

Final

Baltic Sea Region Governments' Immigration and Integration Policy
Policy Assessment and Suggestions

Author

Matti Välimäki, Migration Institute of Finland¹

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¹ The assessment, recommendations and opinions expressed in this policy analysis are those of the author and do not necessarily reflect the official opinion of the Migration Institute of Finland or the Baltic Sea Parliamentary Conference and its institutions. Author's contact details: mtaval@utu.fi.

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1. Introduction

The Baltic Sea Parliamentary Conference's (BSPC) Working Group on Migration and Integration conducted two surveys—one in 2018 and one in 2019—amongst the BSPC member governments (14 governments from the Baltic Sea Region responded to the surveys). The main goal of the surveys was to map the immigration and immigrant integration policies and procedures in the region, learn from the best practices and develop proposals to improve cooperation in planning migration and immigrant integration policies. In the spring of 2019, the BSPC general secretariat commissioned the Migration Institute of Finland in Turku and researcher Matti Välimäki to assess and analyse the responses submitted by the respective governmental bodies of the Baltic Sea Region states. The present review provides a summarising assessment of different policy areas and suggests some future considerations for the Working Group on Migration and Integration and for the BSPC member governments.

2. Data and policy analysis

The following data were used for this analysis:

- *Primary material:* The BSPC member governments' responses to the survey conducted in the autumn of 2018 by the BSPC Working Group on Migration and Integration². There were 15 questions in the survey. 10 BSPC member countries and 4 regions provided responses for this survey. The document containing the responses of all the member governments has a length of 186 pages.
The themes of the survey included policies and regulations concerning asylum, dual citizenship, work permits, advisory services for immigrants, courses provided by the governments, benefits provided for migrants, family reunification, evictions, unaccompanied minor asylum applicants, monthly costs per different categories of migrants, accommodation, and involvement of volunteers. For full list of questions, see Appendix I.
- *Secondary material:* The BSPC member governments' responses to the additional survey conducted in the spring of 2019 by the BSPC Working Group on Migration and Integration³. There were 9 questions in the survey. 10 BSPC member countries and 3 regions provided responses for this survey. The document containing the responses of all the member governments has a length of 81 pages.
The themes of the 2019 survey included policies and regulations concerning numbers of asylum applicants, voluntary returns, evictions, and forced returns. In addition, monthly cost per month of different categories of migrants were inquired, as well as the practices of the governments of combating occurrences of social control in the migrant population, measures to prevent formation of segregated migrant communities, best

² The BSPC member governments' responses to the 2018 survey can be found on the BSPC web page: <http://www.bspc.net/answers-of-the-governments-bspc-wg/> (accessed 19 April 2019).

³ The BSPC member governments' responses to the 2019 survey can be found on the BSPC web page: http://www.bspc.net/bspc_anhang_statementsbsp27/ (accessed 19 April 2019).

practices that have proved beneficial for successful integration, and best practices of programs on language and culture education. For full list of questions, see Appendix II.

This analysis includes the following:

- A quantitative overview of the BSPC member governments' responses to the 2018 and 2019 surveys
- A qualitative analysis regarding the BSPC member governments' responses on the following:
 - (1) Immigration policies, i.e. entry policies
 - (2) Immigrant policies, i.e. policies concerning the rights and responsibilities of immigrants
- An overall assessment highlighting suggestions for the future

3. Quantitative overview of the responses

The 2018 and 2019 surveys represent a substantial overview of the current practices of entry and immigrant policies in the BSPC member states and regions. The focal points of the surveys are (1) the reception of asylum seekers and (2) immigrant integration measures. For context, in 2015 and 2016, Europe saw an increase in the number of asylum applications, making asylum seekers a crucial concern for the BSPC member governments. In addition, the stated purpose of the Working Group on Migration and Integration emphasises finding the best practices in immigrant integration.⁴

The responses indicate how the inflow and outflow of migrants vary considerably amongst the BSPC member states; the scope and goals of the legislation concerning immigration and integration in each country varied as well. Some governments provided rather detailed responses to the questions, whereas others were more concise. Regional governments often referred to the practices of their respective national legislations and policy practices, which is why the present assessment also highlights the country practices more than the regional governments' viewpoints. However, in future surveys and assessments, the intra-state differences are worth considering, e.g. in terms of integration policy practices.

This analysis does not focus on comparing the financial support immigrants receive or costs of immigration and immigrant policies. Even though these issues were dealt with in the questionnaires, the analysis of the answers would require a separate review to put the differences between practices of the countries into perspective. This would include, e.g. taking into consideration the standard of living and the cost of living in each BSPC member state. The responses should also be more commensurable than those received by these surveys. For instance, some of the responses to cost-related questions were relatively succinct, especially in the 2018 survey.

⁴ See the Appendices for lists of the questions for both surveys.

4. Qualitative analysis

The basis for the following assessment is the thematic and analytical separation between immigration and immigrant policies. The difference between these two policy realms is elegantly put by Geddes and Scholten: ‘immigration policies concern themselves with conditions regulating territorial access by non-nationals and access to key social institutions such as the labour market and welfare state’. Immigrant policies, on the other hand, ‘mark an attempt to re-organise and re-imagine the organisational and conceptual boundaries of a given community and create capacity to include or exclude newcomers’.⁵ To put it bluntly, immigration policies concern themselves with regulating the entry of non-nationals into a nation-state’s territorial space and jurisdiction, whereas immigrant policies address the rights and responsibilities of non-nationals. Immigrant integration measures are part of immigrant policies.

