Migrant integration policy at European level: past, present and future

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Migrant integration is not a new item on the European agenda. Numerous European measures that were passed throughout the years in the field of employment, social affairs, equal opportunities and anti-discrimination explicitly articulated the hope of furthering the social integration of immigrants. However, only recently did the Commission, and DG Freedom, Security and Justice in particular, set out to develop a coherent policy framework for migrant integration framework. Ever since the European heads of state and government first called for “a more vigorous integration policy” at EU level during the Tampere summit in 1999, the Commission has launched a series of initiatives to substantiate this request. The publication of the ‘Common Agenda for Integration: Framework for the Integration of third-country nationals in the European Union’ in September 2005 marks a provisional highlight in this regard. Considering that, until recently, national governments firmly held on to their exclusive competence in the sensitive field of integration policy, it is surprising that the member states explicitly invited the Commission to develop a holistic framework for migrant integration. The question that this paper hence aims to answer is; where did this EU common integration policy come from and where is it going? As will become clear in this article, tracing the origine of this policy field will help shed light on the difficulties laying ahead.

1. The past: the long struggle for competences

The earliest reference to the need for immigrant integration dates back as far as 1974, when the Commission launched its Action Plan in Favour of Migrant Workers and their Families.1 Concerned about problems arising as a result of the rapidly growing immigrant population, such as housing shortages or inadequate social and education infrastructure, the Commission called for “the coordination at Community level of the national policies of Member States towards migration and migrants, as well as taking the problem of migration into account in drawing up Community policies in other areas.” The action plan put forward a list of practical proposals to achieve these aims. Articulating the hope that these measures would “offer appropriate assistance to migrant workers and members of their families to facilitate their integration in the host country,” the Commission formally introduced the concept of integration at the Community level. In that sense, the programme heralded the beginning of its sustained efforts to improve the living and working conditions of immigrants.

After the Council adopted this Action Programme in February 1976, interest in immigrant integration nevertheless plummeted. During the economic crisis of the 1970s and the 1980s, the European institutions clearly had other priorities than promoting the social inclusion of migrants; with the exception of the Council Directive on education of the children of migrant workers in 1977,2 no further initiatives were taken which could potentially promote the integration process. Instead of worrying about the integration of resident immigrants, national governments were primarily alarmed by the continuous growth of the immigrant population, both as a result of natural increase and family reunification. Against the backdrop of economic hardship, immigration increasingly

2 Council Directive 77/486 EC, 25/7/1977. This Directive made it compulsory to teach the language of the host country to children of migrant workers with a view to stimulating the integration process. The same Directive also encouraged the teaching of the language and culture of the country of origin within the framework of normal education and in cooperation with the country of origin in order to facilitate their possible reintegration there, implying that the Community at this point also supported the idea that guest workers would eventually return.
became a subject of public concern. There was a shift from a permissive immigration policy to a restrictive approach in the field of immigration. Integration policies were not deemed necessary as migrant workers were still considered guest workers and expected to return home.

Only upon the signing of the first Schengen agreement in May 1985 and the publication of the White Paper on completing the internal market that same month – in which Commissioner Cockfield identified border controls as one of the important barriers to the completion of the single market – did the Commission manage to draw new attention to the integration theme. After France, Germany and the Benelux countries decided to establish an advanced open frontier system, the question of free movement of people across internal borders was also put on the European agenda as part of the negotiations on the Single European Act in the mid-1980s. This triggered a broader migration debate as member states insisted that the prevailing loss of internal border control would be compensated by a reinforcement of external border checks to guarantee a sufficient level of control of who and what might legitimately enter the new space of free movement.

