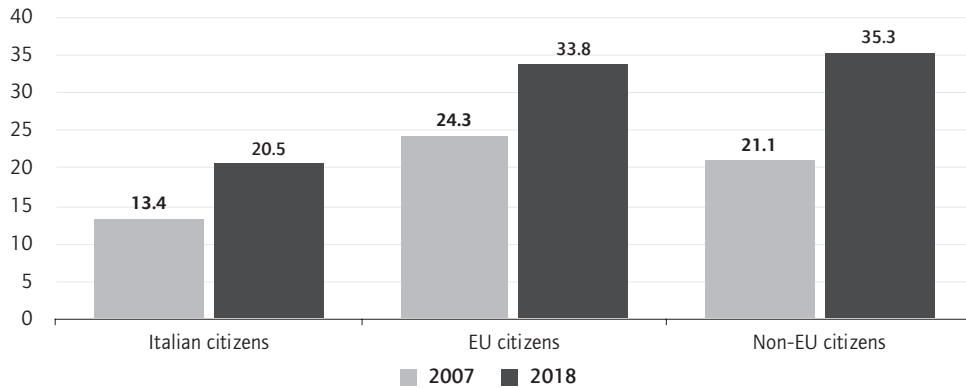
On top of this, the migrant labour market is characterised by a profound segmentation of jobs: only 1.2 per cent of those in employment are in a managerial position compared to 7.8 per cent of Italian citizens; additionally, 76.8 per cent are workers compared to 31.4 per cent of Italians. The Italian economy has, in the last twenty years, followed a development trajectory that has rewarded specialist and cognitive professions to the detriment of tasks requiring intermediate qualifications, such as office clerks, artisans and specialised workers, or those engaged in semi-skilled activities in commercial activities (Ferrucci 2018). Between the first half of 2007 and the first half of 2018, the number of workers in occupations not requiring qualifications increased overall by almost 30 per cent (+563,000 employees), with a preponderant contribution of the foreign component (+408,000, equal to 70 per cent of that increase). In the first half of 2018, one in three foreign workers were working in occupations that did not require a qualification (25.1 per cent of EU and 36.6 per cent of non-EU workers), compared to just 8.1 per cent of Italian workers. The presence of immigrant workers is also significant in 'qualified occupations in commercial activities and services' (where they represent 14.8 per cent of employment) and among artisans, specialised workers and farmers (14.6 per cent).

Precariousness and uncertainty are increasingly widespread among foreign workers. In 2018, some 4.96m people aged 15-64 years were engaged in temporary work because they could not find a stable job, or were in a part-time job because they could not find a full-time one. These form the so-called 'hardship segment' of the labour market, which includes 839,000 immigrant workers (16.6 per cent of the total), of which one-third were from the EU and two-thirds from other countries. The 'hardship segment' grew progressively from 2007 to 2018 (an increase in this period of no less than 58.2 per cent), while the share taken by foreigners grew by seven percentage points (from 9.9 per cent to 16.9 per cent). The 'hardship rate' – that is, the ratio between those employed in the 'hardship segment' and all in employment – was much higher for foreigners (34.7 per cent in 2018) than for Italians (20.5 per cent), with an increase, respectively, of 13.1 and 7.1 percentage points on 2007 (see Figure 4). In particular, the increase is much more significant for non-EU foreigners, whose share grew from 21.1 per cent to 35.3 per cent.

33. The overqualification rate is the percentage of employees with education between ISCED 5 and ISCED 8 not employed in professions classified in ISCO 1, ISCO 2 or ISCO 3.



Figure 4 **Hardship rates (15-64 years) among Italian citizens and foreigners (percentage, Q1 2007 and Q1 2018)**



Source: Fdv elaborations of Istat CLFS data.

These characteristics of the immigrant labour market are reflected in statistics on poverty. In 2018, the number of immigrants in absolute poverty was estimated at more than 1.5m, i.e. 30.3 per cent of foreign residents, while the rate for Italians was 6.4 per cent (MLPS 2019). Considering families, the incidence of absolute poverty is 25.1 per cent among households containing at least one foreigner (27.8 per cent for those composed only of foreigners), but 5.3 per cent among families consisting only of Italians.

The condition of poverty also affects those who are in work: due to the characteristics of employment, salary gained and family situation, the worker may not have the necessary resources to purchase essential goods and services. Among employed Italians the incidence of absolute poverty affects 3.5 per cent of families, but more than one-quarter of households consisting only of migrants, despite one or more family members being in work, is affected by poverty.

## 8. Access of asylum seekers and refugees to the Italian labour market and their working conditions

Currently, there are no reliable and available statistical sources regarding access to the labour market for asylum seekers and refugees. The Continuous Labour Force Surveys (CLFS) carried out by Istat do not include information on type of residence permit and, therefore, only refer to the status of 'foreigner', as expressed by nationality. Administrative data does exist which refer to the 'mandatory communications' that employers are required to make at the time of the activation or modification of an employment contract; in such a case, the residence permit of the worker is also recorded. Nevertheless such data, although in the possession of the information system of the Ministry of Labour and Social Policies, are not made available to the public although these would allow a processing of the stock of work contracts as well as the number of workers.

In order to provide some general insights into the inclusion in employment of asylum seekers and refugees, we have based our work on the 2018 CLFS. We selected the nationalities of non-EU citizens where residence permits issued for international protection constitute at least fifty per cent (and in many cases even eighty per cent) of the total number of residence permits issued between 2015 and 2017 to people from such nationalities. Through this identification of immigrant groups with a high rate of international protection (IGHIP), we can attempt to identify asylum seekers and refugees, as far as the available data allow, and compare this with other non-EU foreigners and EU foreigners present in Italy.

Obviously, within these nationalities there is a significant portion of migrants who have residence permits other than for reasons of international protection. This proportion naturally increases with length of stay in Italy due to the gradual transformation of permits from humanitarian and international protection reasons to ones of work or family reunification. This dynamic should be taken into account in the analysis of the data attributable to IGHIP, but it is likely that, among immigrants residing in Italy for up to three years, as well as from between four and six years, the group who are asylum seekers and holders of international protection is, in any case, likely to be significant.

Overall, these nationalities represented, in 2018, 504,000 people,<sup>34</sup> out of a total number of foreign residents of over 5m, as Table 5 shows. Meanwhile, Table 6 provides information on the composition of immigrants by country group and duration of stay, as of 2018.

**Table 5 Immigrants in Italy by citizenship (number in thousands and percentage, 2018)**

	N	%
IGHIP	504	0.84
Other non-EU citizens	2,995	4.98
EU citizens	1,539	2.56
Italian citizens	55,135	91.62

Note: IGHIP stands for Immigrant Groups with High rate of International Protection.  
Source: Fdv elaborations of Istat CLFS data.

**Table 6 Distribution of immigrants by years of stay in Italy (in percentage, 2018)**

	IGHIP	Other non-EU citizens	EU citizens
Years of stay	%		
Up to 3 years	15.9	6.9	4.0
4-6 years	14.0	10.9	7.5
7-10 years	26.9	21.2	20.3
More than 10 years	43.3	61.0	68.2
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>

Source: Fdv elaborations of Istat CLFS data.

**34.** These are the citizens of Bangladesh, Senegal, Pakistan, Nigeria, Ghana, Ivory Coast, Mali, Guinea, Gambia.

When looking at the labour market situation, the IGHIP unemployment rate is significantly higher than for other groups: 17.8 per cent compared to 13.7 per cent (non-EU foreigners) and 13.5 per cent (EU foreigners), as Table 7 indicates. Gender differences are also significant: as much as 34.9 per cent of IGHIP women are unemployed compared to 16 per cent of other non-EU women. It is interesting to note that the unemployment rate differs according to years spent in Italy. Among those people we have classified as falling within IGHIP, it is 31.4 per cent for those with up to six years in Italy; among other non-EU foreigners it is similarly high for those with up to three years residency (28.5 per cent) before falling significantly among citizens present in Italy from between four and six years (18.4 per cent). Therefore, even if IGHIP foreigners do share high unemployment rates with non-EU citizens during the initial period of their stay in Italy, their inclusion into employment seems to be comparatively slower over time.

Table 7      **Employment and unemployment rates (in percentage, 2018)**

	Employed	Unemployed
IGHIP	56.3	17.8
Other non-EU citizens	60.7	13.7
EU citizens	63.5	13.5
Italian citizens	58.2	10.2
<b>Total</b>	<b>58.5</b>	<b>10.6</b>

Source: Fdv elaborations of Istat CLFS data

Similarly, the IGHIP employment rate is lower compared to other non-EU foreigners and EU foreigners: 56.3 against, respectively, 60.7 per cent and 63.5 per cent. It should be noted that these rates are, in any case, close to the employment rate of Italian citizens (58.2 per cent). The IGHIP figure is particularly affected by low female employment rates, which amount to just 23.6 per cent compared to 49.4 per cent among non-EU foreign citizens. Inclusion in the labour market is thus particularly slow for those in the IGHIP group, similar to other non-EU foreigners of recent arrival: just one-quarter of both groups are employed among those who have recently arrived in Italy (03 years of stay).

Occupational and social inclusion is undoubtedly also a reflection of the type of contract that is offered to foreign workers. Among those nationalities which fall among the general IGHIP group, the figure does not differ significantly from other non-EU and EU foreigners: about one-half are employed on the basis of a stable full-time contract (see Table 8). The presence of employees on part-time employment contracts and temporary workers is significant for all groups, but highest for IGHIP (22 per cent). The differences appear clearer when comparing the groups by years of stay: for those with up to three years in Italy, those in IGHIP who work under a permanent full-time contract are just 30.1 per cent, against 40.6 per cent for non-EU foreigners and 49.3 per cent for EU foreigners. At the same time, the situation seems to worsen among the IGHIP group present in Italy from four to six years, i.e. in the period, presumably, of transition from forms of international protection to ordinary residence permits: only 20.8 per cent are permanently employed in full-time jobs. Similarly, the number of temporary workers increases, reaching 40 per cent of employed people in IGHIP present in Italy from

four to six years, while they halve to values of about 20 per cent among other non-EU foreigners. Self-employment (16.1 per cent) is also more widespread among those in the IGHIP group, both with respect to EU and non-EU foreigners.

**Table 8 Types of employment by citizenship (percentage, 2018)**

	IGHIP	Other non-EU citizens	EU citizens	Italian citizens
Full-time employee	48.0	49.4	53.5	52.8
Full-time self-employed	16.1	10.0	8.0	20.4
Part-time employee (voluntary)	1.8	4.9	4.6	6.1
Part-time employee (involuntary)	11.1	16.3	13.1	7.2
Temporary employee	22.0	18.6	19.4	12.4
Workers in co-operatives	1.0	0.8	1.5	1.0
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

Source: Fdv elaborations of Istat CLFS data.

**Table 9 Economic sector destinations of the employed by citizenship (ATECO 2007, percentage, 2018)**

	IGHIP	Other non-EU citizens	EU citizens	Italian citizens
Agriculture, forestry, fishing	6.3	6.0	7.0	3.5
Industry (excl. Construction)	32.5	16.2	17.1	20.3
Construction	1.7	9.0	13.5	5.6
Wholesale and retail trade	19.1	10.8	6.8	14.6
Hotel and restaurants	12.8	11.8	8.1	5.8
Transportation, warehousing	7.2	4.3	6.0	4.8
Information and communications services	0.3	0.3	0.9	2.8
Financial services	–	0.2	0.4	3.1
Real estate, renting and business services	8.1	7.1	7.5	11.8
Public administration and national defence, compulsory social assurance	0.0	0.1	0.0	6.0
Education, health care and social care	2.6	4.0	7.2	16.2
Other social and individual services	9.4	30.3	25.4	5.5
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

Source: Fdv elaborations of Istat CLFS data.

The position of people within the IGHIP group in the main economic sectors seems to reflect the segmentation of the migrant labour market by nationality, as Table 9 illustrates. This is confirmed for specific sectors: in fact, for IGHIP the share of the construction sector is almost irrelevant (although it is, in contrast, highly significant for other non-EU foreigners and for EU ones, in particular for immigrants from eastern Europe). The same is true among those supplying personal care and assistance services (which are mainly delivered by workers from eastern Europe and Latin America). The concentration of the IGHIP group in industry in the strict sense (32.5 per cent, falling to just 18.9 per cent among those with up to three years in Italy), as well as in commerce

(19.1 per cent), is more accentuated and correlates to ethnic/national origin,<sup>35</sup> with percentages roughly twice as high as other non-EU and EU foreigners.

However, these average figures do conceal some aspects of interest considering years of duration of residence in Italy (and, presumably, the share of asylum seekers and refugees within the IGHIP group). Among foreigners present in Italy for up to three years, as much as 13.7 per cent of the IGHIP group are employed in agriculture or in seasonal fruit and vegetable harvesting compared to 8.8 per cent of other non-EU foreigners and 4.6 per cent of EU foreigners. Unsurprisingly, the sector for the initial entry into the labour market of people among the IGHIP group is precisely the one presenting the highest health and safety risks to workers, characterised by contractual insecurity, illegal practices and control by criminal organisations.