The two policy domains are also somewhat parallel because, e.g. family reunification regulations concern both the rights of immigrants in a host society *and* the possibilities for entry of potential immigrants in origin countries. The immigration policy arrangements in prospective host countries can also have an impact on immigrants’ decisions of where to go. However, migrants’ motives for moving from one country to another often cannot be distilled into a single factor, such as lack of working opportunities. On the contrary, individual migratory decisions often contain complex decision-making patterns, and grasping those motives combines the consideration of multiple individual and structural factors.⁶

4.1. Populations and legislations

The BSPC member countries differ greatly in terms of the aspects influencing their policies and, in particular, their immigration and integration decision-making. The differences can already be seen in the population sizes which range from 144.5 million inhabitants in Russia and 82.8 million in Germany to 1.9 million in Latvia and 1.3 million in Estonia. Notable similarities also exist, however, regarding age structures and fertility rates. In all the member states, populations are ageing and fertility rates have been decreasing in past decades. Population growth and population projections are relatively moderate in most of the countries, and growth has even been negative in some countries in recent years. Population projections for 2050 (medium variant) compiled by Population Pyramid indicate population decreases of millions of people in Germany, Poland and Russia. Norway and Sweden, on the other hand, are likely to experience notable increases in population⁷ (see Table I).

⁵ Geddes & Scholten 2016, 11, 14.

⁶ See, e.g. de Haas 2011.

⁷ Population Pyramid 2019.

TABLE I. Population, immigration, emigration, net migration and asylum applications in the BSPC member states.⁸

	Denmark	Estonia	Finland	Germany	Latvia	Lithuania	Norway	Poland	Russia	Sweden
Population (millions, 2018)	5.8	1.3	5.5	82.8	1.9	2.8	5.3	38.0	144.5*	10.1
Population growth (annual %, 2017)	0.7	0.0	0.3	0.4	-1.0	-1.4	0.9	0.0	0.1	1.5
Population projection for 2050 (millions, medium variant)	6.3	1.1	5.8	74.5	1.6	2.4	6.7	33.1	128.6	11.9
International migrant stock (% , 2017)	11.5	14.7	6.2	14.8	13.2	4.3	15.1	1.7	8.1	17.6
Emigrants (thousands, 2017)	262	199	295	4,200	374	597	197	4,700	10,600	348
Net migration - 2016	33,287	1,029	17,098	499,944	-12,229	-30,171	26,076	1,505	261,900	117,693
- 2017	24,631	5,258	14,824	416,080	-7,808	-27,557	21,349	1,436	211,900	98,869
- 2018	18,684	N/A	16,283	355,425	N/A	N/A	44,363	-14,799	203,577	50,792
Asylum applications - 2015	21,316	226	32,478	476,649	328	291	31,150	12,325	N/A	162,877
- 2016	6,266	84	5,646	745,545	350	425	3,460	12,319	N/A	28,939
- 2017	3,500	108	5,046	222,683	395	599	3,560	5,078	N/A	25,666
- 2018	3,120	90	2,945	184,180	175	385	2,530	4,110	N/A	18,045

* In 2017.

The largest age group of foreigners in all the countries that differentiated their population with migration background according to age were those of working age, especially those between 25 and 40 years old. This may be regarded as possibly desirable because this group is potentially capable of making a living through labour market participation and thus integrate more successfully into the society of a country of residence. On the other hand, in countries where the number of immigrants of working age is high, an increase in the number of immigrants of retirement age is also expected if immigration occurs in a permanent manner instead of a temporary fashion. In addition to the ageing populations in all BSPC countries, the ageing immigrant population puts even more pressure on decision-making regarding how to secure services and opportunities for older age cohorts. For instance, the needs of non-native language speakers should be considered in elderly care services.

⁸ Data compiled by research assistants Elina Jokinen and Ellen Nieminen. Sources: Eurostat, Migration data portal, national statistical offices, Population pyramid, Statista, survey conducted in the spring of 2019 by the BSPC Working Group on Migration and Integration, United Nations High Commissioner for Refugees (UNHCR) and United Nations Economic Commission for Europe (UNECE).

All respondents did not, however, provide the same level of detail in their responses, and some respondents provided no data on their populations.⁹ Moreover, it would have been useful to define what was meant by the phrase ‘population with migration background’ in the question on population statistics in the 2018 survey because it can mean more than one thing: people who hold a foreign nationality, those born abroad or whose parents are born abroad, or those who speak as their mother tongue a language other than the official language of the country of residence.

In some countries, such as the Baltic States, Germany, Poland and Russia, emigration has been relatively high in the 2010s (see Table I), which may cause social concerns, such as the loss of skilled workers (the so-called brain drain phenomenon) or a decline in the dependency ratio. Apart from the European Union (EU) member states’ involvement in the Schengen free-movement area and bilateral visa agreements between different BSPC member states, emigration decisions are commonly derived, on one hand, from the employment and study opportunities available or from relationships between origin and destination country residents, and, on the other hand, from the deterioration of livelihoods in origin countries, and the accumulated social or other forms of capital in origin countries.

In addition to the differences in the number of emigrants, the number of immigrants and their regions of origin also vary considerably from one BSPC country to another. For instance, in the 2018 survey, the responses of the Baltic countries, Poland, Finland and Russia, report populations ‘with migration background’ being less than 5 per cent of the total population, whereas in Norway, Sweden, Germany and Denmark, the figures are between 10 and 25 per cent. These figures may, however, also be influenced by different ways of compiling statistics of the population ‘with migration background’.