As much as the Commission wanted to use this renewed interest in the migration issue to underline the precarious situation of migrants in the Community, it had not been given legal competence in the field of migration by the Treaty of Rome. Nonetheless resolved to have its voice heard in the ongoing debate on free movement of people, the Commission in March 1985 submitted a communication entitled Guidelines for a Community Policy on Migration, concerning the socio-political rights of migrant workers, their educational needs, harmonization of migration law and the combating of racism. More particularly, the Commission proposed “the adoption of policies favouring the insertion and integration of foreign residents, together generally with efforts to preserve cultural links with the country of origin.” The dual approach to migrant integration as proposed in this document illustrates how the lack of competence in this field forced the Commission to steer a cautious route. By backing the return philosophy that still dominated policy-making at national level, the Commission wanted to remain on good terms with the Member States whilst simultaneously trying to convince them of the need to develop coherent integration policies for legally resident third country nationals. Indeed, it was increasingly becoming clear that migrants which arrived in the fifties and sixties were not going to return to their country of origin but at the same did not really integrate well in their new home country.

Despite the fact that the Council a few months later adopted the proposed guidelines in a resolution, it seems that the national governments, aware of the Commission’s tendency to continuously seek to expand its competences at the expense of the member states, soon became worried about the interference of the latter in the field of migration. When the Commission used its authority under article 137 EC (ex. 118) to establish a prior communication and consultation procedure on migration policies with regard to third-country workers,7 several member states took the matter to the European Court of Justice. They claimed that the Commission had overstepped its competence and impinged upon their sovereign power in the field of immigrants and immigration regulations. Conspicuously, the ECJ ruled that the Commission had indeed exceeded its procedural powers to the extent that its consultation procedure was aimed at securing conformity between provisional national measures and Community policies.8 On the question whether migration policies towards non-EC nationals fell within the social issues under article 137 (ex. 118), the Court however sided with the Commission, confirming its argumentation that the employment situation – and more generally, the improvement of living and working conditions in the Community – was affected by national policies towards third-country nationals. Nevertheless, it also ruled that the Commission, by including measures on the cultural integration of non-EC migrants, had exceeded its competences.

II. The turning point (1997 – 2000)

Wary of incidents like the above, the European Union long abstained from intervening directly in a politically sensitive area as integration policy. Until recently, the


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member states firmly held on to their exclusive competence in the field of integration policy. Since the issue of migrant integration is connected to sensitive political questions about national identity and membership, governments were long determined to keep control over who could become an integrated member of the domestic society and under which conditions. The idea of developing an actual integration policy at the European level only gained momentum in the wake of the Treaty of Amsterdam (1997). This document truly constituted a milestone in the development of a common migration framework, covering both immigration and integration measures. After the Maastricht Treaty (1992) had drawn immigration and asylum into the orbit of the new European Union, the Amsterdam Treaty realized a transfer of immigration policies from the Justice and Home Affairs Pillar to its more supranational EC counterpart. Article 63 of the new Treaty set out a clear schedule for concrete measures on immigration and asylum that ought to be taken at EU level. As a result, the Community institutions for the first time had the opportunity to shape policy decisions in this area. Particularly the Commission strongly profited from this decision; it henceforth possessed the right of legislative initiative in the field of immigration, which seemed to open up new opportunities for the promotion of immigrant integration at EU level. A full Directorate General for Justice and Home Affairs was created to develop EU policies in this area; among its new tasks was the integration of migrants and refugees, which was transferred from what at that time was known as DG V, now Directorate General for Social Affairs and Employment. One could thus argue the Treaty of Amsterdam constitutes what historical institutionalists call a ‘critical juncture’, a symbolical point of no return. Whereas the Commission had long been forced to play an advisory role, it would henceforth – at least in theory – get a chance to ‘matter’ in the field of integration policy. However, theory and practice rarely coincide. A closer look at the underlying reasons for ‘uploading’ migration policy to the European level reveals the limitations of the above changes in terms of promoting integration. Firstly, the decision to transfer of migration competences to the European level was directly connected to the intended establishment of “an area of freedom, security and justice, in which the free movement of persons is assured in conjunction with appropriate measures with respect to external border controls, asylum, immigration and the prevention and combating of crime.” This provision should be understood in the context of the security discourse that had emerged from earlier intergovernmental cooperation in the field of internal security in Europe (e.g. the TREVI and the Ad Hoc Group on Immigration as later incorporated in the third pillar created under the Treaty of Maastricht (1992)) Huysmans argues that these initiatives “produced and distributed security knowledge that articulated a continuum between external borders, crime, terrorism and migration,” with the result that immigrants from outside the European Union were increasingly perceived as a security threat. As the Treaty of Amsterdam merely confirmed the interdependence between the above themes, it further strengthened the prevailing securitization ethos characterizing extra-EU migration policy. It goes without saying that such perceptions hamper both the socio-economic and cultural integration of immigrants.