We have already observed that the pay gap between foreign workers and Italians is very significant, i.e. around 20 per cent in favour of the latter. Within foreigner communities, further differences are evident. At the average value in 2018, as Table 10 shows, the gap between IGHIP and other non-EU foreigners is not relevant in respect of full-time contracts (average net income levels of around €1,100 in both cases) although EU foreigners saw slightly higher levels of around €1,260. The pay gap between those who have recently arrived in Italy, on the other hand, is clear: the average full-time remuneration of foreigners residing in Italy from four to six years is around €953 for IGHIP, €1,104 for other non-EU foreigners and €1,202 for EU foreigners.

Table 10 Average net income of employees by citizenship and by working time (€, 2018)

	Full-time	Part-time	Total
IGHIP	1,151	662	1,057
Other non-EU citizens	1,161	663	1,020
EU citizens	1,257	678	1,120
Italian citizens	1,533	835	1,399
<b>Total</b>	<b>1,495</b>	<b>809</b>	<b>1,358</b>

Source: Fdv elaborations of Istat CLFS data.

The effectiveness of public employment services for job searching in Italy is characteristically very low for all workers but in particular for foreigners. Only 2.4 per cent of Italians found their current job through a Public Employment Centre, compared to less than one per cent among foreigners (see Table 11).

Job search channels are, in contrast, mainly based on the personal initiative of workers (see Table 12). The characteristics of job search on the part of those we have classified as falling within the IGHIP group partly coincide with those of other foreigners, above all for the relevancy of the role played by friends, relatives and acquaintances (36.5 per

35. See the reports of the Ministry of Labour and Social Policies and ANPAL (National Agency for Active Labour Market Policies) on the Nigerian, Pakistani and Sri Lankan communities in Italy (MLPS and ANPAL 2018a, 2018b, 2018c).

cent found a job through this channel). Even so, this particular channel – revealing the extent of the social networks among foreigners – is much less used than among other non-EU foreigners (49 per cent) and EU foreigners (46.7 per cent), with those in the IGHIP group showing a greater propensity to start up an independent business (16.3 per cent, compared to 9.8 per cent and 7.4 per cent of non-EU and EU foreigners, respectively).

Table 11 'Did you find this job through a Public Employment Centre?'  
Job search by citizenship (percentage, 2018)

	Yes	No/Don't know	Total
IGHIP	0.4	99.6	100
Other non-EU citizens	0.7	99.3	100
EU citizens	0.7	99.3	100
Italian citizens	2.4	97.6	100
<b>Total</b>	<b>2.2</b>	<b>97.8</b>	<b>100</b>

Source: Fdv elaborations of Istat CLFS data.

Table 12 'How did you find this job?' (If not by Public Employment Centre):  
job search by citizenship (percentage, 2018)

	IGHIP	Other non-EU citizens	EU citizens	Italian citizens
Responded to newspaper announcements, internet, bulletin boards, etc.	1.8	2.2	2.9	4.0
Approached the employer directly	22.8	18.8	21.3	15.7
Contacted directly by the employer	7.4	6.6	6.5	5.7
Relatives, friends or acquaintances	36.5	49.0	46.7	29.5
Public recruitment	2.5	3.7	4.6	16.2
Public structure other than a public employment centre	0.6	0.7	0.6	0.4
Private employment agency	6.9	3.8	3.9	2.8
School, university, training centres	1.8	1.6	1.6	1.3
Previous experience (internships, short-term jobs) in the same company where interviewee works today	3.1	3.5	4.2	5.3
Beginning a self-employed activity	16.3	9.8	7.4	18.0
Other	.	0.1	0.1	0.8
Does not know	0.2	0.2	0.1	0.4
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

Source: Fdv elaborations of Istat CLFS data.

## 9. Conclusions

At the time of the enactment of the *Consolidated Immigration Act* (in 1998), there were about one million foreigners legally resident in Italy. Subsequently, foreigners reached a figure of 1.34m in 2000, two million in 2003 (after the major regularisation of undocumented immigrants ordered by the Bossi-Fini Law), 3.4m in 2007, 4m in 2009 and 5m in 2014. After this rapid growth, at the start of the second half of the decade Italy experienced a concentrated period of intense migratory pressure which, nevertheless, fell within a phase of a relative stabilisation of immigration. As a result, the number of foreigners residing in Italy has remained at around 5m. There is a stable share of EU citizens (currently about thirty per cent of the total number of immigrants in Italy); two-thirds of non-EU foreigners hold EU long-term residence permits; over one million foreigners were naturalised in the 2010s; more than 850,000 foreign students attend Italian schools (from childhood to upper secondary school); and the rate of unionisation of foreign workers is higher than that of Italians. These are all indicators of integration processes that are ongoing, not emerging suddenly but progressively over time; and yet they are not adequately supported by immigration policies and services.

To a large extent, immigration policies have indeed not taken note of this stabilisation and its characteristics. Yet, there is no doubt that the peak of arrivals of asylum seekers and refugees, despite not having significantly affected the total number of foreign residents, has catalysed over years the political and public debate on immigration – and in some ways is still doing so. The 2010s would have required – and would have facilitated, at least up until the peak of asylum seekers and refugees in 2015-2017 – a root-and-branch review of a legislative framework which had clearly become outdated. On the contrary, however, the few legislative and regulatory interventions were focused on tinkering with the regularisation of undocumented immigrants (certifying the inadequacy of regular entry channels) and did not take account of the contrasting trends in migration (and were therefore focused on the contingent situation, not the overall one). All this often took place within public security interventions and a debate over illegal immigration and the criminality, if not terrorism, connected with it.

Moreover, the system of integration – with the exception of the decentralised, but partial, reception of asylum seekers and refugees in SIPROIMI centres – has proven to be inadequate to address emerging issues including the integration of second generation immigrants, poverty within the immigrant population and the segmentation of the labour market. The stalemate and the progressive degradation of public immigration services, characterised by large gaps and underfunding as well as by occupational disqualification, unsatisfied occupational training needs and, in some cases, worker precarity (De Sario 2018) have all contributed to feeding the narrative of a country under pressure and in a condition of presumed permanent emergency.

Conversely, the inclusion of migrants in the Italian labour market demonstrates a series of particularly critical points which have been stable over a period of years. This includes uncertainty, a lack of safety, hardship conditions, low wages and the weak opportunities offered by the active labour market policies which are emphasised for

asylum seekers and refugees. The window of opportunity for change has narrowed – from a political point of view – because of the priority given to the relative peak of asylum seekers and refugees during 2015-2017; at this point Italy lost its chance to improve its systems of reception and integration for asylum seekers and refugees as well as their subsequent degree of inclusion in the labour market.

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# **Permitted to work but lacking opportunities to integrate – asylum seekers and refugees on the mezzanine in Spain**

Alejandro Godino and Daniel Barrientos

## **Introduction**

Migration flows in Spain have experienced strong fluctuations over the past 25 years. Before the 1980s, Spain was mainly a country of emigration but, since then and especially since 2000, it has become positioned as one of the main destinations for international immigration (surpassed in recent years only by the USA within the entire OECD). This trend changed following the impact of the 2008 economic crisis, with fewer arrivals, the return of some of the population living abroad and a surge in outwards migration, particularly among Spaniards. However, the recent economic and employment recovery has put Spain back into position as a relevant destination for international migrants. In the light of that, with regard to the considerable increase in the volume of asylum seekers from 2016 onwards, Spain has, for the first time, become one of the main EU countries receiving applications for international protection: first with the significant arrival of Syrians and Ukrainians, and then, since 2017, Venezuelans. This development has found a Spanish reception and asylum system which is quite unprepared for the task of managing the number of applications received, while the government has opted to decentralise these tasks to the non-profit sector. The recent change of government has led to some amendments being made to certain strategies, although other deficiencies continue.

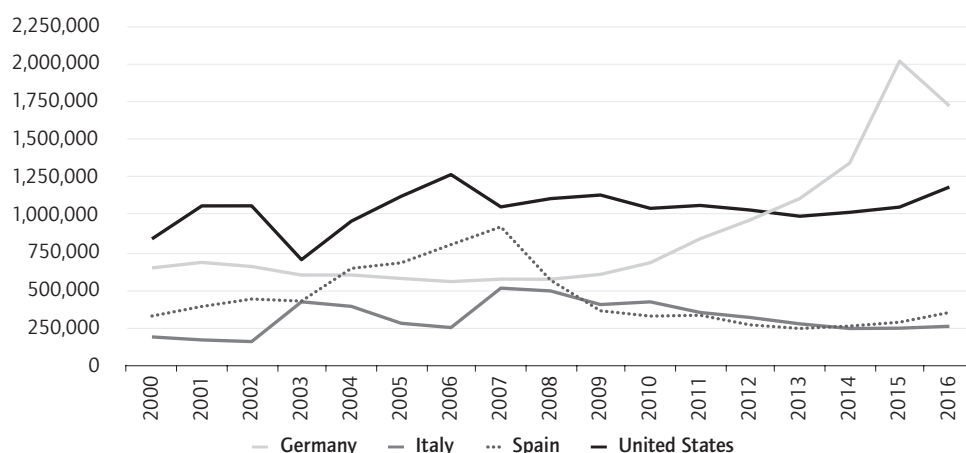
This chapter offers an overview of the integration of refugees and asylum seekers into the Spanish labour market in the context of changing migration flows. The analysis is based on the official data of the Ministry of Labour and the Home Office, available as of December 2019, as well as surveys, research reports and interviews with key actors and experts. It is organised in four sections. The first briefly presents the changing trends in the migrant population especially as regards arrivals in Spain. The second section addresses recent data on asylum requests and refugee recognition rates. The third section deals with the legal and policy framework for asylum and refuge, while giving an overview of the employment programmes being implemented by non-profit organisations. The fourth section presents data on the labour market participation of third country migrants linked with the asylum seeker population. The conclusion highlights the deficiencies in the asylum and refuge system and the challenges it continues to face.

# 1. National context of migration

The arrival of migrants is one of the key elements that has shaped the significant changes we have seen in Spanish society and its economy in recent decades. During a large part of the 20th century, Spain was a ‘country of emigrants’ but, from the 1970s onwards, it became a destination for immigrants and also saw reduced emigrant flows, mainly as a result of the increase in demand in the labour market since 1985 (Cachón 2003) and, to a greater extent, the 2000s (Alonso, Pajares and Recolons 2015). In the first decade of the 21st century, Spain became the leading country in the EU, and the second in the OECD (after the US), in the number of net arrivals of migrants (Figure 1) and was actually in top position in terms of the number of arrivals per head of population (Muñoz Comet 2016).

However, Spain then became one of the European countries which was hit most heavily by the 2008 economic crisis. This reduced the arrival of foreigners (Figure 2) and even boosted the return of already-settled migrants (Bermúdez and Brey 2017). In addition, the impact of the crisis put a halt to the narrowing gap between the labour market characteristics of migrants and those of nationals (Miguélez and Godino 2014; Rinken *et al.* 2018). In contrast to the impact of the crisis in an economic and occupational context, the integration of the migrant population improved significantly during the following years in terms of access to public services (Rinken *et al.* 2018). However, this has not prevented continuing discriminatory practices in the labour market regarding certain migrant groups, including Moroccans (Ramos *et al.* 2019). In that sense, the varied capacity of migrant groups to counter the effects of the crisis corresponds closely with gender and specific origin: the impact is greater in the case of Moroccan women facing a more vulnerable situation in the labour market; but lesser in the case of Ecuadorian women with greater permanence and a better work situation (Moreno-Colom and López-Roldán 2018).

Figure 1 Inflows of the foreign population in Spain, USA, Germany and Italy



Source: OECD 2019.

Nevertheless, after 2014 the Spanish economy has experienced some positive developments (in particular since 2017), with the unemployment rate in 2019 reaching 14.1 per cent (compared to 25.93 per cent in 2014) and a growth in GDP of 2.4 per cent in 2018.

Consequently, migration flows have increased once more: the arrival of migrants on Spanish coasts has intensified: 57,498 people in 2018 compared to 21,971 in 2017 (Ministerio del Interior 2019). Many other people transiting by sea have not been able to reach the Spanish coast: an estimated 1,020 people died or disappeared during crossings in 2018 and the first quarter of 2019 (Caminando fronteras 2019). Others have entered the country over land, jumping the border fences of the cities of Ceuta and Melilla (Spanish territories located geographically on the African continent). It should be noted that the border between Spain and Morocco is considered one of the most unequal in the world in terms of income per capita (Fernández and López-Guzmán 2011; Lara and Herrera 2019). Even so, the main entrance route to the country is actually by air, with people arriving legally as tourists or with limited residence permits and then overstaying (mainly from Latin America (see Table 1)). In that sense, maritime arrivals represent a very small proportion of total entries which is not in correspondence with the media attention it receives and which often distorts public perception (González-Ferrer 2020).

These events have been the subject of public debate in recent years, but not in policy-making circles until the change of government that took place in mid-June 2018. With the entry of the Spanish Socialist Workers' Party (PSOE) government of Pedro Sánchez, there have been several noteworthy actions in this regard. The State Department for Migration was moved from the Home Office to the newly-created Ministry of Labour and Migration<sup>1</sup> (also encompassing the revival of what is now the Directorate-General of Inclusion and Humanitarian Attention). The government allowed the landing of the sea rescue ship 'Aquarius' with 630 persons onboard (raising diverse reactions from the public). Furthermore, it launched a reform to approve extraordinary resources for the support of asylum seekers and refugees, while it also restored universal access to public primary health care for foreigners with irregular status (Arango *et al.* 2018). Even so, there were public clashes between the vice-president of the Spanish government (Carmen Calvo) and the NGO Proactiva Open Arms over that NGO's management of the rescue operation of 163 people in the Mediterranean Sea in August 2019.