The state of immigration legislation in the BSPC member countries differs as well. All have some kind of legislation regarding immigration and immigrant issues, as is common practice in highly developed countries. The regulatory framework ranged from Aliens Acts and immigration laws to administrative decrees. Some BSPC members have a separate law on asylum seekers (e.g. Germany, Latvia and Poland) or immigrant integration (e.g. Finland and Germany), while others have integrated the sections on asylum seekers and integration into their Aliens Acts or decrees. In the EU member states belonging to the BSPC, citizens of other EU member states and the four (non-EU) European Free Trade Association (EFTA) member states belonging to the Schengen Area¹⁰ (Iceland, Liechtenstein, Norway and Switzerland) residing in other member states are subject to different provisions than the non-EU/Schengen nationals. Moreover, since the late 1990s, the EU’s Common European Asylum System (CEAS) has increasingly influenced national immigration and immigrant regulations, especially in the area of asylum policies and family reunification.¹¹ The EU’s European Commission has also agreed on recommendations for immigrant integration. However, there

⁹ For instance, Estonia, Germany, Norway and Russia had deficiencies in the responses they provided on their populations.

¹⁰ The 26 Schengen countries are: Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden and Switzerland.

¹¹ On the CEAS, see Geddes & Scholten 2016.

are differences in the immigrant integration legislation and procedures which will be discussed in Section 4.3. Labour migration policies, on the other hand, are still largely within the national decision-making power.

4.2. Immigration policies

4.2.1. Acceptance requirements for international protection beneficiaries

The United Nations (UN) Refugee Convention of 1951 and its 1967 Protocol Relating to the Status of Refugees are the most important bases for assessing an asylum applicant's eligibility for international protection in the BSPP countries' legislation.¹² The UN Convention defines the refugee status, which is widely accepted as part of international law, and many BSPP member states mention this definition in their responses. The core ideas of the 1951 UN Refugee Convention and the 1967 Protocol are the (1) non-refoulement principle and (2) the definition of refugees. The non-refoulement principle asserts that people should not be returned to a country where they face threats to life or personal freedom. The UN Refugee Convention definition of refugees states the following:

[O]wing to a 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, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.¹³

This definition thus emphasises the fear of persecution while leaving out, e.g. the persons seeking international protection on grounds of losing their livelihoods and those unwilling to return due to conflicts, wars or environmental disasters taking place in their country of origin.

In the EU member states, the international protection provision derives strongly from the EU Qualification Directive¹⁴ which encompasses the protection status for (1) refugees on the grounds defined in the UN Convention on Refugees and for (2) people who are eligible for international subsidiary protection. The international subsidiary protection can contain eligibility for international protection on humanitarian grounds due to, for instance, inhuman conditions, threat of violence or threat of the death penalty that may occur if people return to their country of origin. For example, Sweden recognises the death penalty, torture, internal armed conflict and environmental disasters as reasons for asylum.

Residence permits provided in the BSPP countries on grounds of subsidiary protection are often temporary, whereas residence permits based on the UN Convention status are often permanent or long term. In the BSPP countries which are also part of the EU, the EU's CEAS operates similarly regarding the minimum standards in asylum reception processes and the services and facilities provided during the assessment of asylum applications.¹⁵ The Council of Europe's European Convention for the Protection of Human Rights and Fundamental

¹² United Nations 1951, 1967.

¹³ United Nations 1951.

¹⁴ European Union 2011/95/EU.

¹⁵ See, e.g. European Commission 2019.

Freedoms¹⁶ also contains elements which protect international protection seekers, e.g. from being returned to inhuman conditions. All the BSPC governments have signed this Convention document.

The BSPC governments may find it useful to discuss whether the practices concerning the definitions of subsidiary protection can be standardised within the BSPC region. Another issue worth considering in the broader international cooperation framework is the possibility of a coordinated joint action of the BSPC governments when discussing possible future reassessments of international protection statuses in bilateral and multilateral negotiations and meetings.

4.2.2. Work permit procedures

Some need exists for foreign workers in all the BSPC member states' labour markets, and the need is often particularly crucial in sectors such as the construction and health care services. According to EU legislation, EU citizens have the right to freedom of movement and have unlimited access to the labour markets of other member countries. The EU and EFTA country citizens do not need a visa or a specific residence permit for entry or employment in an EU/EFTA member country. However, a valid passport or identity card is necessary for registration, which is obligatory in some EU countries after residing for a certain period (usually from 3 to 6 months) in the country.

In all the EU member countries, non-EU/EEA residents immigrating on the basis of working are obliged to apply for a work permit before entering an EU/EEA member country. In some countries, they also need to separately apply for a residence permit. Work permits usually are issued on a temporary basis. In general, labour migrants from outside the EU/EEA area are expected to meet certain criteria, varying according to the BSPC state, to obtain a residence permit. The most common criteria are the following:

1. There should not be workers with similar qualifications and availability for recruitment in the national and EU/EEA area (availability assessment is conducted by public authorities).
2. Salary and working conditions should be equivalent to the national standards (assessment is conducted by public authorities).
3. Employment needs to enable the workers to support themselves during their stay in the host country (assessment is conducted by public authorities).

Asylum seekers and people who have been granted residence permits on the basis of international protection and family reunification have the right to work in several countries, either without a waiting period or after a certain period of time (often a few months).

In summary, most BSPC member states tend to favour and protect their own citizens from extensive labour market competition and, in some cases, their labour markets from the deterioration of national working life standards. The EU/EEA member states also give priority position to other EU/EEA citizens regarding work permit procedures. Of the non-EU/EEA

¹⁶ Council of Europe 1950.

citizens, highly qualified people and international students are often given the benefit of a fast-track procedure in pursuit of increasing the flexibility and competitiveness of labour markets.