Secondly, the decision to give the European Union – and the Commission in particular – a role in the development of a common migration policy was strongly informed by economic reasons. Faced with a rapidly aging population and growing labour shortages at both skilled and unskilled levels, national governments wanted to replace the ‘zero’ immigration policies from the seventies with a shared legal framework for regulating labour migration outside the European Union. The abolishment of internal borders indeed implied that the immigration policies of one country might have implications for other member states, making extra-EU immigration a ‘matter of common interest’. Conspicuously, most governments seemed to agree with the Commission that a common immigration policy could only be successful if backed by a European framework for migrant integration, as the latter had been claiming since the seventies. The heads of state and government explicitly articulated this idea at the Tampere Council in October 1999, requesting “a more vigorous integration policy” at the European level which “should aim at granting legally resident third country nationals rights and obligations comparable to those of EU citizens.” Given the growing tension between

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1 It should be noted that the Treaty stipulated that, the Commission would not possess the sole right of initiative, until May 1st, 2004.
‘native’ and migrant populations, governments finally seemed to realize that the economic merits of labour migration could come at the price of social conflict in the long term when not backed up by appropriate integration programmes. In the hope of preventing these problems from arising in the future, the national governments at Tampere clearly signalled their determination to invest in integration policies for immigrants, both at national and European level. Unfortunately, this approach was only geared towards newly-arriving immigrants and did not apply to the established migrant communities in Europe.

Still, national governments could no longer ignore the alarming lack of integration of the latter group. Research clearly indicated that migrants from non-EU countries – often with a different ethnic or racial background – were less likely to move on to higher education, were often discriminated on the labour and housing market and were more frequently living below the poverty line. In addition, racist violence was on the rise throughout the European Union. As domestic integration policies were failing, member states hence became increasingly susceptible to the Commission’s calls for the introduction of treaty provisions against racism and xenophobia. During the Intergovernmental Conference before Amsterdam, the member states agreed to complement the supranationalisation of immigration and asylum policies with stricter anti-discrimination measures to cover racial and ethnic exclusion. Given the previous reluctance of member states to involve the Community institutions in social issues, an agreement was reached surprisingly fast. Andrew Geddes seeks to explain this swiftness by arguing that ‘member states with divergent philosophies of integration [Britain and France in particular] agreed to a new supranational system without much resistance or soul-searching,’ implying that some member states did not fully grasp the implications of this decision. Regardless, the Commission henceforth had the authority to forward proposals to counter discrimination based on race, ethnic origin, religion or sexual orientation (art. 13 EC), indicating a growing inclination amongst the member states to involve the European institutions – and particularly the Commission – in tackling the problem of immigrant integration.

III. An difficult dynamic between Commission and Council

The Commission did not wait until the national governments ratified the Treaty of Amsterdam to exploit its newly acquired rights. In November 1999, it issued an anti-discrimination package of measures, including a Proposal for Directive establishing a general framework for equal treatment in employment and occupation and a Proposal for a Council Directive implementing the principle of equal treatment between persons irrespective of racial or ethnic origin. Only weeks later, a proposal for a Directive on family reunification was put forward; the Commission considered this measure an essential instrument for integration as the establishment of stable family communities was believed to foster participation in their new societies. In March 2001, the Commission then initiated the groundbreaking ‘Directive concerning the status of third-country nationals, who are long-term residents’. By giving the third-country nationals the opportunity to acquire the status of long-term residents – on the condition that they had been legally resident for an uninterrupted period of five years and were in possession of a sufficient level of stable and regular resources – this Directive intended to bring about the equal treatment of European citizens and non-EC nationals in a number of socio-economic areas, such as access to employment and self-employed activity, education and vocational training, social protection and assistance and access to goods and services.