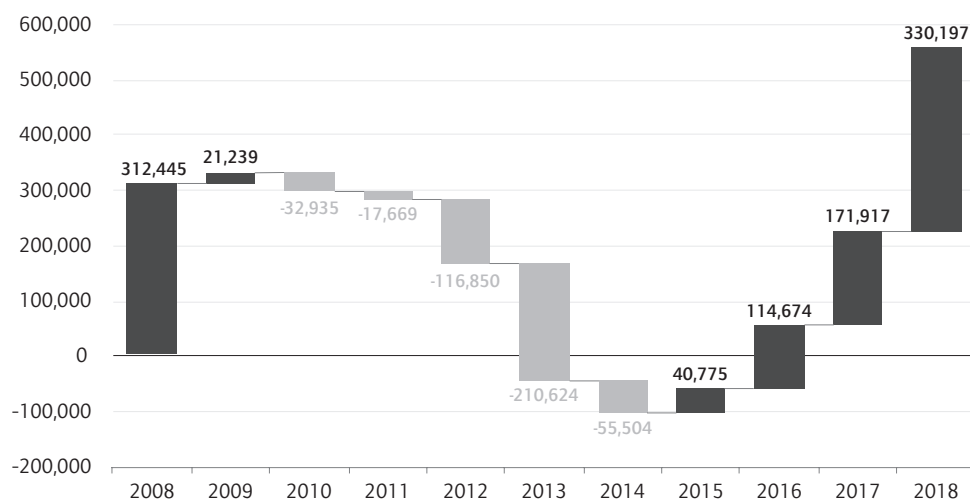
## 1.1 Evolution of migration flows

Data from Migration Statistics (INE), which collects data on the registry of residents in municipalities,<sup>2</sup> show that the migration balance in Spain was increasingly negative in the most adverse years of the crisis (2010-2015), with 1,741,508 arrivals in that

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1. This was divided into two different ministries in January 2020 (Ministry of Inclusion, Social Security and Migration; and Ministry of Labour) as a result of the formation of the new coalition government between the PSOE and *Unidas Podemos*.
  2. These data form the Residential Variations Statistics. To consider these residential variations part of the migration flow, a stay in the new place of residence of at least one year is required (Consejo Económico y Social 2019).

period outnumbered by the 2,134,315 people who returned to their countries of origin or who migrated elsewhere to other countries (along with 401,312 Spaniards who also left the country). From 2015, however, economic and employment recovery has been accompanied by a renewed inwards migration, with a positive balance that has grown year-on-year. In 2018, the migration balance reached 330,197 as a result of the arrival of 1,365,433 foreigners compared to 748,645 departures (Figure 2). Therefore, the trend seems to emerge that, in Spain, migration is a phenomenon linked to the economic and social development of the country (Consejo Económico y Social 2019).

Figure 2 Migratory balance in Spain (2008-2018)



Source: Migration Statistics (INE 2019).

Regarding the origin of recent arrivals from non-EU countries, these differ somewhat from the profile of the migrant population already settled in Spain, in which the Moroccan population has a central presence. On average for the 2014-2018 period, Moroccans in Spain represented 14.70 per cent of the foreign population (686,959 people), followed by Ecuadorians (3.56 per cent), Colombians (3.22 per cent), Bolivians (2.0 per cent), Ukrainians (1.93 per cent), Argentines (1.59 per cent), Russians (1.47 per cent), Dominicans (1.40 per cent) and Venezuelans (1.25 per cent). Although Moroccans also led the arrival of foreigners from non-EU countries in this period, the origin of the rest of the countries changes slightly, with an exponential increase in arrivals from Venezuela in particular (Table 1).

Currently, more than three million Venezuelans are living outside the country's borders, most having emigrated in the 2016-2018 period as a result of the country's economic and political crisis (Seele *et al.* 2019). Destination countries are mainly in Latin America, although Spain has become the main trans-oceanic destination for Venezuelan emigration (Bayona *et al.* 2018; Domingo and Galeano 2018) and the fifth in all after Colombia, Peru, Chile and the USA (International Organization for Migration 2019). The arrival of Venezuelans in Spain is not only taking place through ordinary

legal migration procedures or via tourism (and overstaying without documentation), but also through asylum requests (Figure 4); in fact, Venezuelans led the numbers of asylum applications in Spain over the whole 2014-2018 period (34,939), displacing Syrians in the last two years as the main nationality of asylum seekers in Spain (noting that requests for asylum do not generally translate into favourable resolutions).

Table 1 Net cumulative arrivals of non-EU migrants by country of origin between 2014 and 2018

Country	N
Morocco	170,192
Venezuela	125,883
Colombia	65,873
Honduras	51,198
Brazil	51,132
China	50,567
Peru	47,376
Argentina	39,842
Dominican Republic	36,733
Ukraine	36,017
Russia	35,443

Source: Migration Statistics (INE 2019).

## 2. Refugees: a new challenge

Spain has begun to stand out as a relevant destination for asylum applications only recently, partly because of the bureaucratic maze involved in requesting asylum and obtaining a (favourable) resolution (Figure 3). In 2014, the country received just 5,245 applications, representing only 0.95 per cent of all the applications made within the EU. In 2015, the sheer number of refugee arrivals (Díaz *et al.* 2018) saw applications almost triple with the increase in Syrian arrivals through Melilla (although asylum applications in Spain still barely represented one per cent of requests in the EU), bringing the Spanish system of international protection to the verge of collapse. Subsequently, many asylum seekers followed a route to northern Europe before the Spanish government (after some hesitation) implemented a series of measures to face up to this crisis (a greater investment budget, an increase in administrative staff to process applications, improvements to the integration and asylum system and an increase in reception capacity) (Iglesias *et al.* 2018).

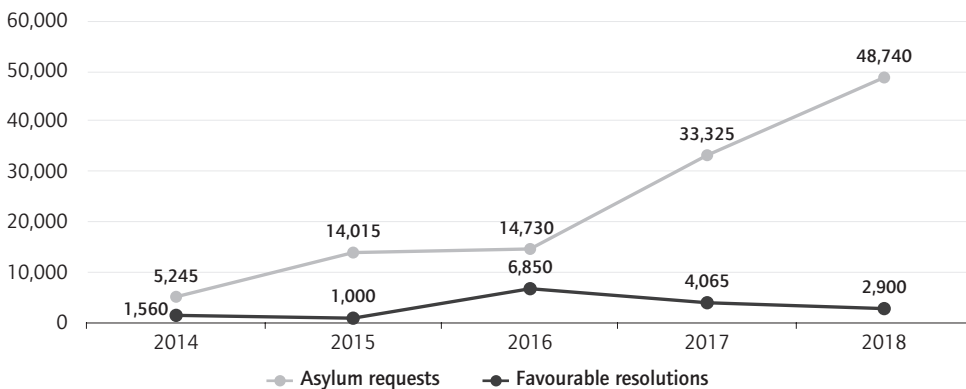
In 2016, with the application of the Dublin III regulation<sup>3</sup> (Regulations 603 and 604/2013 of the European Parliament and of the Council), the EU-Turkey Statement

3. The regulation 'Establishing the criteria and mechanisms for determining the Member State responsible for examining an application for protection lodged in one of the Member States by a third-country national or a stateless person (recast)' does not allow people to leave the member state where they applied. In that sense, if they move to another EU member state they will be turned back to the country of their asylum application.

(2016)<sup>4</sup> and the closure of the Balkans route, migration routes were modified in the face of so-called 'Fortress Europe' (Campani 2019; Pérez Villalobos 2017). Moreover, in 2017 and especially in 2018, these factors, together with Italy's strict and rigid policies, have put greater pressure on Spain as an EU point of entry. Together with the initial phase of migrants coming from Venezuela, this is the context in which Spain became one of the main destination countries for asylum applications in the EU (48,740 applications in 2018, of which 19,920 were from Venezuela).

However, the favourable resolution rate is relatively low (14.11 per cent) and, in fact, as the number of asylum applications has increased, the number of favourable decisions has decreased (Figure 3). Nevertheless, this information should be interpreted with caution, since the share of favourable resolutions is calculated in relation to the total number of asylum applications, including those denied and those which remain pending. In any case, it should be noted that the low proportion of favourable resolutions and the slowness of the procedure (due, in part, to the accumulation of files) may be deterrents when applying for asylum in Spain (in spite of the increase in requests). This has an effect even though Spain borders Africa and has a cultural proximity with Spanish-speaking countries regarding people who are fleeing from crisis and political turmoil in Latin America (Consejo Económico y Social 2019).

Figure 3 Trends in the number of asylum seekers and favourable resolutions in Spain (2014-2018)



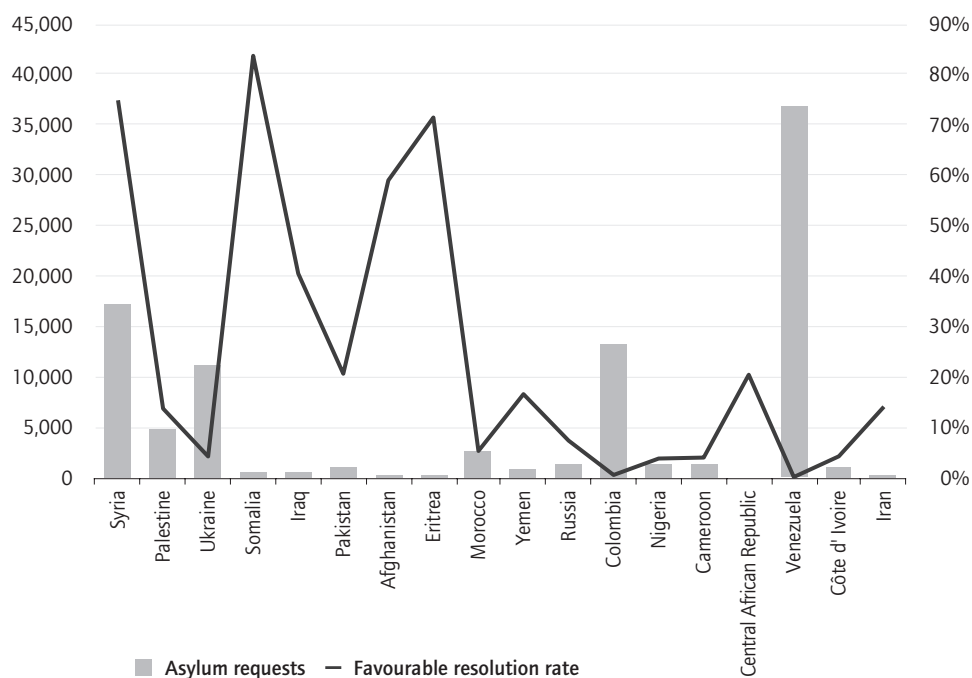
Source: Eurostat 2019 and asylum data from the Home Office 2019.

Likewise, there is an important variability in the rate of favourable resolutions according to country of origin (Figure 4) which is, in part, dependent on the criteria applied by the public administration in considering certain individuals and those from certain countries as in need of international protection. In that sense, it is worth noting the trend towards a high number of applicants from Venezuela being rejected or remaining pending. While there is no doubt that there is a political and security crisis in

4. Since 20 March 2016, all new irregular migrants crossing from Turkey to Greece are returned to Turkey, where they should lodge an application and wait for permission to enter the EU. Subsequently, many have looked for other routes (i.e. via the Spanish coast).

Venezuela (62 murders per 100,000 inhabitants in 2017, 26 per cent of which are at the hands of the security forces (Ávila 2018)), its case is eminently treated as an economic crisis. It should be remembered that 125,883 Venezuelans reached Spanish territory in the 2014-2018 period (Migration Statistics 2019), of whom 36,830 have requested asylum although only 0.12 per cent (45) have obtained a favourable resolution. Syria represents the opposite case: migration statistics (Comisión Española de Ayuda al Refugiado 2019) only record data on the arrivals of foreigners above a certain number, but the lack of data on Syrians speaks of the small number of arrivals of this group in Spain, most of them requesting international protection (17,175) with 74.85 per cent being resolved favourably (12,855). In general terms, there is a tendency for asylum seekers from territories at war or marred by ethnic-religious persecution to obtain a favourable resolution: Somalia (83.67 per cent), Eritrea (71.43 per cent), Afghanistan (58.97 per cent) and Iraq (40.48 per cent) are the countries of origin with the highest rates of favourable resolution, as Figure 4 shows.

Figure 4 Number of asylum requests (left-hand scale) and rates of favourable resolution (right-hand scale, %), by country of origin (2014-2018)



Source: Eurostat 2019.