Practice example

In Finland, there are several general criteria all applicants for work permit need to meet to be provided an entry into the country (in addition to the work permit-specific conditions): He/she has a valid passport, has not been prescribed a prohibition of entry, is not a danger to public order, security, public health or Finland's international relations.

4.2.3. Family reunification

The right to family life refers to the right of all individuals to have their established family life respected and to have and maintain family relationships. This right is recognised in many international human rights instruments, is adopted in one form or another in many highly developed nations' legislations, and is also provided for in the EU directive on family reunification.¹⁷ The survey responses on family reunification concentrated for the most part on the rights and position of asylum seekers and refugees. Nonetheless, it is worth noting that family reunification regulations also concern other migrants. Furthermore, if family reunification regulations and procedures also apply, e.g. to labour migrants and international students, their viewpoints should be considered as well when formulating or assessing these policies.

Every BSPC country grants family reunification to a certain degree. However, the laws of each BSPC state contain limitations, conditions and differences in definitions of family, which vary, amongst other things, as to the kind of relationship or the type of residence permit. A clear disproportion exists between the rights of the citizens of the Schengen Area and the so-called third-country nationals. For example, even with bilateral visa agreements in force, often the rights of third-country nationals to family reunification is limited in many ways, such as requiring documentation of adequate legal income of the sponsor to support family members (e.g. in Estonia, Finland and Norway), documentation of health insurance (e.g. in Germany and Latvia) or the ability to speak the basics of the national language (in Germany). Residence permits on grounds of family ties for third-country nationals are often granted on a temporary basis, which may have a negative impact on the likelihood of integration into the host society.

Practice example

In Poland, the procedure for family reunification with a Polish citizen, EU/EEA citizen, or a person who has been granted refugee status or subsidiary protection (nuclear family) is simplified. The applicant is not required to have health insurance, a source of stable and regular income, and is not required to prove she/he has a guaranteed place of residence in Poland, as in the case of family reunification with a third country national.

¹⁷ European Union 2003/86/EC.

The beneficiaries of international protection are often provided with the possibility to reunite their families. An unaccompanied minor asylum seeker who is granted international protection usually has the right to reunite with parents arriving from a foreign country. There are also exceptions to this general rule, however. For instance, since July 2016, a temporary act (in force until July 2019) in Sweden limited the rights of family reunifications for those who are eligible for subsidiary protection. The same kind of restrictions were adopted in Germany in 2016.

In some states, a period of residence has been defined after which the asylum seeker or refugee has the right to apply for family reunification (e.g. in Latvia, the deadline is 2 years). In most countries, family reunification is provided to the members of the so-called nuclear family, i.e. spouses and (minor) children. The migration of non-residents on the basis of family ties is possible only in exceptional cases, e.g. in the case of other relatives or common-law spouses. BSPC governments would find it worthwhile to discuss whether the current family reunification regulations provide in effect sufficient circumstances for the right to family life to be fulfilled for migrants living in their jurisdictions.

4.2.4. Removals and returns

If the conditions of the residence permit in a country are (no longer) fulfilled, the authorities may order a removal or return of foreigners to their country of origin or former residence. A responsible authority depends on the type of removal or return in question. This may be, e.g. a deportation following a negative asylum decision, removal of a person residing without a residence permit or expulsion of a non-national who has committed a crime. Finland's survey response on evictions also mentions the category 'refusal of entry'. In the BSPC countries and regions, the authority that handles removals and returns is usually the central office responsible for immigration or border control operating under the authority of a ministry or a special agency responsible for, e.g. residence permits for foreign labour. Schleswig-Holstein's response states that, in this region, the 'County Immigration Office' (*Kreisausländerbehörde*) is responsible for deciding to pursue an eviction.

For removals and returns, foreigners also presumably have some kind of opportunity to appeal the decisions of the authorities. However, only Denmark and Mecklenburg-Vorpommern's responses mention this possibility. Moreover, deportations and returns can be either voluntary or enforced by nature. In voluntary returns, the persons are usually given a set period of time by which they must leave the country. Enforced cases, in turn, involve one or more escorts, usually police officers.

A problem with regard to the responses on 'eviction activities' is related to the term 'eviction' used in both the 2018 and 2019 surveys. The comparability of the figures given by the respondents on evictions is questionable because there may be difference in the way the respondents understand the word 'eviction'. Does the term refer to removals or returns, and is the term understood as expulsion? This problem with the interpretation of the word was also raised in several responses to the 2018 question. Furthermore, in the 2018 survey, about half of the respondents did not provide an answer to question 11, which asked about the number of

The number of returns and removals varies considerably between the BSPP member states and regions. For example, from 2015 to 2017, the evictions were fewer than 200 per year in Estonia and between 120 and 286 in Hamburg; however, the annual figure during this same period was between 20,000 and 26,000 in Germany and between 13,000 and 25,000 in Poland.¹⁹ The most significant explanatory factors are presumably the differences between the countries in the number of asylum applications and overall immigration because countries with a higher number of asylum applications and immigration usually also have a higher number of removals and returns.

For voluntary and forced returns, the trend was largely similar, although the figures provided by many countries and regions on voluntary and forced returns were remarkably low in many instances. In Poland, however, the number of voluntary returns was significant (11,000–22,000 per year in 2015–2017), notwithstanding that the number of asylum seekers in the country was considerably lower than, e.g. in Germany or Sweden, where the number of voluntary returns was also high (in 2015–2017, Germany had 29,000–55,000, and Sweden had 9,000–17,000 per year). The relatively high number of forced returns in Norway (5,000–8,100 per year in 2015–2017) was noteworthy as well as the relatively low number of forced returns in Sweden (3,400–4,200 per year in 2015–2017), despite the relatively high numbers of asylum seekers and immigrants in the country (see Table II). Nonetheless, further investigation into national and regional practices and legislation is necessary to assess the different factors influencing these figures. It would be especially good to have a discussion and exchange of good practices between those countries with little experience and lots of experience of return procedures.

