



D4.1 - Identification of Regional & National policies on the inclusion of migrants and refugees in CSR for the Wood and Furniture sector

Version - March 25, 2021



This project has been funded with the support of the Erasmus+ programme of the European Union
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Co-funded by the
Erasmus+ Programme
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The ALLVIEW project is a new transnational cooperation platform that connects Centres of Vocational Excellence (CoVEs) within the wood and furniture sector. ALLVIEW has operational objectives on a regional, national and European level which aim at an innovative approach to modernise vocational education and training.

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Introduction

1. Objective of the document

The objective of this document is to analyse the status of the Corporate Social Responsibility (CSR) in the Furniture and Wood sectors.

In this document, the partner consortium of the project “**ALLVIEW - Alliance of Centres of Vocational Excellence in the Furniture and Wood sector**”, analysed some legislative tools that regulate CSR in the various European countries. The research has been carried out taking into consideration the three pillars on which CSR is based. These three pillars are:

- Sustainability.
- Inclusivity.
- Accessibility.

Through this research the consortium wants to analyse the European, National and Regional policies related to the pillars mentioned above in order to identify the best practices and developing guidelines regarding CSR to spread within the furniture and wood sector.

This document is the basis for future discussions on the potential impact of CSR in:

- Supporting a sustainable management of the resources, increasing the use of the renewables.
- Connecting the enterprises to the idea of circular economy.
- Supporting the employability of specific target group to the addressed enterprises, linked with the national and European policies.
- Supporting the enterprises capacity to hire and involve people with lower opportunity, developing win-win strategies.
- Creating centres of vocational excellence, able to train people with a different starting position (or profile or competencies or ...).
- Identifying the weak points in regional and national policies about inclusion both in the field of job offers and in the environment of VET.
- Identifying the special needs that are not related to the (potential) job-tasks and develop networks for specific target groups through the links with the no-profit sector.

This report is the second part of a more elaborated full report, which consists of 3 specific reports which have CSR as guiding thread.

The first concerns the CSR in relation to waste prevention and the circular economy, the other two documents are based on the themes of migrants and refugees and on the inclusion of people with disabilities in labour market and in training and education.

This complete report is based upon a structure composed of the following sections:

- A general overview on CSR.
- Policies on resource Circular Economy and waste prevention.
- Policies on inclusion of migrants and refugees to the labour market and VET system.
- Policies on the accessibility of people with special needs in:
 - Education (VET) system.
 - Labour Market.
 - Work environment.
 - Work tasks.
- Conclusion.

Thanks to this research the partner consortium wants to enhance the awareness regarding the CSR at European level considering not only the aspects regarding sustainable environmental topics but also regarding inclusivity and accessibility, addressed to a wider range of people with fewer opportunities, such as migrants, disabled people and people with social disadvantages in general.

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Policies on the inclusion of migrants and refugees at European level

2. Legislative Policies summary table

EU name policy	Description	Link
Directive 2003/109/EC concerning the status of third-country nationals who are long-term residents	<p>It has been changed by the current consolidated version 20/05/2011. This directive has the aim to create a process, for all European Member states, to have a stable and secure residence status, granting full access to work, education and social security. The document that permits a safe integration in the society where they live and, in every field, of third country national people.</p> <p>The directive underlines the importance to have, for non-EU citizens, a stable and regular source of income, health insurance, to activate good integration measures.</p>	<p>Link</p> <p>Consolidate version</p>
Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin	<p>Directive that promotes the equality between every human being and his/her protection against every discrimination, recognized by the Universal Declaration of Human Rights, the International Convention on the Elimination of all forms of Racial Discrimination and the United Nations Covenants on Civil and Political Rights and on Economic, the United Nations Convention on the Elimination of all forms of Discrimination Against Women, Social and Cultural Rights and by the European Convention for the Protection of Human Rights and Fundamental Freedoms, to which all Member States are signatories.</p> <p>The Council Directive 200/43/EC is currently in force since the 20 June 2000. It is important that in its 3rd article, the directive states that one of its scopes is to provide to each person "<i>conditions for access to employment, to self-employment and to occupation, including selection criteria and recruitment conditions</i>".</p>	<p>Link</p>
Directive 2009/50/EC on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment	<p>This directive is a fundamental tool proposed and approved by the European Union. Indeed, this Council Directive approved the <i>Blue Card</i>. The Blue Card is the work permit, allowing third country national people overqualified, so highly skilled, to live and work in European member states (excluding Denmark and Ireland).</p> <p>The blue card consists of a one-track procedure for third country nationals to apply for a work permit, with a valid period of three years, with the possibility to be renewed.</p>	<p>Link</p>
Action plan on Integration and Inclusion 2021-2027	<p>The Action Plan is built upon previous EU actions, defying 4 areas of integration: Education; Employment; Health; Housing. It is guided by the principles of inclusion for all and works to enhance migrants' active participation in society, supporting not just third country nationals, but also European Union citizens with a migratory background. The article regarding the employment has as main aim to improve employment opportunities and skills recognition to fully value the contribution of migrant communities, moreover, underlying that the inclusion of migrants on the labour market can generate large economic gains.</p>	<p>Link</p>
Directive 2011/95/EU of the	<p>This directive is on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a</p>	<p>Link</p>

European Parliament and of The Council of 13 December 2011
Art. 26

uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted.

The art. 26 rules the access to employment for people who are beneficiaries of international protection

1. Member States shall authorise beneficiaries of international protection to engage in employed or self-employed activities subject to rules generally applicable to the profession and to the public service, immediately after protection has been granted.
2. Member States shall ensure that activities such as employment-related education opportunities for adults, vocational training, including training courses for upgrading skills, practical workplace experience and counselling services afforded by employment offices, are offered to beneficiaries of international protection, under equivalent conditions as nationals.
3. Member States shall endeavour to facilitate full access for beneficiaries of international protection to the activities referred to in paragraph 2.
4. The law in force in the Member States applicable to remuneration, access to social security systems relating to employed or self-employed activities and other conditions of employment shall apply

Directive 2011/98/EU on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State

The directive wants to establish "a single application procedure for issuing a single permit for third-country nationals to reside for the purpose of work in the territory of a Member State, in order to simplify the procedures for their admission and to facilitate the control of their status", as stated by the 1st article of the directive.

Considering the main issue, the directive is interesting due to its two main objectives:

- The first scope facilitates the procedure for TCNs (third country nationals) to be admitted for reason of work in the 27 EU Member states, introducing a single application procedure for a single permit, in order to manage better migration flows;
- Secondly, the directive wants to ensure an equal treatment between third country workers and nationals of the Member State of residence.

[Link](#)

The Treaty on the Functioning of the European Union - art. 79

All the following directives, articles and policies follow the article 79 of the Treaty on the Functioning of the European Union. The Treaty is one of the two treaties forming the constitutional bases of the European Union. The article 79 of the treaty, in its second point stated:

"For the purposes of paragraph 1, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall adopt measures in the following areas: (a) the conditions of entry and residence, and standards on the issue by Member States of long-term visas and residence permits, including those for the purpose of family reunification; (b) the definition of the rights of third-country nationals residing legally in a Member

[Link](#)

State, including the conditions governing freedom of movement and of residence in other Member States”

<p>Directive 2013/33/EU of the European Parliament and of the Council - 26 June 2013</p>	<p>It states standards for the reception of applicants for international protection.</p> <p><i>The articles 15 and 16 are about Employment and vocational trainings.</i></p> <p>Article 15 – Employment:</p> <ol style="list-style-type: none"> 1. Member States shall ensure that applicants have access to the labour market no later than 9 months from the date when the application for international protection was lodged if a first instance decision by the competent authority has not been taken and the delay cannot be attributed to the applicant. 2. Member States shall decide the conditions for granting access to the labour market for the applicant, in accordance with their national law, while ensuring that applicants have effective access to the labour market. 3. For reasons of labour market policies, Member States may give priority to Union citizens and nationals of States parties to the Agreement on the European Economic Area, and to legally resident third-country nationals. 4. Access to the labour market shall not be withdrawn during appeals procedures, where an appeal against a negative decision in a regular procedure has suspensive effect, until such time as a negative decision on the appeal is notified. <p>Article 16 - Vocational training: Member States may allow applicants access to vocational training irrespective of whether they have access to the labour market. Access to vocational training relating to an employment contract shall depend on the extent to which the applicant has access to the labour market in accordance with Article 15.</p>	<p>Link</p>
<p>Directive 2014/36/EU on the conditions of entry and residence of third-country nationals for the purposes of seasonal employment</p>	<p>This directive gives the possibility to third country nationals to stay in the territory of European Union for the reason of employment but just for a period that does not exceed 90 days, so for seasonal workers who reside outside the territory of European Union.</p> <p>This directive is applicable <i>"without prejudice to the Schengen acquis in particular the Visa Code, the Schengen Borders Code and Regulation (EC) No 539/2001"</i></p>	<p>Link</p>
<p>Directive 2014/66/EU on the conditions of entry and residence of third-country nationals in the framework of an intracorporate transfer</p>	<p>Directive 2014/66/EU of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer multinational companies occasionally need to transfer staff from one country to another. The practice broadens an individual's experience and can provide the host company with valuable expertise. As part of its common immigration policy, the European Union (EU) has standard rules to process the transfer applications and to ensure the people concerned are treated fairly when they arrive and work in the EU.</p>	<p>Link</p>

The legislation sets out the terms and conditions that apply to non-EU citizens (known as third-country nationals) and their families when they are transferred by their company to work in one or more of its centres inside the EU for more than 90 days. It does not apply to the self-employed, students or people assigned by employment agencies.

EU Skills profiling tool for third country nationals	<p>The inclusion of migrants in the labour market is key to ensure their effective integration into the host societies and their positive impact on the EU economy; this entails fully using their skills and realising their economic potential. They can contribute to addressing skills shortages in certain sectors at all skills levels.</p> <p>Ensuring that migrants learn the language, get their educational and professional skills validated/recognized and receive adequate training is essential for their overall integration and positive economic impact in the receiving societies.</p> <p>Skills validation and recognition of qualifications are thus key issues: among highly educated third-country nationals in employment, more than 40% work below their qualification levels (i.e. in medium or even low skills occupations). Member States and the European Union as a whole – as well as economic stakeholders - have both an interest and responsibility to put all skills to good use.</p> <p>The multilingual EU Skills Profile Tool for Third Country Nationals is intended for use by organisations offering assistance to Third Country Nationals. It helps to map the skills, qualifications and work experiences of the third country nationals and to give them personalised advice on further steps, e.g. a referral to recognition of diplomas, skills validation, further training or employment support services.</p>	Link
Repository of promising practices	<p>A repository of promising practices of labour market integration and social inclusion of asylum seekers and refugees across EU Member States.</p> <p>The aim of this database is therefore to enhance mutual learning and transferability between EU Member States of the most effective policies in the area of social and labour market integration of refugees and asylum-seekers, as well as skills.</p> <p>This database presents examples of ongoing practices of social and labour market integration of refugees and asylum-seekers across EU Member States. These practices are promising or have proven to be successful in the country concerned, according to its national administration. The European Commission does not have an official position on the policies or measures included in this database.</p>	Link
Employers together for integration	<p>On 23 May 2017 the Commission launched the initiative Employers together for integration at the occasion of the second meeting of the European Dialogue on Skills and Migration to give visibility to what employers are doing to support the integration of refugees and other migrants into the labour market. Employers can join the initiative by describing their current and future actions to support the integration of refugees and other migrants in their workforce and beyond.</p>	Link
Asylum, Migration and Integration Fund (AMIF)	<p>The Asylum, Migration and Integration Fund finances several transnational projects to promote labour market integration. The Asylum, Migration and Integration Fund (AMIF) was set up for the period 2014-20. Its aim is to promote the efficient management of migration flows and the</p>	Link



implementation, strengthening and development of a common Union approach to asylum and immigration. This Fund contributes to the achievement of specific objectives such as the Legal migration and integration: supporting legal migration to EU States in line with the labour market needs and promoting the effective integration of non-EU nationals.