It is worth highlighting that, since the beginning of the war in the Donbass region in 2014, Ukraine has become one of the main countries of origin for migrant arrivals (36,017) with 11,075 asylum applications and 465 favourable resolutions. Other countries such as Venezuela, Honduras and Morocco are among the main countries in terms of migrant arrivals and asylum applications, but not in terms of the refugee population. However, historically there has been a refugee population from Morocco



in Spain, specifically from Western Sahara (a former Spanish colony). The migration of the Saharawi people is a late effect resulting from a conflict between Morocco and Mauritania in consequence of an unfinished decolonisation process. Since 1979, there have been Saharawi refugee camps on the border with Algeria, from which come many of the asylum seekers in Spain (Martín 2010). As regards the overall picture of the refugee population in Spain, it should be noted that Syrians, Palestinians, Cubans, Somalis and Ukrainians are the main countries of origin (Table 2). The number of refugees in Spain from countries of origin such as Cuba, Côte d'Ivoire and especially Colombia have reduced due either to returns to their countries of origin or permanent settlement in Spain through conditions of residence other than asylum (i.e. naturalisations).

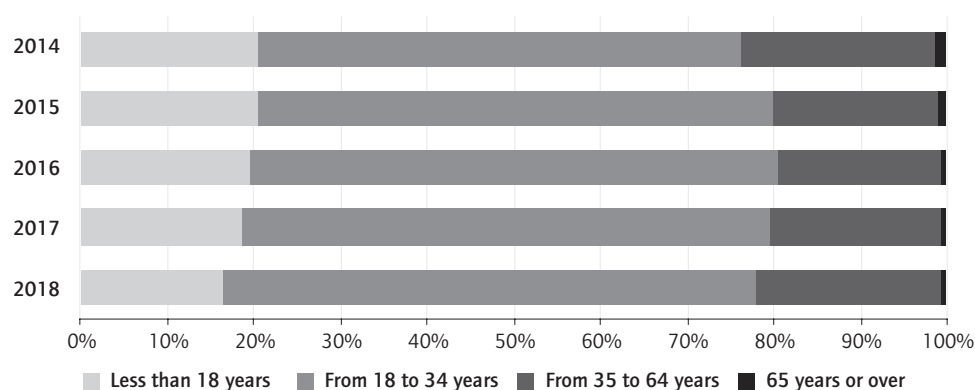
Table 2 Refugee population (people granted refugee status) in Spain, by country of origin

	2014	2015	2016	2017	2018	Change in 2014-2018 period
Syria	1,336	1,992	8,205	11,752	13,765	+930%
Palestine	458	503	595	862	1,051	+129%
Cuba	946	919	905	894	885	-6%
Somalia	374	474	565	601	682	+82%
Ukraine	3	2	68	368	562	+18,633%
Pakistan	228	287	322	862	392	+72%
Afghanistan	144	194	235	287	338	+135%
Iraq	190	177	228	319	324	+71%
Eritrea	48	51	96	213	264	+450%
Colombia	364	240	197	179	208	-43%
Côte d'Ivoire	262	265	191	894	193	-26%
Morocco	40	51	59	112	173	+333%
Russia	177	146	136	139	154	-13%

Source: UNHCR 2019.

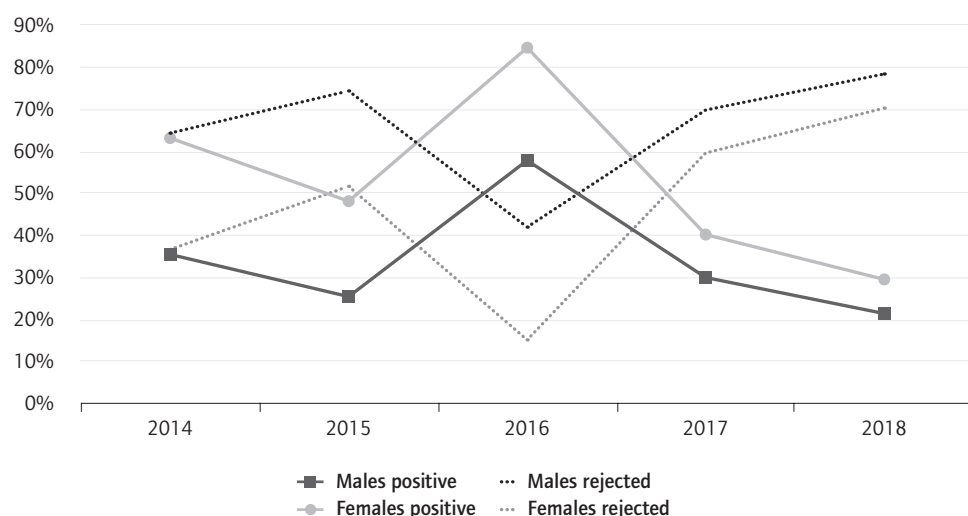
The UN Refugee Agency does not provide socio-demographic data, but we can extract information on sex and age from the Eurostat figures. This information does not refer to the refugee population but to asylum seekers; however, it can be illustrative. Thus, Figure 5 shows that the majority of applicants in Spain in the 2014-2018 period were of working age (18 to 64 years; and especially 18 to 35). However, favourable resolutions tend to expand the share of minors (as they are more likely to be given protected status), who represented 42 per cent of favourable resolutions in 2018 (including a significant number of accompanied children in refugee families). Within this number of asylum seekers of working age in the 2014-2018 period, we find a majority of men, although this varies from 68 per cent (in 2014) to 51 per cent (2018). Likewise, there is a general tendency for women to have a higher proportion of favourable resolutions than men (Figure 6).

Figure 5 Composition of asylum seekers in Spain (2014-2018), by age



Source: Eurostat 2019.

Figure 6 Trends in the resolution of asylum claims in Spain, by sex



Source: Eurostat 2019.

### 3. Regulatory framework and the asylum system

Several legal and policy frameworks determine the national-level regulations on immigration, asylum and refuge in Spain: international and European frameworks on the free movement of citizens within the Schengen Agreements (1995); external borders being reinforced by the restriction of access to foreign citizens (Ceuta and Melilla borders in Spain); and the international references of the Refugee Statute or Geneva Convention (1951) and the Universal Declaration of Human Rights (1948).

However, Spain has breached some of these agreements in regard to asylum rights. That is the case with the agreement reached by EU member states to host a certain number of applicants for international protection (September 2017), relocating those arriving at European borders (in particular the Greek borders). In general terms, the relocation and quota system is not working due to resistance from certain member states. In the case of Spain, the country transferred only 25 per cent of the agreed number of applicants (indeed, the Spanish Supreme Court has decided against the Spanish government in regard to this breach).

International and European frameworks are legally implemented in Spain in two ways, one referring to immigration and the other to international protection (Pérez Villalobos 2017; Díaz *et al.* 2018). The first includes those people who, without having Spanish nationality, stay on Spanish territory; the second, those who have formalised a request for international protection but have not (yet) received a resolution. Colloquially, the second group is called ‘refugees’ without actually being so, since only those who obtain a positive resolution to an application for international protection (also called a request for asylum) would have that appellation.

Table 3 Spanish legislation in regard to migration and international protection

	Name	Brief description
1978	Spanish Constitution	First recognition of right of asylum
1984	Asylum Law (5/1984)	Specification of the procedures and requirements for accessing refugee status
1995	Royal Decree on Asylum Law (203/1995)	Regulation to apply the Asylum Law (5/1984)
2000	Immigration Organic Law (4/2000)	Regulation of migrants' rights and their social integration
2001	Royal Decree (865/2001) on statelessness	Recognition of stateless status
2003	Home Office Royal Decree (1325/2003)	Regulation on temporary protection in case of a mass influx of displaced people
2006	Royal Decree on CAR (refugee reception centres) (865/2006)	Establishes the benefits for beneficiaries in refugee reception centres
2009	Organic Law on rights and social integration of migrants (2/2009)	Establishing migration rules applying before a request for asylum is made and following a rejected request
	New Asylum Law (12/2009)	Incorporation of the binding rules of the European Union, also including new forms of persecution
2015	Royal Decree on NGO resources (816/2015)	Establishes grants to the main NGOs for an extraordinary expansion of resources to assist refugees

Source: Own elaboration.

Regarding the Spanish legislation implementing international protection (Table 3), the latest Asylum Law of 12/2009 regulating the right of asylum and subsidiary protection has still not been finalised through corresponding regulations even after ten years. Thus, the 1995 asylum regulation (implementing the 1984 Law) continues to apply, causing an anomalous and problematic situation. Thus, the reception and integration system does not conform to the current reality of international protection and is not able to cope with the current number of requests (García 2018).

Meanwhile, the current integration process is based on a cumulative logic that does not reflect the generally unstructured trajectories of migrants, particularly asylum seekers; while, having the objective of attaining permanent employment, neither does it relate to the high incidence of temporary work in Spain (even more so for migrant workers) (Iglesias *et al.* 2018).

Some of the regulations involving asylum seekers are less relevant: Organic Law 2/2009 (modifying Law 4/2000) refers to the administrative procedures which applicants must go through before submitting their application and after this has been denied or rejected. On the other hand, other regulations have been put in place for more specific cases such as stateless persons or the mass influx of displaced people.

### 3.1 Reception and integration process and access to welfare services

The regulatory framework is set out in a complex process which commences with the submission of an asylum request and shifts in different administrative directions depending on each step. However, system overload causes long delays throughout the entire process and applies even before its start: to formalise an application for international protection sometimes takes months, which leads to procedures not beginning or integration phases being delayed (Díaz *et al.* 2018; Pasetti and Sánchez-Montijano 2018). Either way, the process is briefly explained here with a focus on the legal status of asylum seekers at each point (this is also summarised in Figure 7).

The asylum system is formed from two parallel processes that depend on two different organisations, albeit that these developed simultaneously.

Firstly, the Office of Asylum and Refuge (OAR) (within the Home Office) is responsible for receiving, processing, evaluating and communicating the resolution of asylum requests. OAR also participates in an evaluation process within the Inter-ministerial Asylum and Refuge Commission (CIAR). Applicants whose cases are ruled inadmissible may appeal to the National Court and then to the Supreme Court of Justice. Where applications are dismissed, applicants have the right to appeal first to the Central Court of Administrative Litigation (JCCA) and, from there, to the National Court and then the Supreme Court. Applicants also have the right to request interim measures and to take cases to the European Court of Human Rights. Secondly, the Secretariat of State for Migration (DGM)<sup>5</sup> is responsible for implementing the process of integration for those admitted into the country pending evaluation, or in the case of in-country applications, and for managing its financing.

Having two parallel processes responsible for managing asylum requests and integration clearly tends towards the presence of higher levels of bureaucratisation, complexity and delay.

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5. Also a part of the Home Office until being joined to the Ministry of Labour, Migration and Social Security in June 2018 and to the Ministry of Inclusion, Social Security and Migration in January 2020.



While an initial evaluation is being prepared, applicants receive a so-called ‘white card’: a document that proves their administrative situation until the application has been processed for evaluation. This evaluation is of a variable length depending on where the application has been formalised (at borders, foreigner detention centres (CIEs), police stations, migration offices or the OAR). Applicants whose asylum requests are accepted for evaluation are beneficiaries of a reception and integration system which follows a standard process composed of three successive phases: temporary reception; integration; and autonomy. Each phase has a duration of six months, although the most vulnerable cases<sup>6</sup> take place over nine, eleven and four months, respectively). This process is dependent on the DGM, which has decentralised implementation to non-profit organisations (see further under section 3.2); at the same time, the application process follows the course of the OAR evaluation.

During each of these phases, asylum seekers receive economic support which is individually adapted and which gradually decreases.

In the first phase (temporary reception), support consists mainly of technical advice delivered by the non-profit organisation that is managing the case, together with educational services: language courses; and either primary education (in the case of minors or where there is no validation of country of origin educational certificates) or vocational training or college education (less frequently). In addition, they receive financial support (depending on the characteristics of each case) and accommodation in government centres or by NGOs. During this phase, asylum seekers receive the so-called ‘initial red card’ recognising them as applicants for international protection and conceding residence permits until a resolution has been obtained.

After this first phase, the second phase (integration) builds a slightly greater development of independence: asylum seekers must seek a place to live; technical advice is reduced, assuming a certain level of independence has been attained (concerning language, socio-cultural knowledge, social networks, etc.); and economic support also decreases, although access to training services is maintained. During this phase, asylum seekers receive a renewal of their asylum documentation (the so-called ‘second red card’), which provides a social security number together with a work permit pending the resolution of the application. Therefore, asylum seekers must seek not only residence but also employment during this phase. Where an applicant gains employment, economic support is suspended but this is reactivated in the event that the employment comes to an end (this remains in place throughout the integration phase).

Finally, the third phase (autonomy) represents a total change in the dynamics of the process since economic support is practically cut although the work and residence permits, and the technical advice from non-profit organisations, are maintained.

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6. Gender-based violence victims and their children; single-parent families; people with major illnesses; people who have suffered torture, rape or other serious forms of psychological, physical or sexual violence; young people; pregnant women; homeless people; or disabled people.

If an application is unfavourably resolved, the applicant is forced out of the integration process (having the right to appeal, as set out above). Taking into consideration the processual delay in reaching resolutions, this may cause a situation in which applicants who have found employment receive an unfavourable outcome, thus entailing the loss of work and residence permits. This might force them into irregular status unless they look for other (less likely) ways of maintaining their residence and work permits (i.e. by naturalisation). This reveals the evident limitations in the current reception and integration system.