However, it soon became clear that the Council did not fully share the enthusiasm of the Commission. In spite of the unanimous call for a European integration framework at Tampere, it proved a difficult and time-consuming process to get the above proposals adopted. For example, political agreement on the Directive concerning the status of long-term TCN’s was only reached after two years of intense negotiation whereas it even took double as long before the Directive on the Right of Family Reunification was eventually adopted in February 2003. Arguably, the difficulty to pass these measures through the
Council once again illustrated the fear of member states to give up control over the content of their national integration policies. Confronted with the concrete implications of their decision to grant the Commission the right of initiative in matters of integration and anti-discrimination, it seemed that national governments were already going back on their promises.

In the hope of cranking up the debate on the implementation of the Tampere conclusions on immigration and the position of migrants, the Commission in November 2000 put forward a number of new ideas in their Communication on Community Immigration. Aware of the fact that most member states still primarily regarded the need for an common migration policy in an economic light, the Commission again stressed the demographic deficit as a major reason for adopting more liberal immigration policies. It launched the concept of civic citizenship, which aimed at “guaranteeing certain core rights and obligations to immigrants which they would acquire gradually over a period of years, so that they are treated in the same way as nationals of their host state, even if they are not naturalised.” The Commission argued that granting migrants such form of citizenship might be a sufficient warranty for them to settle successfully into society. In addition, it took the opportunity to underline that “the legal framework and other actions being proposed by the Commission to fight discrimination and xenophobia will need to be complemented by specific integration programmes at national, regional and local level”, trying to convince the member states to step up their efforts. Pointing out that “such a horizontal approach requires co-ordination”, the Commission did not hesitate to attribute this role to the European institutions, arguing that “the EU could contribute by developing a pedagogical strategy, promoting the exchange of information and good practice, especially at local level and the development of guidelines or common standards for integration measures and that a Community Action Programme to promote the integration of third country nationals could be developed aimed at improving the understanding of the issues concerned.”

The proposed approach for developing an integration policy at EU level immediately reminds of the Lisbon Agenda, which was launched seven months before. This document unveiled a bold strategic plan calling for a “radical transformation of the European economy” to make the EU into the most “competitive and dynamic knowledge-based economy in the world by 2010.” The agenda has been welcomed by both officials and academics not only as the key to increasing the economic competitiveness of the European Union, but also as an effective route to improved social cohesion through better social protection and a ‘modernised’ European Social Model. The Lisbon Agenda therefore launched the Social Inclusion Process, inviting Member States to co-ordinate their policies for combating poverty and social exclusion on the basis of a process of policy exchanges and mutual learning known as the ‘Open Method of Coordination’ (OMC). Considering that the Commission had proposed a similar approach to the emerging EU integration policy, it should not come as a surprise that the Commission later explicitly tried to introduce an Open Method of Coordination in the field of migration policy. In June 2001, the Commission published its ‘Communication on an Open Method of Coordination for a Community immigration policy’, setting out a list of guidelines and common objectives. However, this proposal did not even make it to the Council table. Apart from the recurring reluctance of national governments to relinquish power in the field of migration policy, the events in New York three months undoubtedly also played a role in the fact that the plans for a common framework for migrant integration were put to rest.