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**Policies on the inclusion of
migrants and refugees at National
/Regional level**

3. Spain

Materials and Methods of the Spanish research



The main source of information for the preparation of this report has been the Immigration Portal of the Secretary of State for Migration of the Ministry of Inclusion, Social Security and Migration of the Government of Spain. This portal contains detailed information related to the procedures in immigration matters, its regulations, integration programmes and, in general, with matters of interest to immigrants in Spain.

Other sources used for the preparation of this report are listed below:

- Immigration and refugee - Department of Labour, Social Affairs and Families of the Government of Catalonia.
- European Migration Network - Reports for Spain
- Annual Policy Report on Migration and Asylum for Spain (2019, European Migration Report).
- Factsheet of the Annual Policy Report on Migration and Asylum for Spain (2019, European Migration Report).
- Information brochures of the Immigration Portal about study, reside and / or work in Spain of Secretary of the State for Migration of the Ministry of Inclusion, Social Security and Migration of the government of Spain.

Background research and National/Regional policies

Inclusion of migrants and refugees in the labour market and VET system

This report summarizes the main **policies, legislations, and practices** in Spain on **migration and international protection**, coordinated by the Secretary of State for Migration of the Ministry of Inclusion, Social Security and Migration of the government of Spain. First, the main procedures are described to **study, reside and/or work** in Spain in an authorised manner. Then, the main policies regarding **international protection and asylum** are described. Next, it is described how **humanitarian protection** is organised and deployed in Spain. Finally, a series of **statistics** are presented that show the current situation in Spain in relation to migration and international protection. Finally, the main current **legal texts** on migration and international protection are included.

Study, reside and work in Spain

In this section, a series of **information sheets on immigration authorizations are presented**, in which the requirements and conditions for obtaining an authorization, procedures, required documentation, deadlines, places of presentation, fees, etc. are presented.

Hiring of foreign workers in Spain (source: [Portal de Inmigración](https://www.portalinmigracion.es/)).

HIRING FOREIGN WORKERS IN SPAIN

System within one month of notification.

Requirements vary according to the foreigner's situation:

- 1. Foreigners on a holding visa in Spain for the purpose of study, research, or work experience**
 - a) Foreigners may obtain a work permit if they meet the requirements stated at the beginning of this leaflet, except those related to the labour market situation and the foreigner's criminal record. The work activity must be compatible with the foreigner's study, research, or training programme; it can be part time or full time, but if full time the total employment time cannot exceed three months. Their stay must not be dependent on the income derived from the activity.
 - b) A residence and work permit may be obtained if:
 - The foreigner meets the requirements stated at the beginning of this leaflet, apart from the national labour market situation; have been in Spain for at least 3 years for the aforementioned purposes; have passed the necessary done a diploma or successfully completed a training and have not received a scholarship or grant from public or private bodies through cooperative development programmes in or of their country of origin.
- 2. Foreigners living in Spain who hold a residence permit in Spain**

Foreigners may obtain a residence and work permit if they meet the requirements stated at the beginning of this leaflet, except the one related to the national labour market situation. In addition, except in the case of holders of a residence permit for family reunification, a year of ordinary
- 3. Foreigners living in Spain due to exceptional circumstances**

Foreigners in this situation (holders of a residence permit only), after a year's residence, may obtain a residence and work permit, and must meet the same requirements stated at the beginning of this leaflet, except the one related to the national labour market situation.

[Note: if the temporary residence permit for exceptional circumstances is not issued with a work permit, this can be applied for during the validity of the residence permit, providing that the applicant meets the requirements stated at the beginning of this leaflet, apart from the national labour market situation].

Further information regarding procedures can be found at: <http://extranjerios.mtin.es>

HIRING FOREIGN WORKERS IN SPAIN

The guidelines contained in this document are purely informative

Further information regarding procedures can be found at: <http://extranjerios.mtin.es>

GOBIERNO DE ESPAÑA / MINISTERIO DE TRABAJO E INMIGRACIÓN

GOBIERNO DE ESPAÑA / MINISTERIO DE TRABAJO E INMIGRACIÓN

NPO 796-11-121-6

Hiring and admission of non-EU workers in Spain (temporary work and residence permit as an employee)

What are the requirements for authorising their temporary residence and work permit?

- With some exceptions the national labour market situation must allow the hiring of foreign non-EU workers, either because the occupation is included in the National Occupation Shortage List (see <https://www.redtrebaja.es>) or by presenting a certificate issue by the Regional Public Employment Service.
- That the employer is registered with Social Security and up to date with SS payments and Tax; they must guarantee the worker continuous employment and have adequate economic, material, and human resources to carry out their business project. The employment contract must comply with the current labour laws.
- That the worker status in Spain is not illegal, does not have a criminal record and, if applicable, and has the titles or qualifications required to exercise the profession in Spain.

What must the employer do?

Submit an application for residence and work permit for the worker, either in person or through a legal representative, to the competent body in the province where the activity will be carried out. This must be accompanied by:

- The employer's national ID or tax ID number. If the employer is a legal entity, then the public deed granting legal representation for the person making the application.
- Evidence, if applicable, of exemption from consideration of the national labour market situation.

- The original employment contract and a copy.
- Proof of economic, material and human resources for the business project.
- A copy of the worker's passport or valid travel document, and training or professional qualifications, if applicable, for the job.

The initial permit is valid for one year and may be restricted to a particular geographical area and activity. It is conditional on the foreigner obtaining a visa, entering Spain, and registering with the Social Security system.

What must the foreign worker do?

Once the permit is granted, the worker must present the visa application in person notwithstanding (notwithstanding exceptions) at the relevant diplomatic mission or consulate, in the month following notification to the prospective employer, together with:

- A copy of the employment contract, stamped by the Foreigners' Office.
- A passport or travel document, valid in Spain and with a minimum validity period of 4 months.
- A criminal record certificate issued by the authorities in the worker's country of origin or countries of residence over the past 5 years, which must not include any acts considered a criminal offence under Spanish law.
- A certificate stating that the applicant does not suffer from any disease that could have a severe impact on public health according to International Health Regulations.

While the visa is being processed, the applicant may be required to appear in person to attend an interview.

Any foreigner who is in an irregular situation in Spain will not be eligible to apply for a visa.

Once the visa has been issued, the worker must enter Spain within the period stated on the visa (not further than 3 months). Within 3 months after entering Spain, the employer requesting the permit must register the worker with Social Security system.

Within one month of being registering with Social Security, the foreigner must apply, in person, for a Foreigner's Identity Number (NIE). If the established period to do so has elapsed, and the foreigner is not registered with Social Security, will be obliged to leave Spain. Failure to do so constitutes a serious offence, for being in the country illegally.

Can residence and work permits be renewed?

Yes, on request from the worker, when their employment continues or they meet certain requirements. The application period is 60 calendar days prior to expiry (application can also be made 90 days after expiry, though it might carry a fine).

Are there any exceptions to this procedure?

Yes. In some cases the national labour market situation is not taken into account; in others, there are exceptions to the obligation to obtain a work permit.

There are also special procedures for: fixed-term and seasonal employment, the transnational provision of services, and cross-border workers, among others.

Hiring non-EU foreigners living in Spain without a work permit

As a rule, the employer should apply for the residence and work permit for the employee gainful employment. A visa will not be necessary, and the permit will come into effect once the foreigner has registered with Social Security

Further information regarding procedures can be found at: <http://extranjerios.mtin.es>

HIRING FOREIGN WORKERS IN SPAIN edición 2011

The regrouping of foreigners in Spain (more info at this [link](#) and [Portal de Inmigración](#)).

Work of highly qualified foreign professionals - EU blue card - (more info at this [link](#) and [Portal de Inmigración](#)).

Temporary residence and work for foreign researchers in Spain (more info at this [link](#) and [Portal de Inmigración](#)).

Stay for studies, research or training, student mobility, non-work practices and volunteering of foreigners: (source: [Portal de Inmigración](#)).

The diplomatic mission or consulate will notify you if you have been granted a visa. Then you will have to pick it up within 2 months. If you fail to do so, it will be understood that you have relinquished/abandoned your application and it will be filed.

If your stay is for more than 6 months, you must apply for a Foreigner's Identification Card (TIE) within 1 month after arriving in Spain.

Can my family come with me if I have a study visa?

Yes. The family (spouse, common-law partner, and children under 18 or those with a disability who are not objectively able to provide for their own needs) of a study visa holder or applicant may apply for a visa to enter and stay in Spain for the same duration as the main applicant (student) visa holder.

As well as having a visa, the foreigner must also meet the following requirements:

- Have the financial means to support the family
- Give evidence of the family ties or relationships
- If the stay is for more than 6 months:

A medical certificate stating that you do not suffer from any disease that could have a severe impact on public health in accordance with International Health Regulations

If the applicant is an adult, proof of the absence of a criminal record in countries of residence over the past 5 years, for any conduct considered a criminal offence in Spain.

If your duration of stay is more than 6 months, your family members will also have to apply for a Foreigner's Identification Card (TIE) within 1 month after arriving in Spain.

Family members are not allowed to work and can not obtain a work permit in Spain.

Can I work in Spain with a study visa?

Yes, provided that the work is compatible with the activity for which the visa was granted, and that the income derived from such work is not required to support you in the country.

If you wish to be employed or self-employed, you must first apply for a work permit and must meet the requirements according to the activity you want to engage in, for the same.

Further information regarding procedures can be found at <http://extranjeros.mtin.es>

STUDY VISA FOR FOREIGNERS UNDERTAKING STUDIES, RESEARCH, TRAINING, STUDENT MOBILITY, UNPAID WORK EXPERIENCE OR VOLUNTARY WORK

The guidelines contained in this document are purely informative

Further information regarding procedures can be found at: <http://extranjeros.mtin.es>

GOBIERNO DE ESPAÑA
MINISTERIO DE TRABAJO E INMIGRACIÓN
SECRETARÍA DE ESTADO DE INMIGRACIÓN Y EXTRANJERÍA
DIRECCIÓN GENERAL DE INMIGRACIÓN

GOBIERNO DE ESPAÑA
MINISTERIO DE TRABAJO E INMIGRACIÓN

NPO 790-11-100-6

Foreigners can stay in Spain for a period of more than 90 days if they are planning to carry out any of the following:

- Undertake or further studies in an authorised education centre in a full time programme leading to a diploma or certificate of studies.
- Research or training activities (provided that these do not involve paid employment, in which case a residence and work permit for research must be applied for)
- Participate in a student mobility programme in order to join a secondary education and/or baccalaureate programme in an officially recognised centre
- Unremunerated trainee in a public or private organisation or entity
- Participate in a voluntary service scheme addressing which pursues objectives of general interest.