Moreover, the Ministry requires individualised labour market integration programmes to be drawn up during the implementation of the three phases of the integration process. This implies a study and evaluation of the labour market potential of each person, alongside the required counselling and monitoring elements. Such an evaluation must encompass: (1) an interview to assess the needs, possibilities and interests of each person so a tailored programme can be designed; (2) basic training aimed at understanding the cultural and work context (language, digital skills, job search, environment, gender approach); (3) advice and guidance; (4) training courses for employment within the framework of the public employment services, regulated professional training or other official courses that may be of interest to the beneficiary; and (5) information and advice to encourage self-employment.<sup>7</sup>

### 3.2 Decentralisation of labour market integration programmes to the non-profit sector

The development of programmes targeted at the labour market integration of asylum seekers and refugees has been decentralised to certain non-governmental organisations according to their reception capacity, territorial coverage and specialist area. This decentralisation process reflects austerity strategies in Spain that promote the outsourcing of underfinanced public services. Specifically, the Directorate-General of Inclusion and Humanitarian Attention (DGIAH), within the Ministry of Inclusion, Social Security and Migration (jointly with the European Social Fund (ESF), and under the framework of the operational programme for social inclusion and the social economy (POISES)), financed seventeen organisations in 2019 to develop employment programmes (Table 4).

Regarding these organisations, the refugee reception centres (CAR) are the only ones managed directly by the DGIAH, the rest being subsidised organisations belonging to the non-profit sector.

There are many other organisations offering support to asylum seekers, extending to employment support programmes, which in certain cases receive funding from regional or local administrations. However, just three organisations with DGIAH

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7. According to information provided by Santiago Yerga, Head of the Directorate-General of Inclusion and Humanitarian Attention, within the Secretariat of State for Migration of the Ministry of Inclusion, Social Security and Migration (9/03/2020).

funding supported 66 per cent of those helped in 2019 and thus received most of the overall funding from the integration and reception system (around 87 per cent of such subsidies since 2015<sup>8</sup>): the Spanish Red Cross; CEAR; and Accem. These three NGOs are the main organisations involved here according to two criteria: size (both in terms of people supported and own personnel); and presence of employment programmes at national level (also a consequence of their greater financing).

**Table 4 Percentage of all asylum seekers supported by organisations financed by the DGIAH to implement targeted employment programmes (2019)**

Organisation	% of all asylum seekers supported
Spanish Red Cross	32%
Spanish Commission for Refugee Aid (CEAR)	20%
Spanish Catholic Commission Association of Migrants (Accem)	14%
CEPAIM Foundation	12%
APIP-ACAM Foundation	6%
Movement for Peace, Disarmament and Freedom	4%
Refugee Reception Centres (CAR)	3%
Provienda	2.2%
Andalucía Acoge Federation	1.5%
ACOGUE Network	1.2%
San Juan de Dios España Association	1.2%
Diaconia	1.1%
CESAL	0.6%
Santa Luisa de Marillac Hijas de la Caridad de San Vicente de Paul Charity Work	0.5%
Merced Migraciones Foundation	0.25%
NGO International Rescue	0.2%
National Coordinator of Salesian Social Platforms	0.1%

Source: Information provided by Santiago Yerga, Head of the Directorate-General of Inclusion and Humanitarian Assistance (DGIAH) (2020).

Moreover, in 2008 these three organisations<sup>9</sup> also formed the Ariadna Network whose aim is to provide a comprehensive set of actions aimed at addressing specific needs in terms of the social and economic integration of asylum seekers and refugees. Through regular meetings within the Network, these organisations share experiences on the level of integration support provided to asylum seekers and refugees. Thus, they hold in common certain particulars regarding the labour market integration process (especially in regard to its comprehensive approach), but each designs and implements their own programmes.

Firstly, the Spanish Red Cross has established five areas of intervention with asylum seekers: basic needs; mental health; legal assistance; citizens' participation; and independent skills. This latter provides personalised employability programmes similar

8. From a budget of €700,000 per year for project grants to support asylum seekers and refugees focused on labour market integration.
9. Along with four CARs belonging to the Ministry of Inclusion, Social Security and Migration at Alcobendas, Vallecas, Mislata and Seville.



to the other organisations within the Ariadna Network (emphasising language learning and support with administrative procedures). The Red Cross supported 29,567 people during 2018 via its integration programme (in all fields, not only in employment).<sup>10</sup>

CEAR assists the integration and asylum system by combining its ‘comprehensive asylum programme’ with two cross-cutting programmes: ‘Integrated and personalised labour market introduction programme’; and ‘Companies for change: support guide for cultural diversity through recruitment’. Its Social Intervention Service is responsible for coordinating and implementing its planning, intermediation, accompaniment and assistance activities, thus guaranteeing continuity between the second and third phases of the integration programme. Specifically, CEAR’s integration programme is structured in three stages: situational analysis (compiling information on the personal, social and administrative profile of users, especially through interviews); diagnosis (in-depth study of the context of the person and their family to assess social needs); and intervention plan (an individualised plan designed in conjunction with service users and complemented by economic support). The design and implementation of this last stage is particularly focused on improving employability through a set of activities that are usually commonly found in labour market activation programmes.<sup>11</sup> CEAR provided support to a total of 25,943 people via its employment service in 2017-2018.

Lastly, Accem has developed its ‘Labour market integration for refugees’ programme in a similar fashion to CEAR, designing and implementing labour market integration programmes which are individually-tailored. In this way, it provides tools, strategies and techniques to improve individuals’ access to employment and, at the same time, raises awareness among companies (it offers labour intermediation and recruitment services, and advice on migration). Accem promotes its training services through the training platform ‘There is always time’, which allows flexible access through in-person and online courses (i.e. Spanish language and driving licence). Through this set of services, Accem provided support to 14,119 people during 2018.

Data on the number of people participating in integration programmes are not illustrative of their impact or results. In fact, there is a gap between how the Ariadna Network’s employment programmes are designed and their implementation (Arcarons 2016). This reflects regulatory circumstance and the actual conditions encountered on the Spanish labour market. It is certainly also the case that the system for those seeking international protection is underfunded in the face of the needs of applicants and beneficiaries (Pasetti and Sánchez-Montijano 2018).

However, the situation is also aggravated as a result of the credentials-focused approach of the Spanish labour market, which requires asylum seekers to secure the validation of their qualifications. This process is intricate and slow (taking between two and four

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10. The information that follows on the design, financing and results of the employment programmes of the Spanish Red Cross, CEAR and Accem is gathered from official annual reports, Ministry of Labour resolutions and our interviews with experts and professionals within the non-profit sector (see Table 6 in Annex).

11. Careers guidance, language courses, social skills workshops, IT for employability workshops, actions to promote self-employment, entrepreneur workshops, empowerment actions for women, socio-economic analysis and labour market prospecting.

years) and applicants have, in many cases, had to leave the required documentation behind. The lack of any regulation to increase the flexibility of this process in cases of international protection thus delays by several years the possibility of a level of integration which corresponds to the actual qualifications and competencies of asylum seekers and refugees (Arcarons 2016; Pasetti and Sánchez-Montijano 2018). Interestingly, the emergency provided by the Covid19 crisis has shown that an acceleration of these procedures is, in fact, possible: the Minister of Inclusion, Social Security and Migration announced on 25 March 2020 the urgent validation of asylum seekers and refugees having medical and nursing qualifications in order to engage them in view of the hospital overload caused by the coronavirus.<sup>12</sup>

All these obstacles combine to shape the persistently high rates of over-qualification among asylum seekers and refugees on the Spanish labour market (Cuesta 2017). Non-profit organisations have been developing actions to alleviate this problem. One of the most common is to establish collaboration plans for asylum seekers and refugees with training centres and companies (e.g. the collaboration plan drawn up between the Ariadna Network and Epyme,<sup>13</sup> an employer association). The internships envisaged by the programme are intended to assist with the transition towards employability as well as to serve as an alternative way of obtaining certificates of qualification (Arcarons 2016).

Thus, the austerity-inspired underfunding in the context of the scale of the need, the decentralisation of state responsibility to NGOs and the issue of the lack of a timely validation of qualifications sufficient to allow refugees to work at the level at which they are qualified all contribute to refugees being ‘on the mezzanine’: capable of working and allowed to do so, but not actually able to contribute.

#### **4. Participation in the labour market by third-country migrants and asylum seekers**

Applying for international protection has become one of the few legal ways to live and work in Spain after entering the country irregularly. Integration programmes are implemented for asylum seekers in these cases when their asylum requests are submitted.

However, asylum seekers tend to be small in number compared to the total figure for foreigners of a given country of origin: this is the case with Colombians and Moroccans. Syria represents an extreme opposite in which the number of asylum seekers exceeds the Syrian population already resident in Spain (Table 5). Therefore, in analysing data on labour market integration based on country of origin, we focus on the main countries from which asylum seekers come. There is little coherent data from the Ministry of Labour and from the non-profit organisations responsible for

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12. Nevertheless, Minister José Luis Escrivá also confirmed that procedures for the evaluation, resolution and integration of asylum seekers are not altered in spite of the Covid19 emergency.

13. *Asociación Empresarial de Instaladores de Sevilla*: [https://epyme.es/content/curso\\_autoconsumo\\_red\\_ariadna](https://epyme.es/content/curso_autoconsumo_red_ariadna)

employment programmes regarding the effectiveness of these at getting people into work. Consequently, our quantitative analysis on the integration of asylum seekers into the labour market is based on data from the Ministry of Labour's annual directory of statistics. We complement this with data from the active population survey (EPA) of the National Institute of Statistics (INE). Furthermore, in considering the degree of representativeness that these datasets can provide about the position of asylum seekers, we consider it appropriate to exclude certain countries of origin (Colombia, Honduras, Algeria and Morocco) from the analysis, but to include Guinea.

**Table 5** Total foreign population (yearly average 2014-2018) and asylum seekers, by country of origin during 2014-2018

Country	Foreign population	Arrivals	Asylum requests	Asylum seekers as % of foreign population	Favourable resolutions	Favourable resolution rate
Venezuela	323,575	125,883	36,830	11.38%	45	0.12%
Syria	10,405	–	17,175	165.06%	12,855	74.85%
Ukraine	110,243	36,017	11,075	10.05%	465	4.20%
Palestine	–	–	4,670	–	640	13.70%
Guinea	12,483	–	1,540	12.34%	10	0.65%

Source: Statistics of the register of inhabitants 2019, Migration Statistics 2019, Eurostat 2019.

Employment rates for asylum seekers from these respective countries (with the exception of Guinea) who are in possession of a social security number tend to be in the same range as nationals and show an increasing trend during the last four years (Figure 8).

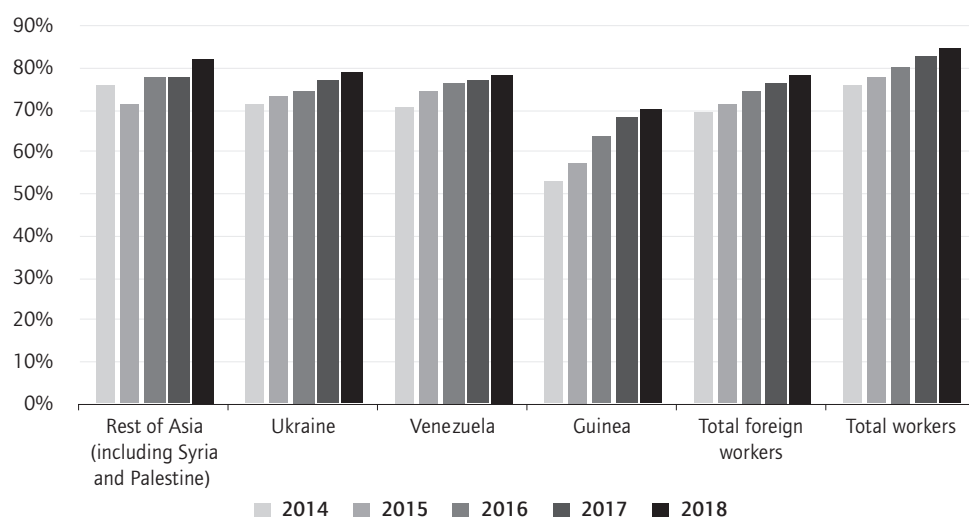
When examining unemployment among asylum seekers according to country of origin, the official unemployment rate (based on data from the Ministry of Labour) is calculated on the basis of the number of jobseekers and people within the social security system who are in employment. Thus, it excludes all information about the underground economy and many active unemployed migrants since it counts exclusively those who register as jobseekers with the public employment services. Therefore, considering the relevant number of migrants and refugees working without employment contracts (Comisión Española de Ayuda al Refugiado 2016), this rate should be regarded purely as illustrative.<sup>14</sup>

There was a general reduction in the unemployment rate between 2014-2018 among the groups of foreigners studied (as well as generally in the labour market). Nevertheless, there are notable differences (Figure 9), chiefly the high unemployment rates among Guineans (37 per cent on average between 2014 and 2018, higher than the average unemployment rate for foreigners in Spain). On the other hand, Syrians

**14.** Our source for the unemployment rate refers to the total labour market (based on data from the National Statistics Institute collected through household surveys) and includes data on irregular employment and the unemployed who are actively searching for work (even if they are not registered with the public employment services).