IV. The run-up to the Common Agenda for Integration

When Muslim extremists attacked the World Trade Centre on September 11th 2001, the European Union as a whole radically rearranged its priorities. Immigration and internal security dispelled economic competitiveness and integration at the top of the European Agenda, thereby reinforcing the existing continuum between crime, terrorism and migration. The events ‘backlashed’ on the activities of the Commission who, as a Commission official admitted, felt insecure about promoting integration measures in the prevailing climate. Yet, it received support from an unexpected corner; a number of member states showed particular interest in promoting integration measures at European level; some countries even proved willing to use their Council Presidency for this purpose. The Belgian government made a first modest attempt to further discuss the need for a common framework on integration by organizing a European Conference on

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23 Ibid.
Migration in October 2001, but the 9/11 trauma still proved too fresh to include integration policy in the Laeken Council Conclusions.\footnote{European Council, \textit{Presidency Conclusions}, Laeken, 14-15/12/2001.} After the tragic death of 56 Chinese citizens – who perished in a truck as they were illegally trying to enter Britain – again drew attention to the often devastating situation of third-country nationals in the EU, the Spanish presidency however managed to put integration policy again on the agenda for the Seville Council in June 2002.

Building on this renewed interest, the incoming Danish Presidency pulled its weight to re-establish migration integration as an absolute priority; it opened its presidency with a conference in Copenhagen on “Successful integration in the labour market” held in July 2002 and later even decided to organize discussions on EU cooperation regarding integration of third-country nationals at the level of the Justice and Home Affairs Council. This eventually resulted in the adoption of new conclusions on migrant integration at the 14-15 October 2002 Council, calling for “the promotion of the exchange of information between member states concerning valuable experiences and national policies on integration.”\footnote{JHA Council, \textit{Council Conclusions}, 12894/02 (Presse 308), Luxembourg, 14-15/9/2002, 26.} In this context, the Council invited the Commission to establish a network of National Contact Points on Integration (NCP) with the purpose of creating a forum for the exchange of best practice between Member States at EU level in order to find successful solutions for integration of immigrants in all Member States and to ensure policy co-ordination and coherence at national level and with EU initiatives.

These developments encouraged the Commission to again push for a more coherent approach to integration policies at European level. Inspired by the Danish conference on integration in the labour market, the Commission first joined forces with the European Economic and Social Committee to organize a second conference on integration held in Brussels in September 2002, specifically focussing on the role of civil society. Following the invitation of the JHA Council to set up national contact points, it then took the initiative to establish a forum where national experts on integration could meet to discuss best practices; a first round-table took place in Brussels in March 2003.

However, it would still take months before the Commission again felt confident enough to present its own ideas on migrant integration and published a \textit{Communication on Immigration, Integration and Employment} in June 2003.\footnote{European Commission, \textit{Communication on immigration, integration and employment}, COM(2003) 336 Final, Brussels, 3/6/2003, 23} Even though the Commission would never openly admit that the negative climate towards immigrants caused its temporary reluctance to take further initiatives in this matter, it is worth noting that the Commission issued \textit{mea culpa} for not having more actively sought to push forward the integration framework after 2000. The above-mentioned Communication directly hinted at the fact that, ever since the Communication on Community Immigration Policy had set forth a series of concrete measures for putting the Tampere guidelines into practice, it had initiated proposals in three of the identified key areas of immigration policy, but not in the field of integration – as set out in the Tampere conclusions on fair treatment of third country nationals. With integration back on the agenda, the Commission was however determined to close this gap and promoted the above communication as a first step in that direction. The idea was to briefly review what had already been done at national and EU level to promote immigrant integration with a view to improving the coordination between the various initiatives.