What do I have to do?

You will have to apply in person at the Spanish diplomatic mission or consulate in your country of residence for a study visa.

Documentation needed for the visa

- An official application form (which can be found at <http://extranjerios.mtin.es>)
- A passport or travel document valid in Spain, with a minimum validity period equal to the duration of the stay
- If a minor arriving alone, permission from parents or legal guardians with confirmation of the entity and planned period of stay
- A guarantee of the financial means necessary, for you and your relatives, to cover the costs of the stay and the return journey to your country
- Public or private health insurance with an insurance company authorised in Spain

- If the duration of the stay is more than 6 months, you will also need:

A medical certificate stating that you do not suffer from any disease that could have a severe impact on public health in accordance with International Health Regulations

If the applicant is an adult, proof of the absence of a criminal record in countries of residence over the past 5 years, for any conduct considered a criminal offence in Spain.

Furthermore, depending on the activity for which the stay permit is applied for:

- If undertaking or furthering studies: acceptance by an education centre authorised in Spain in a full-time programme leading to a qualification/diploma or certificate of study
- If for research or training activities: acceptance by a centre in Spain officially authorised to carry out such activities. In the case of research, this centre should be a University, a centre belonging to the Spanish Council for Scientific Research, or other public or private R&D institution.
- If participating in a student mobility programme:

Acceptance by an officially recognised secondary education and/or baccalaureate school or research centre

Acceptance on a student mobility programme, offered by an organisation officially recognised for that purpose

Evidence that the organisation assumes responsibility for the student throughout their period of stay, particularly with regard to their study fees, living expenses, and return journey to their country.

Evidence that the student has accommodation during their stay with a host family or institution chosen by the organisation running the programme

- Unremunerated trainee: on acceptance, by means of a signed agreement, by a public or private company, or officially recognised professional training centre
- If participating in a voluntary service scheme:

Submission of a signed agreement with the organisation running the scheme, which must include a description of the activities and conditions for undertaking them, the timetable, financial resources available to cover the costs of the trip, upkeep, and accommodation throughout the stay

Evidence that the organisation has taken out civil liability insurance for their activities.

How long does the study visa allow me to stay in Spain?

The duration of stay will be equal to that of the activity you are going to carry out, up one year.

The visa can be extended if you still satisfy the required conditions and can provide evidence that you have passed the relevant exams and meet the requirements to continue your studies, or that the research work is under progress.

To extend your visa you must submit an application within 60 calendar days prior to its expiry, (you can also apply 90 days after expiry, but you might be fined, via the official form, (available at <http://extranjerios.mtin.es>), addressed to the Government Delegate or Sub-Delegate Office in the province where you are carrying out the activity.

Once the visa has been granted, what do I have to do?

**STUDY VISA FOR FOREIGNERS
UNDERTAKING STUDIES, RESEARCH,
TRAINING, STUDENT MOBILITY,
UNPAID WORK EXPERIENCE OR
VOLUNTARY WORK** edición 2011

Further information regarding procedures can be found at:
<http://extranjerios.mtin.es>



International Protection and Asylum in Spain

Within the scope of the Secretariat of State for Migration, the General Directorate for Inclusion and Humanitarian Attention is entrusted, among other functions, with the development and management of a comprehensive reception system and integration of asylum seekers, refugees, stateless persons, people welcomed into the temporary protection regime and other subsidiary protection statutes.

- The purpose of this system is to attend to the state of need of applicants or beneficiaries of international protection in vulnerable situations.
- It is made up of a network of publicly owned reception centres, Refugee Reception Centres (CARs) and by devices and programmes for the care of applicants and beneficiaries of international protection managed by specialized non-profit entities, subsidized for this purpose by the General Directorate of Migration.
- The grants awarded to NGOs for the reception and integration of those who make up these groups are financed with funds that come from the budgets of the General Secretariat for Immigration and Emigration, receiving co-financing, in some programmes, from the European Social Fund and the Fund Asylum, Migration and Integration.
- The United Nations High Commissioner for Refugees (UNHCR), the United Nations body in charge of protecting refugees and displaced persons due to persecution or conflict, must intervene, in accordance with the legislation in force, in the procedure for granting the right of asylum. Based on this collaboration, UNHCR receives a grant from the General Directorate of Migration.

Humanitarian Care in Spain

This section contains information on the Humanitarian Assistance programme that, within the scope of the Secretary of State for Migration, manages the General Directorate of Inclusion and Humanitarian Attention.

- The Humanitarian Attention programme is aimed at attending to the state of need of immigrants in vulnerable situations due to physical deterioration and the lack of social, family and economic support and who reach the Spanish coasts or are part of settlements that involve serious social and health risks and require immediate action programmes to remedy them.
- This Humanitarian Attention programme is managed, within the scope of the Secretary of State for Migration, by the General Directorate of Inclusion and Humanitarian Attention and is implemented with its own means, through the Centres for the Temporary Stay of Immigrants (CETI), located in Ceuta and Melilla and through specialized non-profit social entities, which are subsidized by the General Directorate of Inclusion and Humanitarian Attention.
- The granting of subsidies for the development of the programmes is carried out in accordance with the General Subsidies Law 38/2003, of November 27, articles 22.2 and 28. The regulatory framework is contained in Royal Decree 441 / 2007, of April 3, approving the regulations governing the direct granting of subsidies to entities and organizations that carry out humanitarian assistance actions for immigrants.

Services provided:

- **Comprehensive reception** that includes not only attending to the basic needs of accommodation and maintenance but also the provision of social tools, such as language learning, training and orientation that favour their integration into the host society.
- **Transfers** of the beneficiaries from the collection sites (CETI¹, CIE², coasts, settlements, or other accommodation resources) to the reception facilities or locations of social and family networks.
- **Emergency care for large contingents** that aims to attend humanitarian emergencies arising from the arrival of large contingents of irregular migrants across the land or sea border.
- **Attention in day centres** as an instrument to attend to the basic needs of the beneficiaries, providing them with a normalized environment to prevent as much as possible their personal deterioration and social exclusion.
- **Intervention in settlements** to collaborate in meeting the needs of people who are in areas or places with poor habitability conditions with a high risk of causing serious personal, social and health deficiencies.

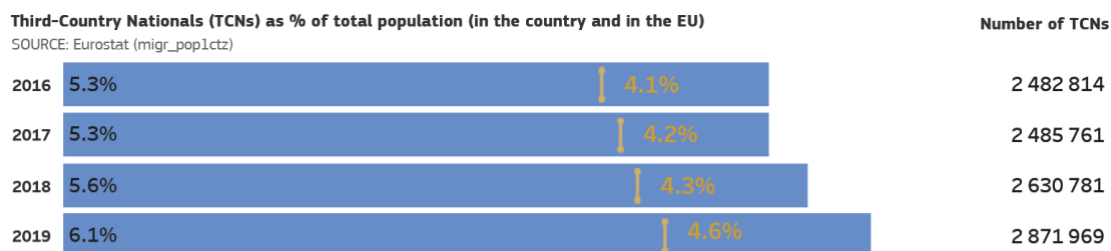
¹ Centro de Estancia Temporal de Inmigrantes

² Centros de internamiento de extranjeros

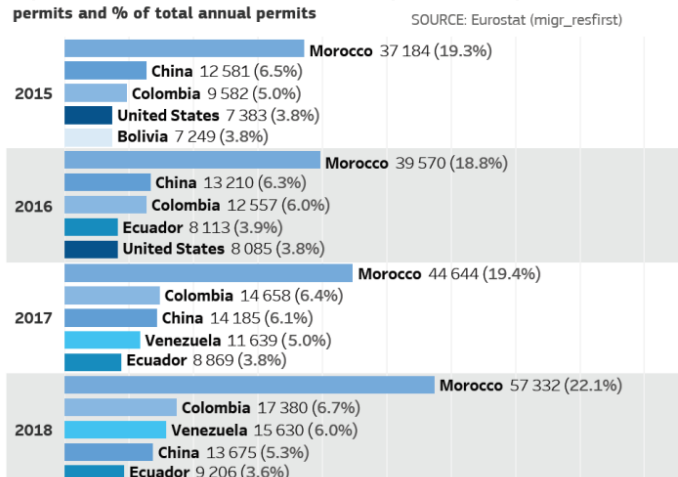
Latest Statistics on Migration and International Protection of Spain

Legal migration and mobility (source: European Migration Network, [Spanish national report 2019](#))

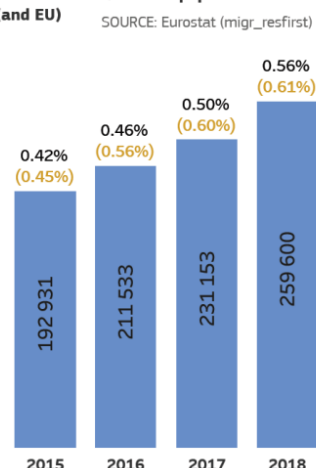
Third-country nationals represent 4.6% of the Spanish population. This percentage increases slightly year after year. Morocco is the main country of origin, followed by Colombia, Venezuela, China and Ecuador. The annual number of residence permits issued per year is 260,000 and the main reason is family reunification.



Top 5 nationalities of number of first residence permits annually issued: number of permits and % of total annual permits



First residence permits annually issued: tot. num. and % of tot. pop. in the country (and EU)



First residence permits annually issued by reason

SOURCE: Eurostat (migr_resfirst)

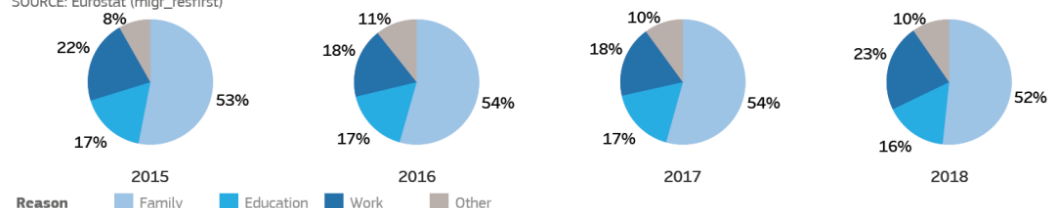
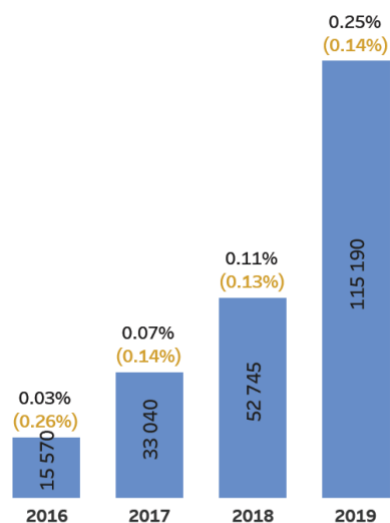


Figure 1 International protection including asylum - (source: European Migration Network - [Spanish national report 2019](#))

The current number of asylum applications is around 115,000 a year, this number being more than double that of the previous year. The top five nationalities by annual number of asylum applications are currently: Venezuela, Colombia, Honduras, Nicaragua, and El Salvador. Approximately 35,000 applications have been accepted in the first instance, the reason being humanitarian protection and Venezuela the country of origin.