4.3. Immigrant policies

4.3.1. *Dual citizenship*

Regarding dual citizenship regulations, the countries vary in the level of restrictiveness and detail. Denmark, Finland, Latvia, Poland, Russia and Sweden allow dual citizenship at least to some extent. Most of these countries define the requirements for acquiring dual citizenship in different levels of detail. Latvia, e.g. allows dual citizenship only for certain nationalities: citizens of the EU, EEA or NATO member states, or Australia, Brazil and New Zealand. Denmark and Sweden stated they had no special conditions for acquiring dual citizenship.

In some member states, different regulations also allow exceptions to the general rule of not allowing dual citizenship. For instance, in Lithuania and Estonia, one might acquire citizenship if the person applying for citizenship holds refugee status or is a beneficiary of international protection granted by these states or any other EU member state. Germany indicated that ‘multiple citizenships should be avoided’. However, Germany does allow dual citizenship if its quite demanding conditions are met by the applicants. In addition, Norway allows multiple citizenships only in exceptional cases, but the country is potentially preparing a regulation allowing dual citizenship in the future. In summary, it seems that BSPP member states are systematically following the general trend of most developed countries in recent decades to

¹⁹ Figures according to the responses to the 2018 survey.

gradually decrease the restrictions regarding dual citizenship, although examples to the contrary remain.²⁰

4.3.2. *Unaccompanied minor asylum applicants*

In recent decades, many comparative studies and surveys have been published on unaccompanied minor asylum applicants. These studies are worth consulting by BSPC governments.²¹ In 2015, there were close to 100,000 unaccompanied minor asylum applicants registered in the EU countries but in 2017 the number had decreased to close to 30,000 applicants. Of the BSPC members, Germany and Sweden have been among the receivers of the highest numbers of minors applying for asylum. In the EU member states, the unaccompanied minors mostly consist of young boys of 16 and 17 years of age. Only small proportion of the total is under 14 years of age. The percentage of unaccompanied minor girls has in recent years often been between 10 to 15 percent of the total number of unaccompanied minors. In 2017, the main countries of origin of the unaccompanied minor applicants in the EU were Syria, Afghanistan, Iraq, Eritrea and Somalia.²²

All BSPC countries and regions have special procedures for reception of unaccompanied minors and means of supporting their integration.²³ The legislative framework in the member states and regions is mainly based on the Declaration of the Rights of the Child, the UN Refugee Convention and the EU *acquis*. Reception and care during the minor asylum applicant's status determination varies but there are significant similarities in the systems of the EU member states due to the EU's CEAS and Union's *acquis* framework. In most countries, unaccompanied minors are assigned a representative or guardian whose task is to ensure that the child's best interests are considered during the asylum process. A guardian may be a voluntary citizen (e.g. in Denmark and Finland) or a state or municipal employee (e.g. in Estonia, Germany and Latvia). Volunteer guardians are paid at least in some countries by the government for their duties. Lithuania's system differs slightly from the others, since according to its response, the public Refugee Reception Centre acts as guardian for unaccompanied minors.

Practice example

Unaccompanied minors, who are resident in Schleswig-Holstein, are obligated to attend school by the Education Act. They take part in multi-level-system of classes, in which German is taught as 2nd language. 1st level: classes are taught in German only (usually 1 year), 2nd level: integration of pupils in regular classes while being taught additional German 2-6 hours a week (up to 6 years), and 3rd level: complete integration in the regular classes, additional German can be provided only if necessary.

²⁰ Blatter, Erdmann & Schwanke 2009; Vink & Bauböck 2013.

²¹ See, e.g. Kohli & Mitchell 2007; Björklund 2015; European Migration Network 2018.

²² European Migration Network 2018.

²³ Russia did not provide response to the 2018 survey's questions on unaccompanied minor asylum applicants.

In all member states and regions, unaccompanied minor asylum seekers are accommodated in their own accommodation units with intensive support. Services provided in these facilities for people under the age of 18 are generally more extensive than for adult asylum seekers. In some form or another the following services seem to be available in all countries and regions which provided their response to the questions on minor asylum applicants²⁴: temporary accommodation, intensive care and guidance services, different kinds of education (e.g. language, culture orientation and school preparatory courses), social security and health care. However, for example, the integration and language courses and services may differ considerably in different regions, municipalities and cities of a given country. As the Mecklenburg-Vorpommern response highlights, at least in the case of Germany, 'support measures in the school sector and professional sector are organized by the individual federal states'. Several of the respondents (e.g. Norway, Sweden and Poland) state that the aim is to provide as convergent services as possible to minors of their own country. However, based on the responses to the surveys, it is impossible to compare in detail the differences in the coverage of the services in the different BSPP countries and regions. BSPP member states and regions should in the future consider the possibility of coming up with minimum standards of reception facilities and above mentioned services for minor asylum seekers.

All the BSPP countries and regions that have answered the questions on minor asylum applicants, have some kind of legislation that allows age assessment of minors. Usually the authorities may request a medical age assessment when it is not possible to define with certainty whether the person is over or under 18 years of age. This procedure is used especially in the cases where an unaccompanied minor is not able to present valid ID document. The medical age assessment is voluntary, but in many countries a person who refuses to take part in the assessment is considered automatically an adult. The medical assessment usually consists of dental x-ray and/or wrist x-ray. The results of medical assessments are in many countries reported to be used with caution, and they are often only one of the factors the authorities consider in the overall age assessment. Also it is mentioned in several responses that if there is a reasonable doubt about the asylum applicant's age, the applicant will be considered a minor.