Meanwhile, national representatives were themselves taking steps to strengthen cooperation in the area of integration. At the Thessaloniki summit in June 2003, the heads of state and government confirmed their support for the efforts of the Commission and invited the latter to present Annual Reports on Migration and Integration. The idea was to map EU-wide migration data, immigration and integration policies and practices with the intention to facilitate a more effective management of migration and integration in Europe but also to keep the Council informed on potential progress.\footnote{European Council, \textit{Presidency Conclusions}, SN1163/03, Thessaloniki, 11/10/2003, 10.} The Hague Programme, endorsed by the European Council in November 2004, again created momentum for a European integration framework by declaring integration of third- one of the ten EU priorities in the field of freedom, security and justice: echoing the argument that the Commission had made in its Communication on Immigration, Integration and Employment, the programme stated that: “Stability and cohesion within our societies benefit from the successful integration of legally resident third-country nationals and
A comprehensive approach involving stakeholders at the local, regional, national, and EU level is therefore essential. While recognising the progress that has already been made in respect of the fair treatment of legally resident third-country nationals in the EU, the European Council calls for the creation of equal opportunities to participate fully in society […] The European Council underlined the need for greater coordination of national integration policies and EU initiatives in this field. In this respect, the common basic principles underlying a coherent European framework on integration should be established. The Dutch presidency took this invitation at heart and drafted a list of the requested common basic principles within weeks. Drawn up by civil servants within the Ministry for Foreigners and Integration, these eleven principles were clearly inspired by the Dutch version of the multicultural model. Racy story is that, Rita Verdonck, the Dutch Minister for Integration at the time and known for her rigid attitude in migration dossiers, was not consulted in this process. Conspicuously, the JHA Council quickly approved of the Dutch proposal and only weeks later published a list of ‘Common Basic Principles for Immigrant Integration Policy in the EU’ (CBP’s). The first principle clearly defines integration as a two-way process involving both immigrants and the host society, the following principles elaborate on this idea by underlining the crucial role of employment, education political participation, respect for the law and intercultural dialogue in this process.

In response to the call for more coherence, the Commission took the CBP’s as a starting point for the development of the Common Agenda for Integration. The larger part of the agenda proposes a number of practical measures based on these principles, thereby making a clear distinction between actions suggested at the domestic and the European level; the former are intended as possible guidelines in the conception of national integration policies while the latter aim at extending and developing EU initiatives that have proved useful over recent years. The Commission emphasises that the list of proposals at the national level is “indicative and not exhaustive and leaves the Member States to set priorities and select the actions as well as the way in which they are to be carried out within the context of their own national situations and traditions.” Such statements imply that the Commission is aware of its weak position when it comes to the implementation of this document; the proposed guidelines are not binding, hence the Commission entirely depends on the cooperation of the member states for the realization of its proposals. The Commission is quick to acknowledge that the development of integration policy primarily remains the responsibility of the national governments. The Common Agenda is consequently rather intended as a general framework for policy coordination between the member states than as replacement of national integration policies.

The importance of this document should nevertheless not be underestimated; what makes this document so innovative in comparison with previous EU policy initiatives to combat social exclusion is the fact that it approaches integration as a cross-policy matter. Bringing all relevant policies that have been introduced over the years together in a consistent framework, the Common Agenda aims at ensuring more consistency, not only between actions taken in the various member states but also between future initiatives at the national and European level. Since the JHA directly approved of this approach in December 2005, all European institutions are hence using the document as a frame of reference for further initiatives regarding a more substantial integration policy. 20

V. The present: what measures have been adopted?

The question thus arises what measures have been taken in this area since the Commission launched the document in September 2005. The adoption of the Common Agenda for Integration by the JHA Council in December 2005 clearly generated an impetus for further action, as did the decision of the JHA Troika – consisting of the interior ministers of Germany, Portugal and Slovenia – in December 2006 to put the implementation of the agenda on its shared list of priorities, but to what result? 21

In May 2007, the Commissioner for Justice and Home Affairs himself, Franco Frattini, undertook to formulate an answer to this question at an informal of the EU ministers responsible for integration in Potsdam. He mentioned the publication of the Third