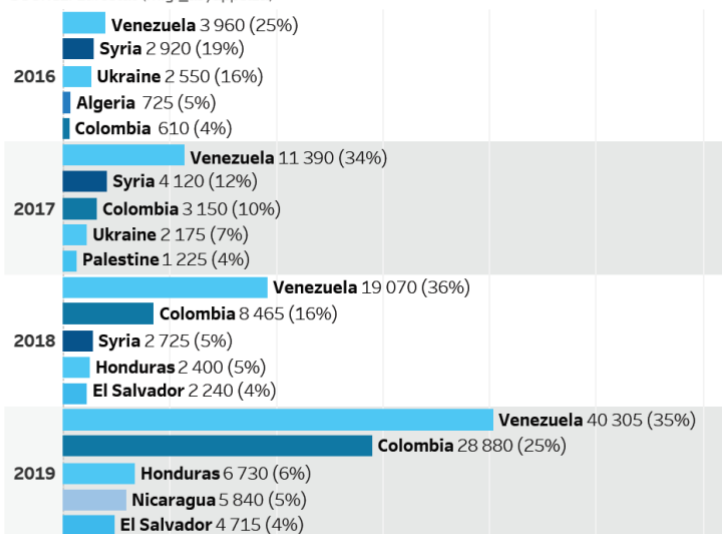
First-time asylum applications: total num. and as % of population in the country (and in EU)

SOURCE: Eurostat (migr_asyappctza, migr_pop1ctz)



Top 5 nationalities of annual number of first-time asylum applications: number of applications and % of total first-time annual applications

SOURCE: Eurostat (migr_asyappctza)



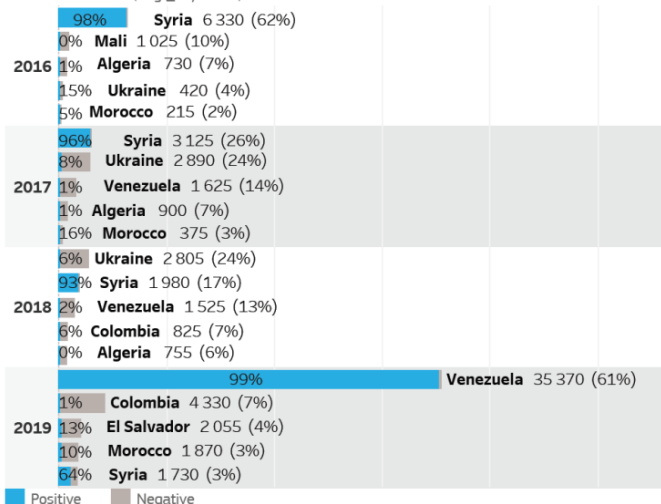
Number of first-instance asylum decisions by outcome (% of total decisions)

SOURCE: Eurostat (migr_asydcfsta)



Top 5 nationalities of annual number of first-instance decisions: number of decisions (% of total decisions in the country) and % of positive outcome

SOURCE: Eurostat (migr_asydcfsta)



Third-Country Nationals resettled: absolute number and as % of total resettled in EU

SOURCE: Eurostat (migr_asyresa)

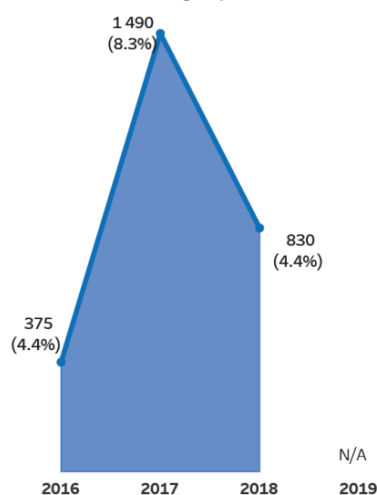


Figure 2 Unaccompanied minors - source: European Migration Network - [Spanish national report 2019](#)

The number of unaccompanied minors who have applied for asylum in 2019 has been zero.

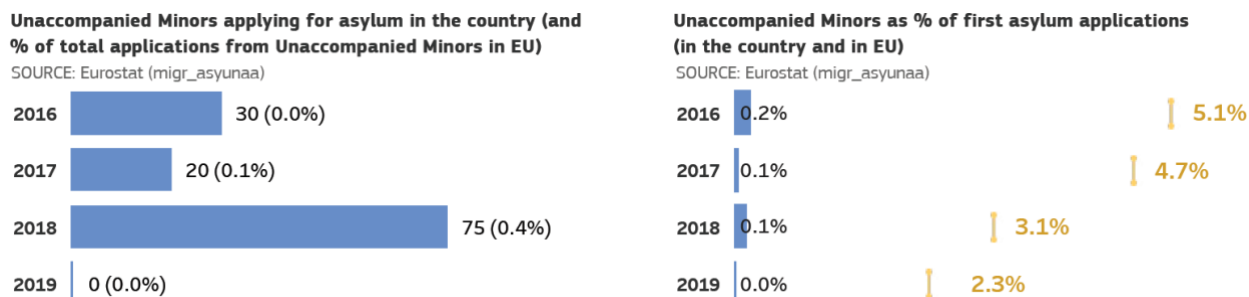


Figure 3 Integration - (source: European Migration Network, [Spanish national report 2019](#))

The following figure shows the clear inequalities in integration between nationals and third-country nationals in terms of social inclusion, education and the labour market.

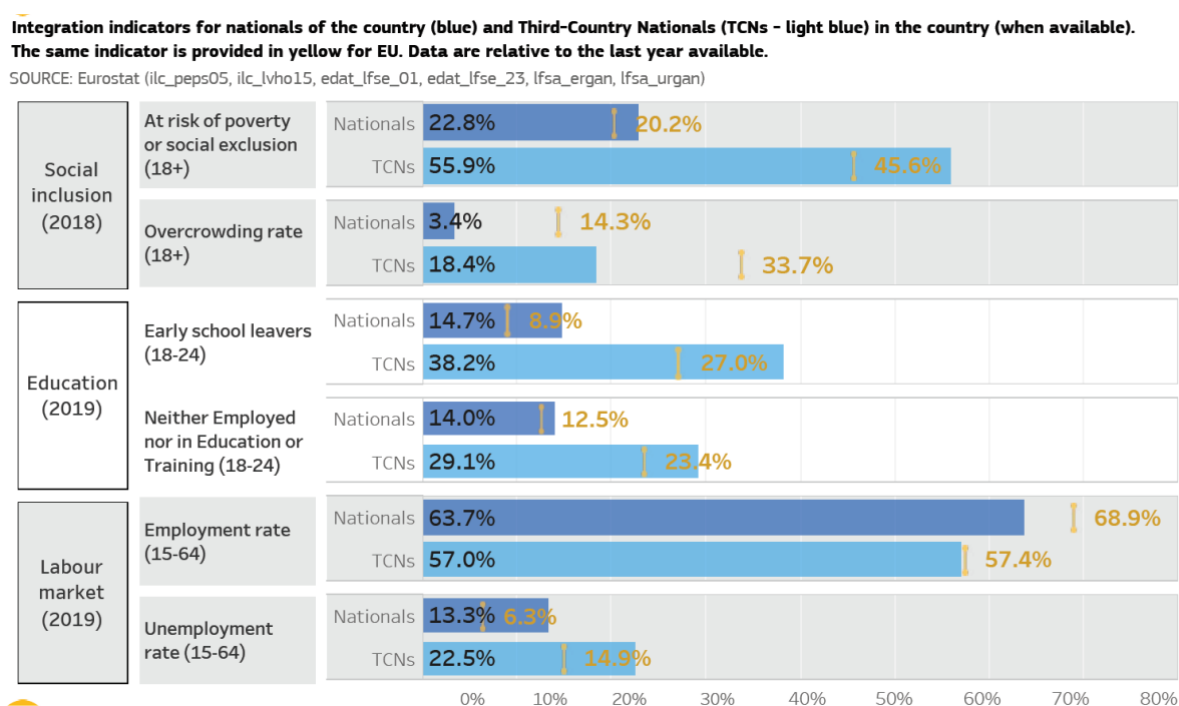


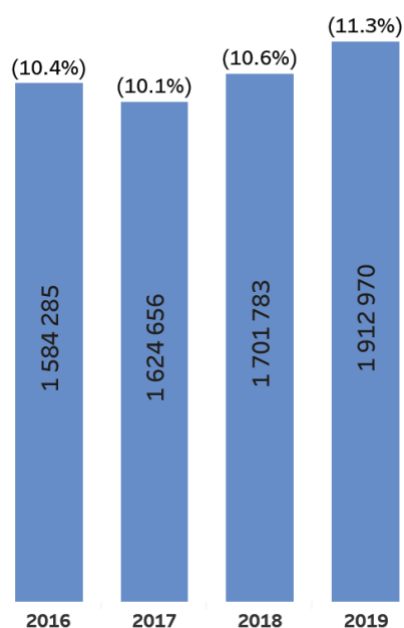
Figure 4 Borders, Schengen and visas - source: European Migration Network - [Spanish national report 2019](#)

In 2019, the number of short-term visa applications submitted was close to 2,000,000, being the main countries of origin: Russia, China, Morocco, Algeria and India.



SOURCE: DG Migration and Home Affairs (complete statistics on short-stay visas applications to Schengen States)

Lodged short-term Visa app. (% of Schengen)



Lodged short-term Visa applications in top 5 consulate countries (% of total app.s)