When an unaccompanied minor asylum applicant reaches the age of 18 or is declared by the authorities to be an adult, he or she usually moves immediately to adult reception facilities and reception centers. In some states (e.g. Finland and Sweden) there is a special transition period during which a person who is between 16 and 17 years of age is intensively trained for independence and taking responsibility for one's own life. This practice should also be considered in those BSPP countries and regions where it is not yet in use. Also the differences between the practices and legislations concerning detaining and deportation of unaccompanied minors in the BSPP member states and regions should be compared in order to possibly find common good practices that secure the basic and human rights of the children.

4.3.3. Services provided for immigrants

Provision of advisory services and training courses is crucial for the establishment of a reception process for asylum seekers which takes into consideration the basic and legal rights of the persons arriving and provides sustainable and flexible integration trajectories for all immigrants. In all the BSPP states and regions, advisory and legal assistance to foreigners, asylum seekers and refugees were differentiated by the status of the beneficiary. These services exist to a certain extent in each state and region. In some countries, asylum seekers have access

²⁴ Russia did not provide response to the 2018 survey's questions on unaccompanied minor asylum applicants.

to legal assistance at various stages of the asylum application process, especially at the appeal stage. However, in some other countries, such as Germany, publicly paid legal aid is not available or is quite limited.

Practice example

Support in language training is offered in the adult education centre to adults who have lived in Hamburg for a longer period of time and are still unable to speak and write German adequately. In addition, the public provision of language training is also supplemented in Hamburg with voluntary provisions, which are open to all adult immigrants regardless of the status or country of origin.

Some of the respondents in the 2018 survey only raised legal or other kinds of advisory services for asylum seekers and refugees and did not talk about advisory services designed for other immigrants. However, information is likely provided for other groups of immigrants as well—at least as an online service. Nonetheless, most of the respondents referred to certain kinds of general immigrant information services, usually provided by branches of one or more ministries, such as the Citizen Service at the Danish Immigration Service in Denmark or the Finnish Immigration Service in Finland.

Practice example

The integration procedures in Norway and Sweden differ from other states; i.e. all foreign nationals between 16 and 55 years of age who hold a permanent residence permit (Norway) and all ‘people who recently received a residence permit’ (Sweden) have *both* the right *and* obligation to participate in integration training.

All BSPC countries and regions offer some kind of language courses and civic education for immigrants. Vocational training, however, was mentioned less often by the respondents. The responses focused on integration services for asylum seekers and refugees, which were usually free of charge. In more than half of the states, asylum seekers have a duty to participate in this public integration training. If an asylum applicant does not take part in these courses, a reduction in the applicant’s social benefits is prescribed in several states. In Poland, participation was exclusively voluntary. Other immigrants than asylum seekers, both third-country nationals and EU citizens, are also provided with education on language, employment and social and cultural aspects of the host society. For third-country nationals, those taking the training must pay for it, but participation is voluntary. The primary objectives of the BSPC countries’ integration policy measures for immigrants appear to be learning the host country’s language and gaining employment in the short- to medium term.

Practice example

In Lithuania, there are three foreigner integration centres in the country's three largest cities. These centres aim to provide 'one-desk' services for foreigners and to facilitate a wide range of services at one office to speed up integration into society and the labour market.

Practice example

In Mecklenburg-Vorpommern, there are 22 'job guides' in the public employment offices. Their task is to provide individual and holistic support for international protection receivers on their path to finding employment, internship or training opportunity.

More information on best practices for immigrant integration was collected in the 2019 survey of the Working Group on Migration and Integration.²⁵ Information on the most successful integration practices can also be found, e.g. in the Organisation for Economic Co-operation and Development (OECD) and the Nordic Welfare Centre reports on integration policies and indicators, and the open access edited volumes published in the International Migration, Integration and Social Cohesion in Europe (IMISCOE) Research Series.²⁶

Certain issues still need to be clarified in future assessments and surveys with regard to advisory, legal assistance and integration services in the BSPC member states and regions. The answers did not, e.g. tell much about the educational background of the authorities providing information and legal advice or what their operational principles are. It would also be useful to know how national trade unions, non-governmental organisations (NGOs) or local employers are involved in providing advice and integration services for immigrants. However, most governments mentioned that voluntary civil society members who organise different activities or services for immigrants are supported by public funds. The amounts allocated differed considerably amongst countries. Most of these services provided by organisations and volunteers were related to asylum seekers or support for integration.

4.3.4. Accommodation

Responses to accommodation for immigrants focused on services and challenges related to asylum seekers. Every country provides accommodation of some form to the asylum seekers whose applications for asylum are being assessed. Responses from many countries highlighted the impact that the type of residence permit asylum seekers hold had on housing opportunities and the services available. Usually, in BSPC countries, asylum seekers waiting for a decision

²⁵ The responses for the 2019 survey are available at http://www.bspc.net/bspc_anhang_statementsbsp27/ (accessed 10 May 2019). See the responses to questions 8 and 9.

²⁶ The OECD reports on immigrant integration are available at <http://www.oecd.org/els/mig/integrationpoliciesandindicators.htm> (accessed 10 May 2019). See also MIPEX 2019; Nordic Welfare Centre 2019; Scholten, Entzinger, Penninx & Verbeek 2015; Garcés-Masareñas & Penninx 2016a.

can first be housed in state-financed reception facilities organised by municipalities, state immigration services or NGOs. The services offered at these reception centres vary from country to country but may include food provision, language courses, training on social and cultural integration, social and health care services or distribution of social support.