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20 Council conclusions on the common agenda for integration, Bulletin EU (10/31), Brussels, 1/12/2005.
report on Immigration and Integration which would allow the Commission to further monitor and assess the developments of integration policies in the European Union and underlined that the work of the National Contact Points had been consolidated, resulting in a second edition of the Handbook on Integration. However, the Commission report on the implementation of Hague programme for 2007 that was published in 2008 painted a less positive picture. Speaking of an ‘insufficient level of achievement’ in general, the report indicated that, apart from the new report on Immigration and Integration, all initiatives concerning the integration of third-country nationals were postponed. The situation in the first half of 2008 was not much better; the only initiative worth mentioning was the start-up meeting of the European Integration Forum as proposed in the Common Agenda in April 2008. Bringing together a range of stakeholders active in the area of integration at EU level, this form is meant to function as ‘a complementary source of information and consultation’ for the Commission in integration matters.

When France assumed the Council Presidency on July 1st 2008, migration policy was again put at the top of the European agenda. Within one week, President Sarkozy managed to have ministers from all 27 states sign a draft pact agreeing common rules on the treatment of migrants and asylum requests. Admittedly, the French Minister for Immigration, Brice Hortefeux, had been preparing the ground in the preceding months, visiting every European capital to sell the French idea of a European ‘Immigration Pact’. In his words, the initiative received a warm welcome as all countries share the same concerns about immigration and asylum policies. However, the proposals on migrant integration were not met with the same enthusiasm. Soon after the original draft version of the Immigration Pact was released, France dropped a proposal encouraging ‘integration contracts’ after it met resistance from other member states, most notably Spain. It now remains to be seen which integration measures will be included in the final text of the Immigration Pact that should be endorsed by the heads of state and government at a summit in October.

VI. Some concluding remarks: how about the future?

Even though the emerging migrant integration policy at European level is still in its infancy, it certainly holds promising prospects for the future. Policy instruments like the Common Agenda for Integration could encourage member states to strengthen their national integration policies and ensure a more coherent approach throughout the European Union. However, the integration framework as it stands comprises a number of inconsistencies that might hamper its potential for the future. Most of these inherent weaknesses were already touched upon before.

First, national governments have no obligation to comply with the guidelines in the Common Agenda for Integration because it was conceived as a non-binding communication. There is no legal basis in the current Treaty text that allows for the elaboration of explicit integration Directives. At best, the Common Agenda thus currently derives some moral authority from the fact that it elaborates on the Common Principles for Integration as directly established by the representatives of the member states in the JHA Council. In that sense, it could be perceived as some form of ‘soft law’. Lacking the competences to propose binding measures in the field of integration, the Commission however found an alternative way to motivate member states to adopt its objectives on that subject: through financial incentives. As such, attention should be drawn to the European Integration Fund (EIF), which first launched by the Commission in March 2005. The idea was to contribute towards national efforts to provide a response to the

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43 European Commission, Summaries of legislation: Framework Programme for Solidarity and Management of Migration Flows for the period 2007-2013 which was launched by the Commission in March 2005 to provide adequate financial support in four key areas of the Hague Programme: controls and surveillance of external borders, asylum, return of third-
multi-faceted issue of immigrant integration and to create a new form of mutual solidarity in order to support the efforts of Member States in enabling third-country nationals of different cultural, religious, linguistic and ethnic backgrounds to actively take part in all aspects of European societies. For this purpose, the EIF will provide financial support for the development of national action plans on integration – provided that they are based on the common basic principles as agreed by the Council – for the coordination of national integration policies and for the promotion of structural exchange of experiences and information on integration. However, since the European Integration Fund only came into effect in 2007, at the time of writing it remains to be seen to what extent these financial incentives will actually motivate member states to implement the recommendations of the Common Agenda for Integration at the national level.

Secondly, it is important to remember that the integration policy at EU level was largely developed as part of concerted efforts to establish an ‘area of freedom, security and justice’. Considering that the introduction of this metaphor only reinforced the above-mentioned securitization ethos, the potential of most initiatives in the field of integration is – unintentionally – undermined by the negative repercussions of the prevailing discourse. Dealing with migration under the same heading as crime and terrorism negatively affects the way immigrants are perceived as they are often similarly considered a ‘security threat’. Obviously, such images do not benefit the integration process.