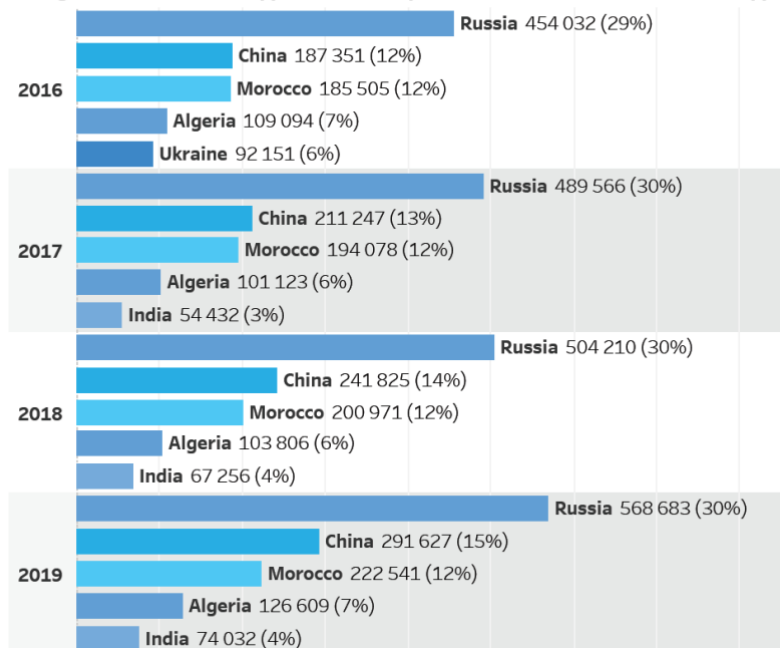
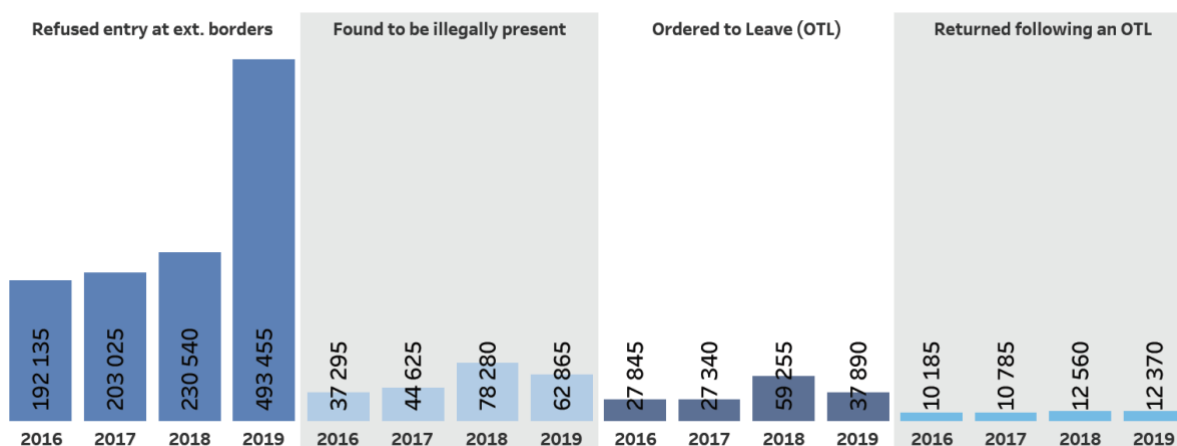


Figure 5 Irregular migration - source: European Migration Network - [Spanish national report 2019](#)

In 2019, almost half a million people were refused entry at the external borders. Also, the illegal presence of almost 65,000 people in Spanish territory was detected.

SOURCE: Eurostat (migr_eirfs, migr_eipre, migr_eiord, migr_eirtn)



List of Policies on the inclusion of migrants and refugees in the labour market and VET system

NO.1

NAME OF THE POLICY	Consolidated text of Royal Decree 240/2007 of February 16, on entry, free movement, and residence in Spain of citizens of the Member States of the European Union and of other States party to the Agreement on the European Economic Area.
LEVEL	National
YEAR	2007
COUNTRY	Spain
THEME	Regime of citizens of the European Union
GENERAL DESCRIPTION	<p>This royal decree regulates the conditions for the exercise of the rights of entry and exit, free movement, stay, residence, permanent residence and work in Spain by citizens of other Member States of the European Union and the rest States party to the Agreement on the European Economic Area, as well as limitations to the above rights for reasons of public order, public safety or public health.</p> <p>This order is also applicable within the framework of this royal decree: Order PRE/1490/2012, of July 9, which establishes rules for the application of article 7 of Royal Decree 240/2007, of February 16, on entry, free movement and residence in Spain of citizens of the States members of the European Union and other States party to the Agreement on the European Economic Area.</p>
OBJECTIVES	Already described under "General Description".
LINK	Link

NO.2

NAME OF THE POLICY	Consolidated text of Organic Law 4/2000 , of January 11, on the rights and freedoms of foreigners in Spain and their social integration. (Amended by LO 8/2000, LO 14/2003, LO 2/2009, LO 10/2011, and RDL 16/2012).
LEVEL	National
YEAR	2000
COUNTRY	Spain
THEME	General immigration regime
GENERAL DESCRIPTION	<p>Scope of this law:</p> <ul style="list-style-type: none"> - Foreigners, for the purposes of the application of this Law, are those without Spanish nationality.

- The provisions of this Law shall be understood, in any case, without prejudice to the provisions of special laws and international Treaties to which Spain is a party.
- Nationals of the Member States of the European Union and those to whom the community regime is applicable shall be governed by the rules that regulate it, with this Law being applicable to those aspects that could be more favourable.

OBJECTIVES Already described under "General Description".

LINK [Link](#)

NO.3

NAME OF THE POLICY Consolidated version **Royal Decree 557/2011** of April 20, which approves the Regulation of Organic Law 4/2000, on rights and freedoms of foreigners in Spain and their social integration, after its reform by Organic Law 2 / 2009 (in its wording given by Royal Decree 844/2013, of October 31).

LEVEL National

YEAR 2011

COUNTRY Spain

THEME General immigration regime

GENERAL DESCRIPTION Scope of application of this regulation.

1. The Regulation of Organic Law 4/2000, of January 11, on the rights and freedoms of foreigners in Spain and their social integration, the text of which is inserted below, is approved.
2. The rules of the Regulation of Organic Law 4/2000, of January 11, on rights and freedoms of foreigners in Spain and their social integration, will be applied on a supplementary basis, or for the purposes that could be more favourable, to the nationals of the Member States of the European Union and other persons included in the scope of Royal Decree 240/2007, of February 16, on the entry, free movement and residence in Spain of citizens of the Member States of the European Union and of other States party to the Agreement on the European Economic Area. Likewise, the rules of the Regulation of Organic Law 4/2000, of January 11, will be applied on a supplementary basis to those who apply Law 12/2009, of October 30, regulating the right to asylum and subsidiary protection.

OBJECTIVES Already described under "General Description".

LINK [Link](#)

NO.4

NAME OF THE POLICY	Law 12/2009, of October 30, regulating the right to asylum and subsidiary protection.
LEVEL	National
YEAR	2009
COUNTRY	Spain
THEME	Asylum regime
GENERAL DESCRIPTION	The present Law, in accordance with the provisions of section four of article 13 of the Constitution, aims to establish the terms in which nationals of non-EU countries and stateless persons may enjoy in Spain the international protection established by law. asylum and subsidiary protection, as well as the content of said international protection.
OBJECTIVES	Already described under "General Description".
LINK	Link

NO.5

NAME OF THE POLICY	Royal Decree 1325/2003, of October 24, approving the Regulation on the temporary protection regime in the event of massive influx of displaced persons.
LEVEL	National
YEAR	2003
COUNTRY	Spain
THEME	Asylum regime
GENERAL DESCRIPTION	The Regulation on the temporary protection regime in the event of massive influx of displaced persons is approved.
OBJECTIVES	Already described under "General Description".
LINK	Link

NO.6

NAME OF THE POLICY	Royal Decree 865/2001, of July 20, which approves the Regulation for the recognition of statelessness status.
LEVEL	National
YEAR	2001
COUNTRY	Spain
THEME	Asylum regime
GENERAL DESCRIPTION	The Regulation for the recognition of stateless status is approved.
OBJECTIVES	Already described under "General Description".
LINK	Link

NO.7

NAME OF THE POLICY	Consolidated text of Royal Decree 203/1995 , of February 10, which approves the Regulations for the application of Law 5/1984, of March 26, regulating the Right to Asylum and Refugee status, modified by the Law 9/1994, of May 19 (modified by RD 865/2001, of July 20, and by RD 2393/2004, of December 30).
LEVEL	National
YEAR	1995
COUNTRY	Spain
THEME	Asylum regime
GENERAL DESCRIPTION	The Regulation for the application of Law 5/1984, of March 26, regulating the right to asylum and refugee status, modified by Law 9/1994, is approved.
OBJECTIVES	Already described under "General Description".
LINK	Link

Conclusion

The country's enclave (border with Africa), language (common with many South American countries) and economic situation (one of the 20 most important economies in the world), make Spain a pole of attraction for migration to stay in the country and/or to enter other EU countries.

The real needs of migrants and people in need of international protection and asylum are enormous and the resources currently allocated are clearly insufficient. However, Spain has policies, legislations and practices in place regarding migration and international protection. The current situation in Spain regarding migration and international protection can be summarised as:

- In terms of legal migration and mobility, the third-country nationals represent 4.6% of the Spanish population. Morocco is the main country of origin, followed by Colombia, Venezuela, China and Ecuador. The annual number of residence permits issued per year is 260,000 and the main reason is family reunification.
- Regarding international protection, the current number of asylum applications is around 115,000 a year, this number being more than double that of the previous year. The top five nationalities by annual number of asylum applications are currently: Venezuela, Colombia, Honduras, Nicaragua, and El Salvador. Approximately 35,000 applications have been accepted in the first instance, the reason being humanitarian protection and Venezuela the country of origin.
- In terms of integration, there are currently clear inequalities between nationals and third-country nationals in terms of social inclusion, education, and the labour market.
- Regarding irregular migration, in 2019, almost half a million people were refused entry at the external borders. Also, the illegal presence of almost 65,000 people in Spanish territory was detected.

4. Italy

Materials and Methods of the Italian research



The Italian research has been structured into two main sections. The first part is related to the legislative references, through a deep analysis of the main laws and decrees which regulate the entrance and permanence in Italy as well as the right to work for third countries nationals, who migrate for economic reasons. This part has been developed by consulting the main information source relating to Italian legislation, the site of the "*gazzetta ufficiale*"³, highlighting all the legislative references.

³ <https://www.gazzettaufficiale.it/>

The second part of the research aimed to take into consideration all the main policies of recent years that have numerically influenced the presence of migrants and refugees in Italy. For this section, **the national reports of the ministry of social and labour policies**⁴ were consulted, which record the working sectors where foreigners are mainly occupied in Italy and the **National Institute of Statistic (ISTAT)**⁵ which collects every year the data concerning migrants and asylum seekers living and working in Italy.

By overlapping the two sections of the research it has been possible to reflect on how the policies of recent years have influenced the access of migrants in the Italian labour market.

Background research and National/Regional policies

Inclusion of migrants and refugees in the labour market and VET system

Talking about the inclusion of migrants and refugees in the labour market in Italy is important to make a distinction between economic migrants and refugees.

Concerning the first category of people, the Italian law that regulates the presence of foreign people in the country is “the Act on immigration treaty”⁶. Title III of Legislative decree n. 286 of the 25th of July 1998⁷ is about the regulation of the entry flows for work reasons of foreign people in Italy. We call economic migrants those people who leave their country of origin for purely economic reasons that are in no way related to the definition of a refugee to try to improve their livelihoods. The Italian state establishes “Entry quotas” every year for work: The Precedence of the council of ministries foresee a quota every year for several workers that can legally enter Italy (the so-called flow decree) before the 30th of November. This decree regulates foreign citizens’ entry for seasonal work, and it establishes a desk for immigration in each province at the prefecture office that is responsible for the entire procedure relating to the hiring of foreign subordinate workers.

Concerning the economic migrants, different social analysts stated that Italy seems to discourage the legal entry of foreigners, for different reasons, like the low number of people arriving in the country for working reasons or the obstacles that make it very hard for people to live in Italy following the working reasons.

The legal treatment for refugees or asylum seekers is different. In the last 10-15 years the number of asylum seekers and refugees in Italy grew consistently. This trend has led Europe and several European countries such as Italy to focus on managing these large flows of people. It is worth considering some legislative decrees that have been approved by the Italian government to follow some European directive on immigration.