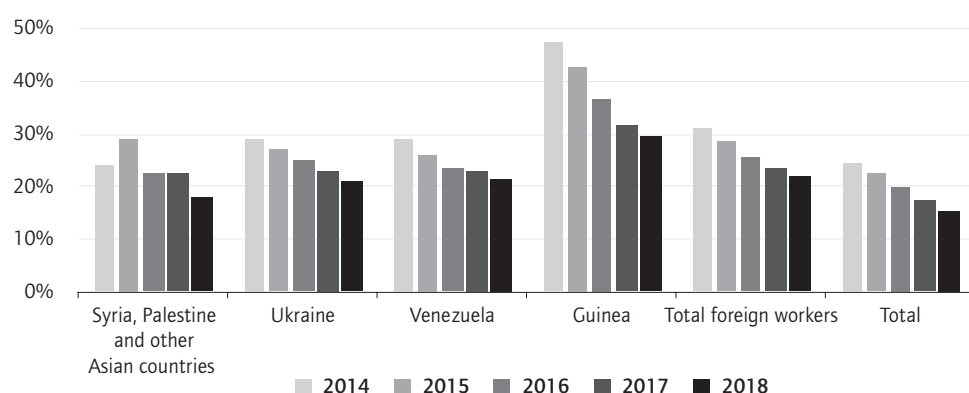
and Palestinians (along with people from other Asian countries<sup>15</sup>) show lower levels of unemployment than the total population in Spain. Similarly, Venezuelans and Ukrainians also show moderately lower levels of unemployment than the average for foreigners in Spain (Figure 9). Even so, the increase in the unemployment rate in 2015 exposes the effect of the arrival of asylum seekers in precarious situations.

Figure 8 Trends in the employment rates of asylum seekers within the social security system, by country of origin



Source: Ministry of Labour 2019; INE 2019.

Figure 9 Trends in the unemployment rate, by country of origin



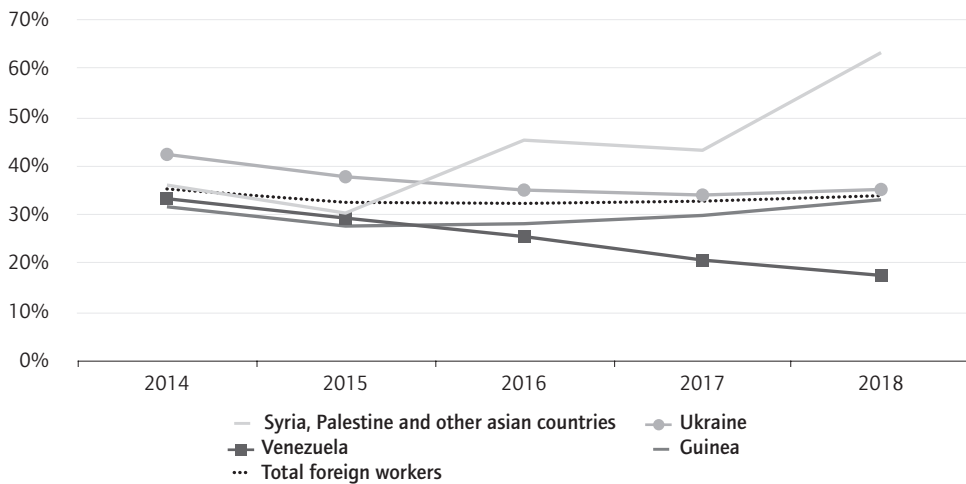
Source: Annual Directory of Statistics of the Ministry of Labour 2019; INE 2019.

15. People from Syria, Palestine, Jordan, Lebanon, Israel, Iraq, Oman, Qatar, Bahrain, Afghanistan, Azerbaijan, United Arab Emirates, Saudi Arabia, Kuwait and Yemen are grouped under the same category (Rest of Asia) in the Ministry of Labour's statistics.

Within the group of unemployed people in each nationality, there are very divergent situations in terms of the degree of protection by public unemployment benefit systems and assistance programmes. Some 35 per cent of foreigners seeking work were covered by some type of public benefit protection in 2014 (with similar situations between the nationalities studied, except Ukraine which had greater coverage), but the situation in 2018 is more divergent: most Syrian and Palestinian jobseekers were covered, whereas unemployed Venezuelans were mostly unprotected (Figure 10).

There are specific trends within each nationality which help us interpret these differences: labour market activity rates among Syrians, Palestinians, Iraqis, Afghans and people from other Asian countries have been reduced (a drop of seven per cent in 2018 compared to 2014). Likewise, the proportion of people in employment has increased within the active population in this group (Figure 11). Thus, the increase in coverage in terms of unemployment benefit is due to this group finding work (which, in the long-term, generates access to unemployment benefits when required). In contrast, Venezuelans active in the labour market increased remarkably between 2014 and 2018 (a rise of 54 per cent), both increasing the number of employed and unemployed, but with almost no impact on the number of unemployed people covered by benefits (Figure 12), thereby decreasing the coverage rate.

Figure 10 Coverage rate of unemployment benefits, subsidies and activation programmes

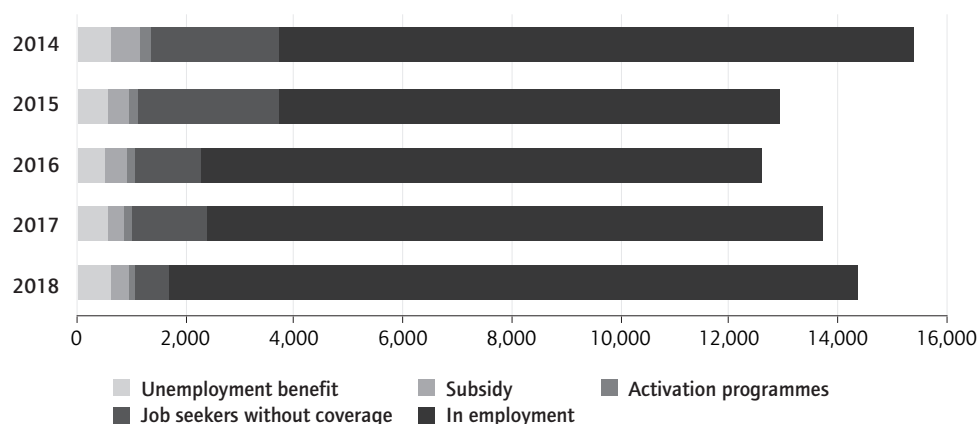


Source: Annual Directory of Statistics of the Ministry of Labour 2019.

Taking into account these differences, four factors can be identified which define the vulnerability and exclusion of foreigners in the Spanish labour market: period of residence; personal characteristics; ethnic discrimination; and aspects of residential and labour legality (Carrasco 2015). In this regard, the high unemployment rate among Guineans (Figure 10) can be part of a dynamic of exclusion based on ethnicity in the Spanish labour market (Márquez 2017). Likewise, the better employment figures among the group of Syrians and Palestinians (and others) compared to Venezuelans could also be due to the combination of two factors: on the one hand, the longer period of residence

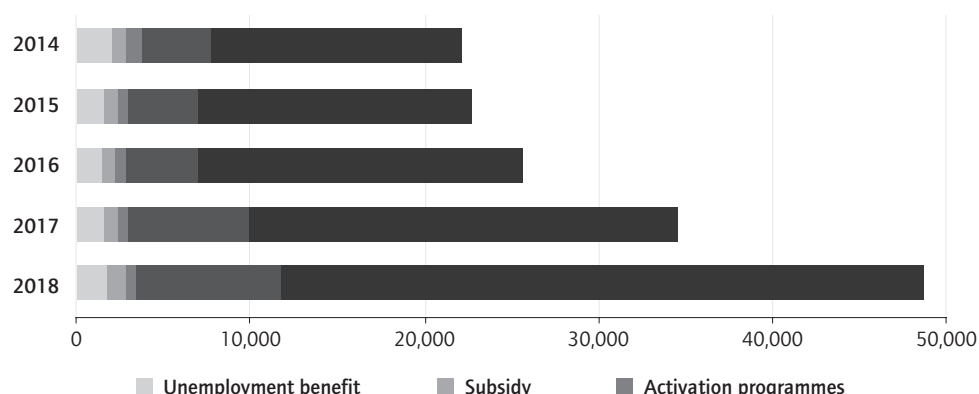
(the arrival of Syrian asylum seekers in Spain began approximately three years prior to those from Venezuela). On the other hand (and perhaps more importantly), the greater legal coverage of Syrians and Palestinians, once they receive decisions on their status (which are, mostly, favourable), not only allows them to maintain residence and work permits but also keeps them within the cycle of employment programmes implemented by the non-profit organisations.

Figure 11 Trends in the employment situation and unemployment protection coverage of Syrians, Palestinians and other Asian countries in the Spanish labour market



Source: Annual Directory of Statistics of the Ministry of Labour 2019.

Figure 12 Trends in the employment situation and coverage by unemployment protection schemes among Venezuelans in the Spanish labour market



Source: Annual Directory of Statistics of the Ministry of Labour 2019.

Looking at personal characteristics, the higher education levels of Syrians compared to the lower levels among Guineans<sup>16</sup> could also be having a more decisive effect on the relatively greater employability of Syrians compared to other nationalities. It may be worth noting in addition that language skills do not seem to be such a decisive factor as this would give Venezuelans an advantage over Syrians.

Where Venezuelan (and also Guinean and Ukrainian) asylum seekers find employment, if the decision on their asylum request is unfavourable (which is, statistically, very likely), employers have to terminate their contracts. This means that they not only lose their jobs but also their work and residence permits. In that sense, there may be dynamics within the non-profit organisations implementing integration schemes for asylum seekers that one or another training and employment activity may be interrupted, putting an end to the integration process, once a request has been rejected. Work is a key tool for asylum seekers to integrate and not be dependent on public support while their requests are resolved (a process that can take years).

The interruption of this process of integration, forcing rejected applicants into residential and work irregularity, is a pernicious effect illustrating the lack of updating of Spain's asylum and refugee regulatory framework.

## 5. Conclusion

Immigration flows, together with asylum requests, have increased notably in the most recent years in Spain, basically since the recent economic recovery. These have coincided with a large number of migrations from Syria, Ukraine and Venezuela (among others) amidst more restricted migratory policies in other EU countries. These events have caught the Spanish refuge and asylum system rather unprepared. In this context, the strategy for managing integration processes has been to decentralise them to the non-profit sector. Given the increase in the number of asylum seekers, there is obviously a greater workload for the NGOs responsible for the implementation of the integration phase despite resources being limited. Even so, the decentralisation model (even if budget allocations were to have been increased) is, in the context of the freeze in the number of places available in public centres, a symptom of an austerity strategy (typical of outsourcing models) which works only as a sticking plaster in the face of a humanitarian crisis. Decentralisation is symbolic of the structural strategy of the outsourcing of Spanish public administration (Monereo 2016) in which not only the conduct of employment relations and labour conflicts are transferred but also the management of underfinanced services and their consequent negative outputs (Marchington *et al.* 2005; Mori 2015).

In 2019, a number of non-profit organisations (outwith the Ariadna Network analysed in section 3.2) formed the Platform for the Rights of Refugees (PlatRefugio 2019).

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16. Arcarons analyses data from the IL3 platform of the Ministry of Labour, summarising the education levels of asylum seekers (Arcarons 2016).

The intention was to make a submission to Spain's universal periodic review<sup>17</sup> in January 2020 on the need for a review of current practices to ensure that asylum procedures are effective and consistent with international law. Some of the steps that PlatRefugio identified need to be taken require changes in the integration model. Its demands largely converge with the report published by the Ombudsman on the deficiencies of the asylum and refuge system in Spain (Defensor del Pueblo 2016), as well as with the outcomes that this chapter has highlighted: the combination of difficulties with the validation of qualifications, the lack of access to apprenticeships and the absence of flexible validation systems for previous work experience represents a major obstacle to the possibilities of labour integration which, in many cases, simply can't be overcome. Similarly, the lack of systems to identify and capture the qualifications and skills of asylum seekers hinders the matching processes between labour supply and demand.

At the same time, asylum seekers are forced administratively to remain in certain assigned territories in order to maintain economic support, despite the obvious differences in employment opportunities between regions in Spain. This administrative limitation is incomprehensible considering that geographical mobility is a fundamental tool in situations of unemployment, including in Spain (Miguélez and Godino 2014). In addition, public employment services demonstrate significant inadequacies when it comes to adapting to the vulnerable situations asylum seekers face. Likewise, delays in the resolution of applications, as well as ignorance of the law among asylum seekers, generate uncertainty which leads to distrust among potential employers.

The question therefore arises as to why the new Spanish government allows this state of affairs to continue: because it considers that the high number of asylum requests in Spain is temporary; or because it expects that the maintenance of a precarious reception and integration system will work as a disincentive to future requests? Neither cast it in a good light.

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17. That is, the periodic review process of the 193 UN member states on the fulfilment of their obligations and commitments regarding human rights.



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All links were checked on 17 July 2020.