Thirdly, the integration framework as developed by the Directorate General for Justice, Freedom and Security merely applies to newly arriving third-country nationals. As such, it disregards the pressing need to promote the integration of long established migrant communities in the European Union. However, it is worth noting that DG JLS and DG Social Affairs, Equal Opportunities and Employment disagree about the beneficiaries and objectives of the emerging integration framework. Migrant integration has long been a ‘hot potato’ within the Commission. Interviews with Commission officials reveal that, when the Directorate General for Justice and Home Affairs was created in 1997, the DG for Social Affairs and Employment was more than happy to pass on responsibility for this increasingly contentious topic. However, the former DG has recently been taking new initiatives in the field of migrant integration as it disagreed with the legalistic approach of DG Justice and Home Affairs. Whereas DG Justice, Freedom and Security considers integration as an equal rights issue for non-EU citizens, the position of DG Social Affairs and Employment is based on the idea that integration is inextricably connected with social inclusion and cohesion. Considering that DG JLS has assumed the driving role behind recent initiatives in the field of migrant integration, it is yet unclear to what extent measures promoting social inclusion of all migrant groups will be included in the EU integration framework. In any case, it is clear that both DG’s urgently need to settle their differences as this dual approach jeopardizes the coherence of the integration policy at EU level.

Conspicuously, DG Social Affairs and employment seems to enjoy the support of the European Council. The latter also couches its discourse on migrant integration in terms of social cohesion, hence implying that integration should go beyond legal equality. Emile Durkheim – who first introduced this concept – defined social cohesion as the interdependence between members of society, shared loyalties and solidarity. The existence of these characteristics in societies with a prominent migrant population is preconditioned by a general acceptance of the cultural background of each member of society, regardless of his country of origin. Mutual respect for culture and tradition should thus be considered prerequisites for social cohesion in a multicultural society. If the European institutions truly seek to strengthen social cohesion by means of their integration policy, they therefore need to pay more attention to the cultural aspects of the integration process. By proclaiming 2008 the ‘Year of the Intercultural Dialogue’, the European Commission certainly showed its good intentions, but it is goes without saying that only concrete measures could yield some results.

Unfortunately, there seems to be no consensus within the Commission concerning the objectives of the emerging integration policy. Whereas DG Justice, Freedom and

country nationals residing illegally in the EU and, most importantly in this context, integration of legally resident third-country nationals.

41 European Commission, Freedom, Security and Justice: A Common Framework for the Integration of third-country nationals

43 See Lisbon Agenda and Theselouki Presidency Conclusions.
44 BERGER-SMITT, R., Social cohesion as an aspect of the quality of societies: Concept and measurement, EUreporting working paper 34. Centre for Survey and Methodology, Mannheim, 2000, 3.
Security considers integration as an equal rights issue, the position of DG Social Affairs and Employment echoes the idea of the European Council that integration is inextricably connected with social inclusion and cohesion. 45 Considering that DG JLS has assumed the driving role behind recent initiatives in the field of migrant integration, it is yet unclear to what extent measures promoting social cohesion will be included in the EU integration framework. The new Communication on migrant integration, expected before the end of the year, will hopefully provide some answers. Awaiting further decisions, the Commission – and DG JLS in particular – should be aware of the fact that an integration policy which merely aims at fighting legal inequalities is no panacea for the growing social tensions which member states hope the European Union will help to resolve.

It is worth noting in this context that migrant integration has long been a ‘hot potato’ within the Commission. Interviews with Commission officials reveal that, at the time the Directorate General for Justice and Home Affairs was created, the DG for Social Affairs and Employment was more than happy to pass on responsibility for this increasingly contentious topic. However, the former DG has recently been taking new initiatives in the field of migrant integration as it disagreed with the legalistic approach of DG Justice and Home Affairs.


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