⁴ <https://www.lavoro.gov.it/Pagine/default.aspx>

⁵ <https://www.istat.it/>

⁶ In Italian under the acronym T.U.I

⁷ <https://www.camera.it/parlam/leggi/deleghe/98286dl.htm>

Measures that concern labour market access for asylum seekers and refugees are regulated by Legislative Decrees 142/2015⁸ and 251/2007⁹ respectively.

The Legislative decree n. 251- 19th November 2007 regulates the procedures concerning the job placement for foreigners living in Italy. Very important is article 25 of the decree that states:

"Foreign nationals who have been granted refugee status or the status of beneficiary of subsidiary protection 'are entitled to the same treatment provided for Italian nationals regarding paid employment, self- employment, and inclusion on professional registers, vocational training and on-the-job training".

Legislative decree n. 142 of 2015, so -called "reception decree" regulates the reception system for asylum seekers in Italy. It deals with different aspects, such as the reception centres, the rights to sanitary services, the rights to education, the cases for expulsion, etc.

Concerning the right to work, it is declared in art.22 of the decree that:

1. The residence permit for asylum request allows them to carry out work activities, after sixty days from the presentation of the application, if the procedure for examining the application is not completed and the delay cannot be attributed to the applicant.
2. The residence permit cannot be converted into a residence permit for work reasons.
3. The applicants, who take advantage of the reception measures, can attend professional training courses, possibly provided for by the local authority programme dedicated to welcoming the applicant.

The decree also envisages that asylum applicants living in the System of Protection for Asylum Seekers and Refugees (SPRAR) centres may attend vocational training when envisaged in programmes eventually adopted by public local entities. About the type of vocational training provided, there are different forms and lengths, including residential vocational training courses, with a view to help people gradually leave reception centres, and courses aimed at fulfilling mandatory education obligations (for people under 18 years of age).

The Art 22 also states: ***"Refugees and asylum seekers with residence permits can freely register with Public Employment Services (PES)".***

In the last three years, the Italian government's right-wing tendency has posed various obstacles to the social and labour inclusion procedure of asylum seekers due to the approval of the so-called "security decree". This decree denied the possibility for migrants to start the residence procedure, which allowed them to access a series of services such as enrolment in the employment centre or in vocational schools or regional courses.

⁸ <https://www.gazzettaufficiale.it/eli/id/2015/09/15/15G00158/sg>

⁹ <https://www.gazzettaufficiale.it/eli/id/2008/01/04/007Go259/sg>

Over the last year some changes to this decree are being carried out for better economic inclusion of migrants and refugees in Italy.

Latest Statistics on Migration and International Protection of Italy

To see the results and outcomes of these legislative steps it is necessary to refer to some national reports that register the percentage of employability of migrants and refugees as consequences of the legislative changes.

In Italy, the large inflows of foreign people recorded in the first decade of 2000 decreased in the following one, and the percentage of migrants in the resident population did not increase as much as in other OECD member countries. The foreign population residing in Italy as of January 1, 2019, totalled about 5.2 million people, equal to 8.7% of the resident population and 3.717 million citizens of non-EU countries ("non-EU").

The foreign population of working age (15-64 years), in 2019, was equal to more than 4 million and 33 thousand individuals¹⁰.

Employees aged 15 and over are 2.50.186, job seekers 401.960 and inactive between 15 and 64 years 1.175.05. With reference to the changes recorded in the two-year period 2018-2019, an increase in the number of employees is observed Italians of almost 95.000 units over twelve months (in percentage terms + 0.5%), simultaneously with an increase in the number of foreign workers in the EU (+14.450 units, equal to + 1.8%) and non-EU (+35.734 units, equivalent to + 2.2%), for a total of +144.917 workers¹¹.

The employment growth that affected the non-EU component is positive, but with a different intensity at a territorial level: in 2019 there was a positive change in all areas, more sustained in the Northeast (+ 4.3%) and in the Centre (+ 3.1%), more contained in the North West (+ 0.9%) and in the regions of the South (+ 0.3%).

The unemployment rate is high in some non-EU communities, such as Moroccan (23.0%), Ghanaian (20.9%), Tunisian (19.6%), Albanian (15.2%) and Pakistani (14, 5%). For the Moroccan community there is also the highest value of the inactivity rate (42.5%), very high also for Pakistanis (38.5%) and Indians (38.3%).

For many communities, the employment condition of the female component, as is well known, has a relevant role centrality. The unemployment rate of foreign women is very high.

Comparing the data for the two-year period 2019-2018, not all sectors are experiencing growth in foreign employment. In fact, contractions occurred in the Information and Communication Services sectors (-6.2% on base trend, decrease due exclusively to the decrease of community workers), Construction (- 2.9%, also in this case deriving from the negative growth rate of the community) and others collective services e personal (-2.7% overall, corresponding to -3.1% of

¹⁰ Ministry of Labour and Social Policies, Annual Report - Foreigners in the labour market in Italy, July 2020.

¹¹ Ibid

the EU component). On the other hand, foreign employment is gaining ground above all in financial and insurance activities (+ 8.1%), in Transport and storage (+ 7.9%), in Agriculture (+ 6.4%), in Industry in the sense narrow (+ 6.3%) and in real estate activities, business services (+ 6.1%)¹².

Access to public employment services: In 2019, 236,531 foreigners looking for work already present in Italy and legally resident declared to have had at least one contact with the public employment services, of which just under 86 thousands of EU origin and just under 156 thousand non-EU countries. The incidence on the total of job seekers is 64.5% among EU citizens, 56.1% among non-EU citizens.¹³

Young foreigners in Italy

Young foreigners residing in Italy exceed one million and constitute about 40% of all foreign residents who entered the country in 2018. Over 3/4 of young foreigners (or 75.8%) come from countries outside the 'European Union (non-EU) and have a low level of education (59.8% of young foreigners have completed basic education). Numerous studies and research show that age is by far the main predictor of migration. Although young people are a small proportion of the stock of migrants internationally, they represent a large part of annual migratory flows. Of the total number of foreigners residing in Italy in 2019, 19.7% of the stock is made up of young people aged between 15 and 29. The propensity to migrate increases in the teenage years and decreases significantly after age 34¹⁴.

The flows of young foreigners in Italy for work reasons went from over half of the entries in 2010 to 2.7% in 2017. In 2010, work was the reason for entry for 54% of young foreigners (about 120 thousand units). Over the course of seven years, this percentage dropped to 2.7% and then rose to 6% (over 5.8 thousand units) in 2018. In the same year, the highest percentage of young foreigners arrived in Italy for other reasons, including those for international and humanitarian protection (47.1%), family reunification (29.9%) and education and training (17.4%). However, the boundaries between the reasons that push young foreigners to leave their country are not precisely demarcated and the quotas of those who belong to one group, or the other are difficult to determine. Young people can migrate for educational reasons and then look for work in the country of destination: young people who reunite with their parents or young people who join their spouse, as well as young refugees or asylum seekers, sooner or later turn to the search for work.

The activity rate of young non-EU countries approaches 50%.

The manufacturing sector is the main job provider for both Italian and foreign young people. Manufacturing employs 22.4% of young people from outside the EU, 21.5% of Italians and 20.8% of young people from other EU countries.

¹² Ministry of Labour and Social Policies, Annual Report - Foreigners in the labour market in Italy, July 2020.

¹³ Data Science Applications - Studies and Research Department of Anpal Services on RCFL - ISTAT microdata

¹⁴ Ministry of Labour and Social Policies, Annual Report - Foreigners in the labour market in Italy, July 2020.

Most young people from outside the EU 90.4% has an employee job position. More than 9 out of 10 young workers from non-EU countries are concentrated in low-skilled jobs and low-paying.

The irregularity rate of foreign workers is higher among the youngest and among those coming from other EU countries. Irregular work is defined as any work that does not comply with current labour, social security, and taxation legislation.

Unfortunately, the data on the characteristics of undocumented workers in Italy they are scarce or not available in a systematic way. In general, and in contexts where data are available, there is a direct relationship between irregularity and migratory status (migrant workers have higher rates of irregularity than indigenous workers) and irregularity affects young workers more than those adults. The National Institute of Statistics in 2016 indicated an irregularity rate of 8.8% for Italian workers, 22.2% for those of other EU countries and 19.1% for workers from non-EU countries. As concerns the age groups, the youngest workers (15-24) have an irregularity rate of 20.9%, while the rates for the age groups 25-34 and 35-64 are respectively 11, 4% and 8.2%. These limitations do not allow the different individual characteristics to be interpolated to calculate, for example, the irregularity rate of young workers, broken down by belonging to one of the three subgroups and by gender.¹⁵

The data collected so far refer to the period ending in 2019. The consequences of the security decree have not yet been documented at the data reporting level, but what is undoubted is that the impossibility of producing residence documents due to the restrictions imposed by the government can only worsen the employability situation of the migrants, whose number of illegal immigrants has increased, also increasing the number of unemployed.

¹⁵ Ministry of Labour and Social Policies, Annual Report - Foreigners in the labour market in Italy, July 2020.

List of Policies on the inclusion of migrants and refugees in the labour market and VET system

NO.1

NAME OF THE POLICY	Legislative decree of the 21 st of February 2014, n. 18 paragraph n. 3
LEVEL	National - National Application of the EU directive n. 2011/95/U
YEAR	2014
COUNTRY	Italy
THEME	Integration of refugees or International Protection holders in Italy
GENERAL DESCRIPTION	<p>For the purposes of planning interventions and measures aimed at promoting the integration of beneficiaries of international protection, the National Coordination Table established at the Ministry of the Interior - Department for Civil Liberties and immigration with the aim of optimising systems reception of applicants and/or holders of international protection it also prepares a National Plan every two years that identifies the lines of intervention to achieve the effective integration of the beneficiaries of international protection, with particular regard to social-working integration, also by promoting specific meeting programmes between job supply and demand, access to health care and social, housing, language training and education as well as the fight against discrimination. The Plan indicates an estimate of the recipients of the integration and specific measures to implement the programming of the relevant European funds prepared by the responsible authority. The table is composed of representatives of the Ministry of the Interior, the Office of the Minister for Integration, the Ministry of Labour and social policies, of the Regions, of the Union of Provinces of Italy.</p> <p>(UPI) and the National Association of Italian Municipalities (ANCI), and is integrated, when planning the measures referred to in this provision, with a representative of the delegated Minister at equal opportunities, a representative of the High Commissioner of the United Nations for Refugees (UNHCR), a representative of the National Commission for the right to asylum and, depending on the matters dealt with, with representatives of other administrations or other interested parties.</p>
OBJECTIVES	Improvement of the socio-labour inclusion of refugees
ACTIVITIES	<ul style="list-style-type: none"> • A National Plan will be organised every two years which identifies the lines of intervention to achieve the effective integration of beneficiaries of international protection, about the social-working integration. • Organization of specific meeting programmes between job supply and demand
LINK	Link