## Annex

Table 6 Key experts and interlocutors consulted

Name	Role	Organisation
Albert Arcarons	Expert on asylum seekers and migration policy	High Commissioner against child poverty (Government of Spain)
Annalisa Maitilasso	Expert on sensitivity and education	Spanish committee of ACNUR-UNHCR
Carmen Ruiz	Employment and training area manager	CEAR (Spanish refugee support organisation)
Encarna Márquez	Vice-president	Andalucía Acoge (Migrant support organisation)
Francesco Pasetti	Expert on migration	Barcelona Centre for International Affairs (CIDOB)
Massoud Sharifi Dryaz	Expert on asylum and social policy	Autonomous University of Barcelona
Santiago Yerga	Director-General of Inclusion and Humanitarian Assistance	Secretariat of State for Migration of the Ministry of Inclusion, Social Security and Migration

## List of abbreviations

OAR	Office of Asylum and Refuge
CIAR	Inter-ministerial Asylum and Refuge Commission
JCCA	Central Court of Administrative Litigation
DGM	Secretariat of State for Migration
CIEs	Foreigner detention centres
ECtHR	European Court of Human Rights
CEAR	Spanish Commission for Refugee Aid



# Trade unions in solidarity, 2015: testimonials from the Austrian and German labour movements

Neva Löw

## Introduction

The arrival of a large number of people seeking refuge in 2015 saw the rise of impressive solidarity movements in Austria and Germany. The events of 2015 were, however, followed by a tightening of asylum regimes across Europe and a change in the way the media portrayed the ‘refugee crisis’, as well as a certain shift in public opinion (Trauner and Turton 2017; Pelzer and Pichl 2016). The events on New Year’s Eve in Köln<sup>1</sup> were followed by a ‘moral panic’ (Hall *et al.* 2013; De Genova 2017) which Nicholas De Genova describes in the following terms:

Thus, the figure of the refugee – so recently fashioned as an object of European compassion, pity and protection – was refashioned with astounding speed, first as the potential terrorist who surreptitiously infiltrates the space of Europe, and then as the potential criminal or rapist who corrodes the social and moral fabric of Europe from within. (De Genova 2017: 11).

This chapter highlights that trade union officials, members and activists in both Austria and Germany were an integral part of these original solidarity movements, on the one hand in their individual capacity and on the other as trade union organisations. It recounts the atmosphere and experiences of solidarity that were felt by a significant part of the trade union movement. The subsequent shift in public opinion and discourse then affected trade unions internally as well as in their public stances towards the topic of asylum and migration. It is thus essential to illustrate these moments of solidarity, to recount testimonies and to give these narratives visibility. This is particularly important given the developments in public opinion and policy towards more repressive migratory regimes after 2015.

The following text first discusses the Austrian labour movement’s involvement in the solidary movement and then briefly narrates trade unionists’ experiences given the right-wing shift that followed. Following this, the article turns attention to the German trade unions and their position as regards solidarity structures before, similarly, discussing their experiences following the shift to the right.

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1. That is, when numerous women were assaulted. The perpetrators were, in most cases, men of non-European origin. These events marked a shift in the media portrayal of migrants/refugees from victims to perpetrators (Trauner and Turton 2017: 38).

The sources used are based on an evaluation of thirty-five qualitative interviews<sup>2</sup> with trade union officials, employees, shopfloor representatives and activists in both countries, conducted between 2016 and 2019.

## 1. Solidarity structures in Austria

The arrival of large numbers of migrants in 2015 led to a broad mobilisation of civil society in Austria to show solidarity. This is often noted with astonishment in the academic literature, which had hitherto regarded Austria as ‘an environment unfavorable to both asylum seekers and protest activities’ (Milan 2018: 185). In the summer of 2015, grassroots groups, internet platforms and other solidarity networks organised themselves to support those arriving. To a certain extent, the solidarity initiatives were coordinated and worked out in conjunction with state institutions. For example, Austrian Federal Railways (ÖBB) and the ‘crisis management team’ of the City of Vienna coordinated accommodation and the onward transport to Germany of arriving migrants (Milan 2018: 193).

### 1.1 Trade unionists and solidarity structures

In their regions and towns of residence trade unionists participated in fundraising activities, food donations, small organisational activities or even accommodated people in their own homes. Trade unionists also organised solidarity actions in their workplaces: ‘At that moment the mood was so positive; there was nothing where you would have said “there was rejection.” Quite the contrary’ (interview, Sophie, 2018).<sup>3</sup>

Train stations were places where such solidarity structures thrived. Before government institutions were able to manage the situation, civil society had already moved to take charge. Anna, an ÖGB employee, remembers a scene from the first days at the main train station in Vienna: ‘It was the Indian community, and they cooked for people at the main station; they came every day by car – well really, three, four, five cars, yes but also vans, buzzing around with freshly cooked food [...]’ (interview, Anna, 2018). Lucas, a shopfloor representative of the transport and services industries trade union (VIDA), was deeply involved in organising solidarity in his hometown. He made sure that those arriving and passing through were provided for. He did not have any prior experience of this type of organising and remembers his efforts and successes with pride. He recalls having organised a donated wheelchair for a refugee:

[He] goes to the father and gives him the wheelchair and says ‘There you go,’ because they have a boy, who was disabled – 1.70 meters tall, 25 years old the boy, disabled and also mentally handicapped – then he gave him the wheelchair. Suddenly 300 people were clapping there. That gave you goose bumps. (Interview, Lucas, 2018)

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2. The names of those quoted in this text have all been changed in order that interview partners might remain anonymous.

3. Interviews were conducted and transcribed in German. Translation into English by the author.

David, another trade unionist, was active at a refugee centre and regularly brought food and other necessities. He was witness to the overcrowding of the centre and the basic needs that were missing:

Those were just the moments that also happened at the breakfast events; you have to imagine it that way. I went there with my wife and my son, in my own car, with fruit, coffee, tea and various cakes from Metro, the big supermarket, and as soon as I opened the boot, all of a sudden twenty, thirty, fifty people [were gathered] around the car [...]. (Interview, David)

The Austrian Federal Railways even organised an internal solidarity group: ‘At that time there was “Team ÖBB”, where you could volunteer [...]’ (interview, Sophie, 2018). Max, another trade unionist, was directly involved in the supply and administration of the arriving refugees through his activities in the aid and welfare organisation *Arbeiter-Samariter-Bund*: ‘That was actually the biggest effort, the logistics, i.e. the arrival, the distribution of supplies [...]’ (interview, Max, 2018). Together with civil society networks, he coordinated support at the train stations as well as the overnight accommodation.

These stories illustrate that, in their individual capacity, many trade unionists joined the civil society mobilisation of solidarity. Sophie, a shopfloor representative, recalls her motivation: ‘I mean, I didn’t get paid for the time or anything, no, but simply took it for granted. Out of solidarity, out of «Hello, this has to work,» out of aspiration and values ...’ (interview, Sophie, 2018). Many were impressed by the commitment of the wider population, as Lucas, another shopfloor representative recounts: ‘There were even 70- and 80-year-old women who were working there tirelessly and I was already under pressure to say «Friends, go home, we have a replacement for you now!” ...’ (interview, Lucas, 2018). It came as little surprise to the trade union movement that so many of their members were active in solidarity movements as David, an ÖGB employee, argues: ‘The basic understanding of a trade unionist is to help people who are not doing so well or who are weaker, or to improve their living situation. And refugees are a part of that’ (interview, David).

In addition to the commitment of individual trade unionists, the ÖGB and several of its sectoral unions positioned themselves as part of the ‘Refugees welcome’ movement (*Willkommensbewegung*). A statement issued in 2015 by ÖGB states: ‘The right to asylum is a human right. Especially now it is important to stand together and show what values the union stands for: solidarity; responsibility; respect for human dignity; and helpfulness!’ (ÖGB 2015b).

ÖGB’s involvement in the ‘Welcome’ movement was, among other things, due to Dusika, the stadium located close to the ÖGB’s head office, being used as a refugee accommodation centre. Erich Foglar, ÖGB president at the time, remembers: ‘And we experienced having them here [...], people standing there, all at once and we supplied them with food in our canteen and with toilets; these are the simplest supports that were worth a lot [...]’ (interview, Erich Foglar, 2018). ÖGB and its sectoral unions therefore organised structures of solidarity in and around Dusika. As an employer,



the ÖGB encouraged its employees to help and even made this possible during working hours (interview, Tobias, 2018). Eight-hour shifts of voluntary service were organised by trade unionists at the stadium: 'There were always people [...], starting with the distribution of articles of personal hygiene; the preparation of various meals, sandwiches, drinks, fruit; distributing the donations that had come in; seeing what else was needed...' (interview, David, 2018).

In addition, internal seminars were offered on the subject of asylum and migration (interview, Tobias, 2018). Being active in the 'Welcome' movement led to a new self-confidence of being able to make a difference as Sophie, a member of a works council, reports: '[...] It was exhausting, it was positive, but it was also very [...] formative in the sense that you can make a difference' (Interview, Sophie, 2018).

Labour market integration was seen by the Austrian trade unions as an essential cornerstone of integration into society: 'We [were] from the outset, all of us were of the opinion ... that it must be possible to make people fit enough to enter the labour market quickly' (interview, Anna, 2018). The Austrian trade unions saw their main task in terms of influencing the general framework for the labour market integration of refugees. They did this through press releases and position papers in conjunction with the social partners and through positions within the Public Employment Service (AMS). In general the topic of refugees and asylum was broadly discussed in 2015: '[W]e had this as the main topic on the federal committee, the ÖGB committee, the union committees...' (interview, Simon, 2018). Accordingly, there was a unanimously-adopted ÖGB Position on the Current Refugee Crisis drawn up in 2015, which strictly rejects any distinction between 'economic migrants' and 'refugees' and calls for the abolition of the Dublin Regulations. The tenor of this position is that challenges can be overcome together and that there is a human right to asylum (ÖGB 2015a).

Furthermore, the Bad Ischl Dialogue in 2016 – the annual summit of the social partners – was dedicated to the topic of migration and integration with the Austrian trade unions managing to build in progressive positions. In the accompanying paper, the social partners emphasised how important migration was to Austrian society. The social partners considered the 'comprehensive participation' of migrants in working life and society to be essential (Sozialpartner Österreich 2016: 4).

The ÖGB's position papers go further and demand the opening of apprenticeship training outside of shortage occupations for young asylum seekers 'with good chances to stay' (ÖGB 2018). Erich Foglar, ÖGB president at the time, explains the ÖGB position as follows: '[T]he asylum seekers [...] should have clearly defined access to the labour market; [...] where they do not endanger or take away jobs of others, they should have the most appropriate access' (interview, Erich Foglar, 2018). The Austrian trade unions, therefore, were calling for specific improvements in access to the labour market for asylum seekers (Löw 2019).

## 1.2 Beyond Summer 15<sup>4</sup>

These recounted moments and movements of solidarity were followed by a shift in public opinion and discourse towards a disapproval of refugees and asylum seekers as well as by increasingly repressive measures being taken against them (Trauner and Turton 2017; Knapp 2018; Ataç and Schütze 2020). In Austria, this shift was marked by the change of government in 2016 to a conservative-extreme right coalition (ÖVP-FPÖ) that left the Austrian labour movement in an oppositional role. This authoritarian-populist government established its hegemony through racist division and aimed both to weaken the three pillars of workers' participation and abolish asylum rights (Löw and Opratko 2018; Koza 2018).

The accompanying shift in political discourse was felt within the labour movement. Tobias, an employee of the union of Salaried Private Sector Employees and of Printers, Journalists and Paper Workers (GPA-djp), recalls: '...I believe that, since then, there has been talk of our society being divided. That was not so strong before. And this division also goes through the union itself' (interview, Tobias, 2018). Erich Foglar, ÖGB president at the time, remembers:

Well, until Köln, I would say, it was: 'We have to help and people are coming; they are not well and they have fled; and... and... and... and...'. After Köln, the mood drastically changed [...] It also partly changed in the union itself... [and further] Politically this changed much, much more. And from a personal, and also trade union, point of view – negatively. (Interview, Erich Foglar, 2018)

Those active in the solidarity movements also felt this shift, as Tobias recalls: 'I received positive feedback on these workshop offers, but there were also e-mails about why we are dealing with this issue at all; [that] it is not a core trade union issue.' He continues: 'There are, so to speak, many taboo topics or even fears, I think' (interview, Tobias, 2018).

The Austrian trade union movement was therefore confronted with the strong shift to the right which was also felt within the structures of the union; at the same time, it also needed to internalise the experiences of solidarity within the organisation. As a result the debate about asylum has featured increasingly less prominently within the Austrian labour movement (Löw 2019). However, and particularly within the Public Employment Service (AMS), trade union representatives have continued to work towards the labour market integration of refugees and asylum seekers.

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4. 'Beyond Summer 15' is also the name of a research group of Hans-Böckler-Stiftung focusing on the transformation of the European migratory regime after 2015.

## 2. Solidarity structures in Germany

Angela Merkel's famous statement 'Wir schaffen das'<sup>5</sup> signalled that the German government was willing to strengthen domestic efforts towards the accommodation of refugees, particularly in compensation for the non-cooperative approach of other EU member states, especially Hungary. Civil society actors started to become engaged as a means of easing the arrival of those seeking refuge. Train stations, especially in the south of Germany (i.e. in Munich), saw images of volunteers greeting and welcoming refugees. Such images became the international symbol of Germany's approach to migration. Various independent aid organisations and action groups teamed by volunteers sought to ensure that migrants were adequately cared for after their arrival. 'Welcome' culture (*Willkommenskultur*) in Germany was further influenced by the strong support of Merkel's policy by the main tabloid newspaper *Bild*, with a circulation of 2.46 million copies at the time, which even started a campaign with the slogan 'We help #refugees welcome' (Trauner and Turton 2017: 37). It is estimated that 10.9 per cent of the German population was in some way involved in the 'Welcome' movement (Bergfeld 2017). German trade unions, similar to their Austrian counterparts, were part of these movements.