In some countries, such as Germany, asylum seekers are usually obliged to live in a reception centre for a certain period of time (from 6 weeks to 6 months in Germany) before being allocated a place for regional accommodation, usually organised in collective accommodation facilities. In some cases, such as in Finland, in addition to the reception centre, asylum seekers are allowed to live in private accommodation (e.g. with a relative or a friend) during the asylum process. These situations are assessed on a case-by-case basis by the employees of the reception centres to ensure, inter alia, that the housing conditions are decent. If people are granted asylum or an subsidiary international protection status, they can usually live in a reception centre for a certain period of time. These people are then normally expected to move to their own homes. If a foreigner is detained, most countries have a special kind of detention centre for accommodating these people where services, the movement of residents and more are restricted.

Unaccompanied minor asylum seekers, on the other hand, usually have separate reception centres or units in many of BSPC countries. These facilities often provide broader services and support, e.g. in education, social integration and organising the lives of minor asylum seekers in their new country of residence. The BSPC members should examine, whether there are still countries or regions where unaccompanied minors live together with adult asylum seekers and whether these practices could be modified.

Practice example

In some countries, such as Finland and Sweden, the reception centre's employees and municipal authorities actively support persons who have been granted residence permits in the practicalities of finding and moving into a private accommodation (e.g. a new apartment). Especially for those minor asylum seekers who have been granted a residence permit, support for moving to their own home is well planned.

BSPC states and regions would find it worthwhile to discuss defining common minimum standards for accommodation and services provided by the reception facilities for asylum seekers. The possible differences in the level of accommodation and services provided *within* countries, e.g. due to the service provider in question, should also be considered critically to achieve equality between asylum seekers living in different centres and regions. These kinds of standards have already been discussed and formulated amongst EU member states.

5. Conclusions and suggestions

Similarities and differences of contextual frameworks impact the BSPC member governments' abilities, means and goals in immigration and immigrant policy. Different historical legacies, such as the Cold War era minority and immigrant policies can also influence the approaches and regulations adopted by the states. In addition to history, different present-day realities in both predominantly migrant sending or migrant receiving countries and members and non-members of the EU have an effect, e.g. on the immigrant integration, asylum and family reunification policies and administrative practices. In the Baltic countries in particular, the scale of emigration has been substantial to the extent that it poses a threat to the reproduction of populations and the sustainable economic and social development of these countries.²⁷

The Working Group on Migration and Integration determines as its objective 'to elaborate political positions and recommendations pertaining to migration and integration'.²⁸ To support this endeavour, the assessment concludes by providing the following reflections and suggestions based on the findings.

Suggestions

On asylum policy

1. EU asylum policy makes a significant contribution to the asylum reception systems and legislation of the EU member states. For instance, there may be differences between the non-EU and EU countries in the process leading to deportation, in processing asylum applications, or in reception facilities provided for minor asylum applicants.

SUGGESTION: Harmonize the practices concerning (1) deportation, (2) processing of asylum applications, and (3) reception facilities provided for minor asylum applicants, while taking into account both national and human/fundamental rights' considerations.

2. A common origin country data collection services or database would help achieve a fair and equal practice of processing asylum applications in different BSPC countries, increase coordination and mutual understanding amongst the BSPC countries and decrease possible overlap in collecting origin country information.

SUGGESTION: Establish a common origin country data collection services or database (or at least enhance collaboration amongst the BSPC governments in this field).

²⁷ See, e.g. Engbersen & Jansen 2013; Kirch 2013.

²⁸ Working Group on Migration and Integration 2018, 7.

On migration and labour markets

1. Solutions concerning foreign labour and international mobility of the workforce are primarily based on national considerations.

SUGGESTION: Strive for multinational cooperation and coordination to balance undesirable developments such as labour shortages and labour oversupply.

2. Securing the well-being and involvement of all members in a given society is arguably the desired state of a resilient society.

SUGGESTION: Distribute and adopt the best practices of supporting the employment and integration of certain groups of immigrants. Such groups of particular concern include international students, housewives, minors and the unemployed. Make sure these groups are acknowledged when formulating integration, education and employment legislation and policy.

On immigrant integration

1. Immigrant integration occurs at the same time on different levels (labour market, language, social relationships, cultural accommodation etc.).

SUGGESTION: Acknowledge the multifaceted character of immigrant integration (i.e. labour market, language, social relationships, cultural accommodation etc.). This understanding should be put into practice on the level of legislation and policies.

2. Governments and public administrations can act as enablers of successful immigrant integration, but integration is more than just national and regional governments' (administrative) actions. Other actors, such as NGOs and largely informal social networks of immigrants or ethnic communities in host and origin countries can be crucial for social and labour market integration.

SUGGESTION: Streamline the public policies and allocate resources in order to facilitate the desirable working conditions of the NGOs and informal networks supporting social and labour market integration of immigrants.

3. From the point of view of integration and population policy planning, it is useful to ask (1) how and if the *three-way integration*,²⁹ i.e. (a) the integration of immigrants to the practices of the host society, (b) the adaptation of the host society to the diversification of the citizens' backgrounds and practices of the members of a society and (c) the role the countries of origin play in successful integration is acknowledged in the BSPC states and regions.

SUGGESTION: Promote by public measures good relations within the population and diverse society's ability to function. Such measures may involve information campaigns, organizing of events and housing policy that promotes diverse residential areas.