NO.2

NAME OF THE POLICY	The legislative decree n. 142 of 2015 so called "reception decree"
LEVEL	National Directive 2013/33 / EU, the so-called reception directive, replaces the previous directive 2003/9 / EU. The 2003 directive was transposed into internal law by legislative decree no. 140/2005, then repealed by the legislative decree n. 142/2015 which replaced its content, updating it with the provisions of the new reception directive of 2013.
YEAR	2015
COUNTRY	Italy
THEME	Disciplining the reception of asylum seekers in Italy
GENERAL DESCRIPTION	The legislative decree regulates the reception system for asylum seekers in Italy. It deals with different aspects, such as the reception centres, the rights to sanitary services, the rights to education, the cases for expulsion, etc. Concerning the right to work, it is declared in the art.22 of the decree that: <ol style="list-style-type: none"> 1. The residence permit for asylum request allows them to carry out work activities, after sixty days from the presentation of the application, if the procedure for examining the application is not completed and the delay cannot be attributed to the applicant. 2. The residence permit cannot be converted into a residence permit for work reasons. 3. The applicants, who take advantage of the reception measures they can attend professional training courses, possibly provided for by the local authority programmes dedicated to welcoming the applicant.
OBJECTIVES	Reception of asylum seekers in Italy
ACTIVITIES	<ul style="list-style-type: none"> • A National coordination table, set up at the Ministry of the Interior, with tasks of addressing, planning, and programming in the field of reception, including those of identifying the criteria for the regional distribution of places to be allocated to reception purposes • The Table annually prepares a National Reception Plan which, based on the arrival forecasts for the period in question, identifies the need for places to be allocated to reception purposes. The guidelines and programming are then implemented at the territorial level through regional coordination tables. <p>The decree also envisages that asylum applicants living in the System of Protection for Asylum Seekers and Refugees (SPRAR) centres may attend vocational training when envisaged in programmes eventually adopted by public local entities. With regard to the type of vocational training provided, there are different forms and lengths, including residential vocational training courses, with a view to help people gradually leave reception centres, and courses aimed at fulfilling mandatory education obligations (for people under 18 years of age).</p>

Art 22- Refugees and asylum seekers with residence permits can freely register with Public Employment Services (PES) (Centri per l'Impiego).

LINK [Link](#)

NO.3

NAME OF THE POLICY Legislative decree n. 251- 19th November 2007

LEVEL National - Implementation of European directive

YEAR 2007

COUNTRY Italy

THEME Implementation of Directive 2004/83 / EC containing minimum standards on the attribution, to citizens of third countries or stateless persons of the qualification of a refugee or person otherwise in need of international protection, as well as minimum standards on the content of recognized protection.

GENERAL DESCRIPTION The decree regulates the procedures concerning the job placement for foreigners living in Italy. Very important is article 25 of the decree that states:
"Foreign nationals who have been granted refugee status or the status of beneficiary of subsidiary protection 'are entitled to the same treatment provided for Italian nationals regarding paid employment, self-employment, and inclusion on professional registers, vocational training and on-the-job training".

NO.4

NAME OF THE POLICY Legislative decree - 25th July 1998, n. 286 Title III T.U.I

LEVEL Unique text of the provisions concerning immigration regulations and regulations on the condition of foreigners

YEAR 1998

COUNTRY Italy

THEME Regulation of the entry flows for work reasons of foreign people in Italy

GENERAL DESCRIPTION The first title of this decree contains the general principles of this unique text; in the second title there are the articles that regulate the entry flow of foreign citizens in Italy for work reasons. The third title of the decree regulates the work matter, regulating the flux of entry for subordinated work, for seasonal work, for autonomous work, for cases, etc.
Art. 2 states the equal treatment with the Italian worker. Italy has to pursue a policy that promotes equal opportunities and equal treatment in matters of work and social security.

OBJECTIVES Regulation of the entry flow of foreign citizens

- ACTIVITIES**
- Entry quotas for work: The Precedence of the council of ministries foresee a quota every year for several workers that can legally enter Italy (the so-called flow decree) before the 30th of November
 - Regulation of foreign citizens' entry for seasonal work: the decree.
 - In each province a desk for immigration is set up at the prefecture office that is responsible for the entire procedure relating to the hiring of foreign subordinate workers on a fixed-term basis and undetermined. (art.22)

LINK [Link](#)

NO.5

NAME OF THE POLICY LEGISLATIVE DECREE 4 October 2018, n. 113

LEVEL Urgent provisions on international protection and immigration, public security, as well as measures for the functionality of the Ministry of the Interior and the organization and functioning of the National Agency for the administration and destination of assets seized and confiscated from organised crime.

YEAR 2018

COUNTRY ITALY

THEME Modifications to previous laws regulating the reclusion of migrants in Centres for expulsion, and other dispositions about their permit of staying and international protection.

GENERAL DESCRIPTION Among the news this law brings to the previous laws regulating the rights and duties of asylum seekers and refugees in Italy, what it concerns the social and labour inclusion:

- Abolition of humanitarian protection. The first article of the decree contains new provisions on the granting of asylum and effectively provides for the repeal of protection for humanitarian reasons, which was provided for by the Consolidated Law on immigration.
- Restriction of the reception system. The system for the reception of asylum seekers and refugees (SPRAR), the ordinary reception system that is managed by Italian municipalities, will be limited only to those who already hold international protection or to unaccompanied foreign minors. It will then be resized and renamed. The other asylum seekers will be received by the Extraordinary Centres (Cas) and by the Cara.
- Exclusion from the registry of asylum seekers. Article 13 of the decree provides that asylum seekers cannot register with the registry and therefore cannot access the residence.

OBJECTIVES Restrictions to the possibilities to grant a sort of protection to asylum seekers and the impossibility to obtain residence, that give them access to different social services.

- ACTIVITIES**
- Restriction of the reception system.
 - Abolition of humanitarian protection.
 - Exclusion from the registry of asylum seekers.

- Extension of detention in repatriation centres.
- Detention in hotspots and border crossings
- More funds for repatriation.
- Revocation or denial of international protection. The decree extends the list of offenses involving the revocation of refugee status or subsidiary protection.
- Expedited procedure before the territorial commission.

LINK [Link](#)

NO.6

NAME OF THE POLICY Legislative decree 21st October 2020, n. 130

LEVEL Urgent provisions on immigration, international and complementary protection, amendments to articles 131-bis, 391-bis, 391-ter and 588 of the criminal code, as well as measures regarding the prohibition of access to public establishments and places of public detention, to combat the distorted use of the web and to regulate the National Guarantor of the rights of persons deprived of personal freedom. (20G00154)

YEAR 2020

COUNTRY ITALY

THEME The decree intervenes in various matters, first modifying the so-called security decrees of 2018 and 2019, which had in turn amended some of the rules contained in the Consolidated Law on immigration (Legislative Decree no. 286/1998), as well as law no. 91/1992 on citizenship and Legislative Decree no. 25/2008 and Legislative Decree no. 142/2015 (implementing the EU directive so-called Procedures and the EU directive so-called Reception of the Common European Asylum System).

GENERAL DESCRIPTION In the matter of immigration, the decree intervened on residence permits for work reasons. The new hypotheses of permit for special protection, calamity, elective residence, acquisition of citizenship or statelessness, sporting activity, artistic work, religious reasons, and assistance to minors have been added to the categories of permits that are already convertible. As for international protection, the new decree established procedural and substantial changes to the previous legislation. The former has modified the procedures for carrying out priority exams, accelerated procedures, as well as the management of repeated applications during the execution phase of an expulsion order. As regards reception, the new Reception and Integration System was created, which replaces the SIPROIMI (Protection System for holders of international protection and for unaccompanied foreign minors), returning to a system like the old SPRAR (Protection System for asylum seekers and refugees). Art. 5 of the decree is about all the activities to support the path of inclusion.

OBJECTIVES The new decree has once again affected the previous legislative framework on immigration and asylum by reforming and, for the most part, repealing the changes introduced by the so-called "security decrees".



ACTIVITIES Lines of action to create forms of effective inclusion social networks aimed at promoting the individual autonomy of foreign citizens who are beneficiaries of international protection, about:

- a) language training.
- b) Information on individual rights and duties on service orientation.
- c) Orientation to job placement.

LINK [Link](#)

Conclusion

As we said above, Italy is not a country that excels in labour integration policies for migrants and refugees. The national laws (the TUI) regulate this aspect and we have seen there are various residence permits that allow foreigners to carry out work activities: from the permit for international protection to those for humanitarian protection. In these cases, the possibility of working is subject to political asylum. Italy still needs to make progress in considering the benefits of including economic migrants in its labour market, regardless of the granting of international protection.

At the same time, public offices need to raise awareness of companies in showing the benefits of the job inclusion of foreign people. The labour integration of migrants is a challenge that all companies could take up, because including foreign citizens also means participating in their integration socially. And the advantages, in human and professional terms, are manifold. Through active labour policies, companies can be protagonists of an effective growth of the Italian and European market. But not only that: thanks to the social and professional integration of migrants, it will also be possible to promote the full autonomy of the workers themselves. Another obstacle is the common opinion that "foreigners steal our jobs". It is denied by **Istat** data: the labour market in Italy is substantially fragmented, and immigrants and Italians aspire to different job positions. Even in the same sectors there is complementarity: foreigners in the less qualified groups, and Italians in the qualified and technical ones¹⁶. To conclude, it is therefore clear that a multi-level awareness raising effort is essential to improve the labour integration policies of migrants and refugees in Italy, starting from the political directives to a greater openness of companies in welcoming foreigners.

¹⁶ http://www.fondazioneleonemoressa.org/newsite/wp-content/uploads/2017/10/12.10.2017-Rep_Lavoro.pdf

5. Slovenia

Materials and Methods of the Slovenian research



For the Slovenian research has been consulted main sources of information in Migrants and refugees' field available on the web. The most important web portals are listed below:

- website Government Office for the Care and Integration of Migrants.
- webpage of Employment Service of Slovenia.
- Reception and Care Sector
- Integration Sector

Background research and National/Regional policies

Inclusion of migrants and refugees in the labour market and VET system

Throughout history, migration has had a great impact on the Slovenian economy and the Slovenian labour market. Slovenia has been formulating its migration policy since 1991, when it became an independent and internationally recognized country. The war in the former Yugoslavia caused the first major migrations of the population, which came mainly from the former Yugoslav republics. Before Slovenia's accession to the EU, foreign immigrants roughly consisted of two groups with different status:

1. Those who had Slovenian citizenship and received it based on the then valid Citizenship Act of the Republic of Slovenia.
2. Immigrants who had a recognized permanent or temporary residence in the Republic of Slovenia.

The employment of foreigners in Slovenia intensified. This is a consequence of strong immigration flows from the areas of the former and new immigration from other countries. In 1991, many borders in Europe were opened and emigrants from Eastern European countries began to immigrate to Slovenia. Some of these countries later became part of the EU, where the movement of workers between these countries was liberalised. The most important factor in emigrating to Slovenia is economic.

With the legislative regulation and the peculiarities arising from the newly acquired independence and the initial processes in the direction of democratisation, Slovenia increasingly encountered similar problems as the developed Western European countries within the EU and the Schengen area. For a successful process of approaching the family of EU member states and other important international organisations¹⁷, it was necessary for Slovenia to harmonise immigration policy and international and humanitarian obligations.