### 2.1 Trade unionists and solidarity structures

A press release in 2015 from the executive committee of the federal trade union confederation (DGB) read: 'Among the voluntary helpers are also numerous trade unionists. We are pleased about this – we support this commitment and call for continued activity – whether for refugees or against dull racism' (DGB-Bundesvorstand 2015). Reiner Hoffmann, Chair of the DGB in 2015, warmly supported the solidarity movements in several press releases.

The trade unionists I interviewed recalled the commitment of many of their colleagues. Amon, an employee of the services union Ver.di, says: 'There were also many things that did not become so well known. There were language courses that people offered, personal guidance, support ...' (interview, Amon, 2017). Trade union members and labour movement activists were part of local initiatives, engaged in the existing solidarity networks around refugee centres and advocating the inclusion in German society of those who had recently arrived. A DGB official remembers:

Basically, the trade unions also started to say, 'OK, here comes a large number of people; we as trade unions, we want to show solidarity, we will stand at the Munich train station and welcome people; and if they need something to drink, they will get something to drink; and if they need clothes, they will get that; and if they need toys, they get them.' So that was the first few months. (Interview, Katrin, 2019)

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5. Usually translated in English as 'We can manage this'.

The shopfloor representatives of a chemistry company organised a local football team together with asylum seekers and can still recall the positive energy of the moment: 'I also had some refugees in the team – it was really nice to see how they integrated [...]. We can learn a lot from each other' (interview, Janek, 2018). Shopfloor representatives working in an Amazon warehouse recall collecting contributions of clothes, sanitary items and food from their colleagues and then dropping them off together at a nearby refugee centre. During a meeting of trade union representatives, the group decided to go collectively to the nearest train station to greet the arriving refugees: 'That was a story that gave me goose bumps [and that] came from the colleagues themselves' (interview, Alex, 2019).

The German labour movement spontaneously positioned itself 'left of the "Welcome!" movement' (interview, Arnold, 2018). Both as separate organisations and as a confederation, German trade unions considered themselves an integral part of the solidarity structures. Ludwig, an official of the energy, chemistry and mining union (IG BCE), recalls:

We at IG BCE were also very much carried by the euphoria of solidarity for the refugees. At that time we thought it was the right step to give political asylum here as far as possible; and we took this euphoria so much on board that we also provided 'Welcome!' actions ourselves. (Interview, Ludwig, 2018)

IG BCE even initiated funds to pay for such solidarity actions. Other unions experienced these moments in a similar way, also providing the funds for solidarity actions and encouraging their employees and members to participate (interview, Sina, 2018; Bergfeld 2017). The congress of IG Metall, the union of metalworkers, held in the autumn of 2015, was also marked by the 'Welcome!' movement and T-shirts imprinted with the slogan 'Refugees welcome' were even distributed to delegates. Arnold, an IG Metall executive committee member, explained that it felt necessary, based on trade union traditions of internationalism, to participate in the solidarity movement and also as a means of obstructing the shift to the right that was bound to happen (interview, Arnold, 2018). The congress of Ver.di that same year was similarly touched by the arriving refugees and it was one of the main topics of debate. In this sense, the slogan of the congress – *Stärke.Vielfalt.Zukunft*<sup>6</sup> – took on greater resonance. On the fifth day of the congress, two refugees who were in accommodation centres close to the congress site were given the stage and were able to tell their story. Many trade unionists present had tears in their eyes (interview, Amon, 2017) while delegates at all levels recalled feeling very proud of being part of an organisation that had contributed to such a euphoric solidarity movement (interview, Sina, 2018). A DGB employee states a similar experience: '[...] There was a moment where I thought "we can do this", and that's great' (interview, Vera, 2019).

The German trade unions saw integration into the labour market as the main means of integrating refugees into society and they stood out in their efforts to facilitate labour market integration (see Chapter by Helen Schwenken). This task was grasped

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6. Strength.Diversity.Future.

at all levels of the labour movement. This led to a 'Welcome' culture at company level (*betriebliche Willkommenskultur*), with shopfloor representatives being key figures (Schmidt 2020). Refugees were met with 'an openness' at company level that led some researchers to the joyous conclusion that the integration of current refugees would be more successful than that of previous migrants (Schmidt 2020).

My own research portrays numerous examples of this 'Welcome!' culture at company level. Janek, a shopfloor representative of IG BCE, for instance, remembers: 'We have a programme called "Start in the job" [where] we created additional places for refugees [...] We took on young colleagues [...] and all of them were very well integrated' (interview, Janek, 2018). Stemming from an initiative by IG Metall, the DGB pushed for 'integration programmes' that enabled refugees to work and participate in language classes at the same time. The *Jobcenters*<sup>7</sup> then offered these programmes to refugees seeking work. A member of the IG Metall executive committee explained this focus in the sense of the trade union belief in the concept of *Arbeitsgesellschaften*<sup>8</sup> and, therefore, that integration into the labour market is key to integration into society as a whole.

Additionally, the German trade unions wanted to prevent employers from using refugees to undercut wages and social standards. The call from employer organisations to override minimum wages when it came to refugees in the workplace alerted the labour movement and was met with fierce opposition (interview, Arnold, 2018).

At the same time, German trade unions are part of numerous advisory councils to ministries and other state organisations and therefore participated significantly in shaping labour market integration for migrants (interview, Lorenzo, 2018).

## 2.2 The struggle against the extreme right

The shocking results achieved by the extreme right party *Alternative für Deutschland* (AfD) in regional elections and demonstrations by the extreme right were accompanied by a shift in public opinion and media coverage of the 2015 migration movements. This went hand-in-hand with an influx of xenophobic and anti-refugee violence (Benček and Strasheim 2016) The trade union movement was not immune to these political trends and experienced an equal impact from such developments (Sauer *et al.* 2018).

It became increasingly clear that trade union members were also part of these demonstrations and that some had voted for the extreme right. Several studies made clear that trade union members were just as likely to vote for the AfD as non-union members. In the *Länder* of Baden-Württemberg, Rheinland-Pfalz and Sachsen-Anhalt, sympathies towards AfD existed at an above-average level among industrial workers and trade union members. Taking into account these three regions, 'the industrial workers among trade union members therefore did not present a mirror

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7. The German public employment service.

8. That societies are based on the concept of wage labour.

image of society, but in fact formed a significant voter pool for the AfD' (Stöss 2017: 35). The federal election results were less dramatic than the regional ones, but still shocking enough: nineteen per cent of workers and 15 per cent of trade union members in Germany voted for the AfD in 2017 (Dörre *et al.* 2018). A DGB employee working on the issue admits: 'These are not only people who somehow have a very narrow world view, but [they include] also many trade unionists' (interview, Katrin, 2019).

Trade union officers felt the growing pressures. Ludwig, the IG BCE employee, remembers:

We noticed this in the union because we suddenly realised that our euphoria and orientation to help people in need was not necessarily supported by all union members... Our members, then, simply said 'you're not quite right in your head to say "welcome refugees" here!' and of course we tried again and again to objectify this a bit. But I'll tell you honestly, we also tried to keep our heads down. Because the emotions that came up, and the fear, the anger, [...] we as a union could not absorb them. (Interview, Ludwig, 2018)

Even though IG BCE continued to support its members that carried on being active in the 'Welcome!' movement, it pulled back from the public debate and media around the topic. In Ludwig's view, the struggle had already been lost. Trade unions had to deal with the topic of refugees and asylum and, at the same time, racism and the rise of right-wing populism. An IG Metall official recalls:

That was more of a topic in 2016 – that is, from the topic of migration to the topic of right-wing populism and racism – and it was of course always related. If you talked about right-wing populism in the factories and companies, then you talked about migration; and if you talked about migration, then you were right back there again [...]. (Interview, Sina, 2018)

Several trade unionists describe the subsequent atmosphere as 'very emotional' when it came to the topic of migration. Katrin, the DGB employee, recalls being torn between two forces: 'Of course there is still huge solidarity and support for refugees, but also a very vehement and loud group of people saying "Let them all go home, what do they want here?"' (interview, Katrin, 2019).

German trade unions consequently focused their outwards efforts and energies on the labour market integration of refugees. Amon, an official with Ver.di, confirms:

We rather try to get involved where we have the possibilities of influence – somehow or other – so that refugees are integrated into work processes under reasonable conditions, with a reasonable balance between language classes and occupational qualifications. Of course we make sure that no exploitation takes place. (Interview, Amon, 2017)

Anti-racism as a concept within the organisation nevertheless gained in importance. Working groups and positions within the trade unions were created and strategic

discussions held on how to deal with the rise of AfD voters within their ranks. Trade unions collaborated with researchers on the question of extreme right trade union members (Dörre *et al.* 2018) and engaged in strategic debate. The discussion on how best to struggle against the ‘national-social threat’ (Dörre 2016) and the role of trade unions is an ongoing one.

Most DGB trade unions have, however, engaged less and less in debates about asylum politics and refugees. This is also linked to fewer people coming to Germany – therefore the need to find a position on the topic of migration has been less strong. Even so, German trade unions have criticised the tightening of asylum laws and regulations and they have been particularly vocal in criticising the residency requirements for refugees, asylum seekers and those under subsidiary protection (DGB-Bundesvorstand 2019). There are also ongoing discussions about how to show support for trade union members that have experienced racism within the structures of union influence and there have been attempts to make workplace struggles by trade unionists that are also migrants more visible within the trade union movement. The battles of Amazon employees throughout Germany have been examples of how migrant trade unionists are leading the class struggle. Making these more visible is part of a strategy to combat racism and the far right (interview, Amon, 2017).

## Conclusion

This chapter has highlighted the events surrounding the movements of migrants in 2015 by letting the narratives of trade unionists shed light on the experiences that were held by many. Stories of trade unions that were part of solidarity movements with arriving refugees gives visibility to progressive forces within the workers’ movement. This is particularly important given the shift in public opinion towards increasing disapproval of those seeking asylum. In this sense, this chapter has sought to put forward a counter narrative.

The examples of Austrian and German solidarity make clear that the trade union movements of both countries were part of the ‘Welcome!’ solidarity structures in a two-fold way: numerous trade unionists were also activists in the structures that sprang up; while trade unions themselves considered that they were a part of these movements. The emotions retold here were ones of pride and empowerment as a result of being a part of such movements.

Part of the key to trade union action here was that integration into the labour market was seen as a key to integration within society. Consequently, the later shift in public opinion and in the political atmosphere was felt keenly within union movements.

It is important to prevent the labour movement and society from forgetting and sidelining these moments of solidarity. Experiences of solidarity – a tiny fraction of which was presented in this chapter – are not lost but live on within the structures that still exist as well as in the memories of those concerned. For the movements to come which will demand solidarity and activism, these are experiences that enable connections to be made. Particularly considering the rise of right-wing populism all



over Europe, it is crucial to safeguard these experiences of solidarity in the collective memory of the organised workers' movement. This needs to be one of many pillars in the struggle against racism and the extreme right.

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### **Interviews with representatives (referred to specifically in the text)**

Interview with Alex, Ver.di employee, conducted in 2019 in Dortmund.  
Interview with Amon, Ver.di employee, conducted in 2017 in Berlin.  
Interview with Anna, ÖGB employee, conducted in 2018 in Vienna.  
Interview with Arnold, Member of IG Metall Executive Committee, conducted in 2017 in Frankfurt.  
Interview with David, ÖGB employee, conducted in 2018 in Vienna.  
Interview with Janek, IG BCE member of works council, conducted in 2018 in Recklinghausen.  
Interview with Katrin, DGB employee, conducted in 2019 in Berlin.  
Interview with Lorenzo, DGB employee, conducted in 2018 in Berlin.  
Interview with Lucas, VIDA shopfloor representative, conducted in 2018 in Vienna.  
Interview with Ludwig, IG BCE employee, conducted in 2018 in Hannover.  
Interview with Max, ÖGB employee, conducted in 2018 in Vienna.  
Interview with Erich Foglar, ÖGB president at the time, conducted in 2018 in Vienna.  
Interview with Sina, IG Metall employee, conducted in 2018 in Frankfurt.  
Interview with Sophie, VIDA member of works council, conducted in 2018 in Vienna.  
Interview with Tobias, GPA-djp employee, conducted in 2018 in Vienna.

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## **Betwixt and between: Integrating refugees into the EU labour market**

Edited by Béla Galgóczi

This publication focuses on practices in the labour market integration of asylum seekers and refugees in the main EU reception states in the post-2015 period. It takes a comparative approach highlighting areas of good practice across the countries while also examining integration barriers. A lack of co-ordinated action and solidarity at European level, more restrictive national policies due to political tailwinds and institutional barriers are key factors why member states have been unable to capitalise on the generally favourable labour market situation. It is still remarkable that many of them have achieved faster labour market integration for refugees than in previous periods of immigration. At the same time, with hundreds of thousands of asylum seekers still in limbo, with limited rights and in vulnerable situations (either waiting for a final decision or having been rejected), Europe faces a humanitarian crisis within its borders.

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