SUGGESTION: Acknowledge the concept of three-way integration in legislation and policies. Formulate policies that enhance each aspect of the three-way integration model's ability to function.

On data collection

1. To provide all survey respondents with comparable and sufficiently detailed responses to the questions asked, the following steps are recommended.

SUGGESTION: Make sure (1) the questions in the future surveys are as precise as possible regarding the necessary information and the level of accuracy required, and (2) the responses are reviewed, and incomplete answers result in queries for more information.

2. For instance, immigrant integration and economic and labour market impact of migration occur to a significant degree on the local level. Nevertheless, the national and subnational assessments—such as the BSPC 2018 and 2019 surveys—are also important for understanding the broader policy and societal frameworks.

SUGGESTION: Compile more comprehensive data on local level social, economic, employment and population trends in the BSPC region which will assist immigration and immigrant policy-making.

3. To enhance understanding on the developments of policy convergence and differentiation between the BSPC countries and regions' legislations and policies over time the surveys should be repeated.

²⁹ On the three-way integration process concept, see, e.g. Garcés-Masareñas & Penninx 2016b.

SUGGESTION: Repeat the surveys conducted by the BSPC Working Group on Migration and Integration in 2018 and 2019 every 5 years (with necessary reformulations).

4. OECD, Migrant Integration Policy Index (MIPEX), the Nordic Welfare Centre and the International Organization for Migration (IOM) have compiled surveys and lists of best practices of various aspects of immigration and immigrant policies.³⁰ Utilization of these surveys would help avoiding duplication of data collection and enhance possibilities for cooperation with these organizations in the field of immigration.

SUGGESTION: Combine the information and lessons learned gathered by above mentioned organizations with the data collected by the BSPC members.

³⁰ See References, for some of these publications. See also the responses to the 2019 survey, for some of the best practices mentioned by the BSPC governments.

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Appendices

APPENDIX I. Questions of the 2018 BSPC Working Group on Migration and Integration survey.

1. Name of national / regional parliament
2. If available, please, provide information regarding the population structure of your country / region total, female, with migration background, living in urban areas
 - 2a. If available, please, provide detailed information regarding the population structure in your region / country
Insert percentage, 18-25, 26-40, 41-50, 51-65, 66+
 - 2b. If available please give a prognosis for you country's population in 20 years concerning demographic development?
3. What are the significant rules for immigration? E. g. does an immigration law exist?
4. What are the requirements for the acceptance of asylum?
5. Does your country allow dual citizenship?
6. What are the conditions to obtain a work permit?
7. Do advisory services for foreigners (or migrants, asylum seekers, refugees) exist?
8. Are courses provided by the government, such as language courses or courses e.g. for civic education or vocational training?
 - 8a. Who is allowed to participate in courses?
 - 8b. Are the courses free of charge?
 - 8c. Are there obligatory courses?
9. What kind of benefits exist for migrants / asylum seekers?
 - 9a. What are the conditions for the benefit payments?
 - 9b. How do the benefits relate to the average national income?
10. Are there possibilities for family-reunification?
11. Could you inform us about the number of evictions activities?
 - 11a. Who decides to pursue an eviction?
12. How does your country deal with unaccompanied minors? (a guardian or representative, the right to accommodation in a dedicated home or in a foster, family child-specific social, economic and educational rights)
 - 12a. Do you have special programs for family unification / resettlement / return?
 - 12b. Is there a continued support upon turning 18 (reaching legal age)?
 - 12c. Are there procedures to identify ostensible minors?
 - 12d. Are there special regional programs for unaccompanied minors (school, youth welfare); best practice examples?
 - 12e. Please provide examples for regional programs or best practice examples?
13. Please state – if possible – the average monthly costs (per migrant, per asylum seeker, per undocumented person, per minor)
14. Please indicate how your country / region organises accommodation (for migrants, for asylum seekers, for refugees, for minors)
15.
 - 15a. How is the involvement of volunteers organized?
 - 15b. How is the financial support of volunteers organized?

APPENDIX II. Questions of the 2019 BSPC Working Group on Migration and Integration survey.

1. How many asylum seekers asked for a permission to stay in 2015 / 2016 / 2017?
2. How many voluntary returns have been documented in 2015 / 2016 / 2017?
3. How many evictions have been issued in 2015 / 2016 / 2017?
4. How many forced returns have been documented in 2015 / 2016 / 2017?
5. Please State – if possible – the average monthly costs for:
 - A) Asylum seekers /
 - B) Refugees / subsidiary residence permits
 - Adults living alone
 1. a) in reception centers with food
 2. b) in reception centers without food
 3. c) Living outside reception centers
 - Unaccompanied minors
 - a) under 16 years
 - b) + 16 years
 - Children with families
 - a) in reception centers with food
 - b) in reception centers without food
 - c) Living outside reception centers
 - Spouses / partners / roommates
 1. a) in reception centers with food
 2. b) in reception centers without food
 3. c) Living outside reception centers
 - 1) Additional costs for transportation
 - 2) Additional costs for clothing
 - 3) Additional costs for education (books etc.)
 - 4) Health care
 - 5) Rent
 - 6) One-time payments
 - C) Social benefits that are granted as a basic payment

6. Are there any measures taken by the government to combat occurrences of social control in the migrant population? Please provide best practice examples.
7. Are there any measures taken by the government to prevent formation of segregated migrant communities? Please provide best practice examples
8. Is there any program, training or advisory service that over time has proved particularly beneficial for successful long-term integration of migrants into the labor market? Please elaborate.
9. Is there any training programs on language and culture that has been conducted in collaboration with civil society organizations/initiatives that over time has proved to be particularly successful? Please elaborate.