¹⁷ Council of Europe, United Nations, etc

For this purpose, the Resolution on the Immigration Policy of the Republic of Slovenia¹⁸ has been adopted in 1999, which defined the three main pillars on which immigration policy in Slovenia is based for the protection and assistance of refugees and asylum seekers. These 3 main pillars are: integration of immigrants into Slovenian society, prevention of illegal migration and determination of the normative and organisational arrangements necessary for the successful and comprehensive implementation of the immigration policy.

The basic legal tools which the position of the Resolution is implemented are the **Aliens Act** which regulate the conditions of entry and residence of aliens, the **Asylum Act for refugee status and asylum policy**, the **State Border Control Act** which will regulate border control in accordance with the procedures for integration into the European Union and the **Schengen Agreement**, the appropriate **visa regime**, and other relevant sectoral laws.

Due to the increasingly complex dynamics of migration flows, which required new forms of migration management, such as cooperation with other countries and international organisations and approaching the EU, the **Resolution on Migration Policy of the Republic of Slovenia** was adopted in 2002¹⁹ which further concretised the activities and measures for the implementation of migration policy.

Since Slovenia's accession to the EU, its immigration policy has been largely in line with EU migration and asylum policy and the *acquis Communautaire*, mainly through the transposition of EU legislation such as migration and asylum directives and the establishment of a common European asylum system²⁰.

To summarise: in the Republic of Slovenia, migration legislation comprises the following legal instruments:

- Geneva Convention on the Status of Refugees
- EU Directive 2013/33 on standards for the reception of applicants for international protection
- Constitution of the Republic of Slovenia
- The Foreigners Act
- International Protection Act (ZMZ-1)
- By-laws of the International Protection Act
- Decree on the modalities and conditions for ensuring the rights of persons with international protection
- Decree on the modalities and conditions for ensuring the rights of applicants for international protection
- Decree on house rules for an asylum home
- Decree on the house rules of the integration house
- Temporary Protection of Displaced Persons Act

¹⁸ Official Gazette of the Republic of Slovenia, No. 40/99

¹⁹ Official Gazette of the RS, No. 106 / 2002

²⁰ Slovenija in migracije - <https://emm.si/migracije-in-slovenija/>

- By-laws of the Provisional Protection of Displaced Persons Act
- Decree on the modalities and conditions for ensuring the rights of persons with temporary protection

The first Slovenian law on foreigners came into force in 1999 as one of the independence legal acts. Its shortcomings were mainly reflected in the unregulated legal position of citizens of other republics of the former Yugoslavia who did not opt for Slovenian citizenship or whose application for citizenship was rejected. Due to the changed circumstances this Act was no longer appropriate. In 1996, the Republic of Slovenia signed an association agreement with the European Union and at the same time began implementing procedures for the legal harmonisation of its legislation with that of the European Union.

- Article 1 of this Act of foreigner's states that **a foreigner under this Act is anyone who is not a citizen of the Republic of Slovenia.**
- Article 2 states that **the provisions of this Act do not apply to staff of diplomatic and consular missions of foreign countries in the Republic of Slovenia and staff of other foreign missions who have diplomatic status in the Republic of Slovenia.**

The law stipulates:

- way of aliens entering the country (border crossings);
- issuance of a visa (work visa, business visa - issued at the request of an alien) and also determines the duration of the visa;
- refusal to enter the country and refusal to issue a visa;
- residence - a 3-month stay or to the extent permitted by the visa issued, unless otherwise provided by an international treaty;
- cancellation of residence (how it can be cancelled and reasons for cancellation);
- forced removal of an alien;
- criminal provisions;

The new Aliens Act abolished business and work visas and replaced them with a residence permit. Thus, in addition to the work permit, the alien also needed a residence permit, which was based on a work permit. The new law, as amended in 2002, brought a significantly different approach to the legal regulation of the issue of aliens. The Aliens Act considers EU law in its substantive review but according to Slovenian legal regulations. This Act determines the conditions and methods of entry, departure, and residence of aliens in the Republic of Slovenia.

Basic principles of migration policy in the Republic of Slovenia are:

- The principle of solidarity, international burden-sharing, and responsibility (obligation to provide protection and assistance to refugees; illegal migration and its consequences).
- The principle of responsibility towards citizens and the state (regular, relatively free migration; migration of persons of Slovenian origin and responsibility for the preservation and development of their identity).

- The principle of respect for law and human rights, which means fulfilling obligations under international treaties, respecting generally accepted principles and the legal order.
- The principle of long-term macroeconomic utility.
- The principle of historical responsibility, which builds on the concept of the continuum of history and the structure of international relations.
- The principle of equality, freedom, and cooperation, which refers primarily to integration policy.

Regarding the migration policy, it is a complex policy consisting of separate but related and complementary policies. These are:

- Asylum policy, which is part of refugee policy, refers to measures related to asylum seekers and recipients.
- Migration flow management policy, which relates mainly to illegal migration and trafficking in human beings.
- Integration policy, which refers to state measures that affect the quality of life of immigrants.
- Immigration policy related to the regulation of immigration: rules and procedures that allow foreigners to enter, employ and / or reside and settle permanently in the Republic of Slovenia.

Migration policy has determined the necessary legislation governing the field of asylum, immigration, and employment of foreigners in:

- Aliens Act²¹
- Asylum Act²²
- Police Act²³
- Employment and Work of Aliens Act²⁴

In the field of employment, it is necessary to focus on the following law:

Employment and Work of Aliens Act, which includes:

- **Act Amending the Foreigners Act**

The Aliens Act defines an alien as anyone who does not have the citizenship of the Republic of Slovenia, and in principle applies to all aliens, except for refugees and asylum seekers.

All foreigners, during their stay on the territory of Slovenia, are required to respect the Slovenian Constitution and laws. Thanks to this law the Government of the Republic of

²¹ Official Gazette of the Republic of Slovenia 71/2008, above Ztuj

²² Official Gazette of the Republic of Slovenia 51/2006, above the Asylum Act

²³ Official Gazette of the Republic of Slovenia 107/2006, above the Zpol

²⁴ Official Gazette of the Republic of Slovenia 76/2007, above the ZZDT

Slovenia must adopt a resolution on migration policy and in accordance with it may annually adopt a quota of residence permits in an individual year²⁵.

The Act determines the conditions for entry, stay and exit of migrants and states that foreigners may enter and exit Slovenia only at designated border crossings with a valid travel document and, if necessary, a visa or residence permit²⁶. Foreigners who do not need a visa can stay in Slovenia for a maximum of 90 days²⁷. Every foreigner who wishes to reside in the Republic of Slovenia for a longer period than 90 days, needs a residence permit. The conditions for issuance, types and definition are given by the Aliens Act.

- **Employment, Self-Employment, and Work of Aliens Act (ZZSDT)**, come into force in 2015 and determines the conditions for employment, self-employment and work of aliens and the related tasks of the Republic of Slovenia for the regulation and protection of the labour market. The new legislation follows the principle that the entire procedure is regulated in one place and that a residence and work permit in the Republic of Slovenia is issued as a single permit.

The Republic of Slovenia concludes international agreements determining the conditions for employment, self-employment, and work of foreigners, and adopts measures for the protection of the domestic labour market determined by this Act. In accordance with international treaties binding on the Republic of Slovenia and regulating the free movement of workers and the free provision of services between the Member States of the European Union, the European Economic Area and the Swiss Confederation proposes to the National Assembly of the Republic of Slovenia the introduction and abolition of measures provided for by international treaties²⁸.

Article 6 of this Act states that the right to free access to the labour market means that an alien may be employed, self-employed or work in the Republic of Slovenia without consent to a single permit or EU blue card or without a seasonal work permit.

- **Law on asylum** lays down the principles, conditions, and procedure for obtaining refugee status offering international protection to an individual²⁹. It defines a refugee as a person who has been granted the right to asylum, and asylum as protection granted to foreigners in Slovenia³⁰. Emma Haddad³¹, on the other hand, describes refugees as individuals who were forced to leave their original environment due to a conflict with the politics of the country in which they lived, and the new environment into which they immigrated granted them international protection. Conflicts with the country in which individuals lived are different and consequently we know several types

²⁵ Ztuj, Article 5

²⁶ Ztuj, 6-8 art

²⁷ Ztuj, Art. 13

²⁸ Transitional period or security clause

²⁹ Zazil, Article 1

³⁰ Zazil, Art. 2

³¹ Director General, Asylum and Protection at UK Home Office

of migrants - refugees: economic migrants seeking better financial living conditions, illegal migrants, political refugees, stateless persons, asylum seekers, etc., their number in worldwide, it is estimated at around 8.4 million in 2008³².

The Asylum Act stipulates that every alien who declares upon entering Slovenia that he or she intends to apply for asylum must be allowed to enter the country³³. During their stay in Slovenia, it grants them the following rights:

- the right of temporary residence;
- the right to an interpreter;
- the right of female applicants to choose the sex of the individual conducting the asylum procedure;
- the right to priority treatment, care and care of minors, disabled people, the elderly, pregnant women, single people and victims of violence;
- the right to a refugee counsellor;
- the right to basic care and health care;
- the right to work and primary education;
- the right to free legal aid;
- the right to financial assistance in the case of accommodation at a private address³⁴.

In addition to rights, the law requires all individuals to whom Slovenia offers protection based on asylum to respect their duties:

- they must respect the laws and regulations of the Republic of Slovenia;
- they must always be available to the competent authorities and respond to their invitations;
- they must notify any change of address and comply with orders regarding restrictions on movement³⁵.

Latest Statistics on Migration and International Protection

Slovenia started receiving immigrants from other ex-Yugoslavian territories after its independence in 1991. These immigrants often had family and friends living in the country, as well as languages, cultures, and social structures like those in Slovenia. This facilitated their integration. Since it joined the European Union in 2004, an increasing number of other non-EU nationals have settled in the country. The arrival asylum seekers from the Middle East in 2015 further accentuated this trend.

Slovenia is a destination country principally for nationals of Bosnia and Herzegovina, Serbia, UNSC Resolution 1244-administered Kosovo, North Macedonia, the Russian Federation, Ukraine, China and Montenegro. As of June 2019, almost 160,000 non-EU nationals had temporary or permanent residency status in Slovenia. Slovenia is also a destination country for irregular seasonal migration and a transit and destination country for asylum seekers and migrants in an irregular situation.

³² Haddad 2008, 23–25

³³ Zazil, Article 7

³⁴ Zazil, Articles 11-16, 43

³⁵ Zazil, Art. 44

Immigration & emigration

Total number of international migrants at mid-year 2020	278 THOUSAND
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International migrant stock as a percentage of the total population at mid-year 2020	13.4 %
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Total number of emigrants at mid-year 2020	160.2 THOUSAND
--	----------------

Net migration (immigrants minus emigrants) in the 5 years prior to	10 THOUSAND
--	-------------

Difference in the share of migrants in the total population between 2000 and 2020	2,6 %
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Share of female migrants in the international migrant stock at mid-year 2020	41.4 %
--	--------

Share of international migrants 19 years and younger residing in the country/region at mid-year 2020	7.5 %
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Share of international migrants 65 years and older residing in the country/region at mid-year 2020	18.5 %
--	--------

Migrant flow

Total number of new international migrants	13.9 THOUSAND
--	---------------

Integration & well-being

Unemployment gap between the foreign-born and native populations in OECD countries	1.6 %
--	-------

Forced migration

Total number of refugees in host country in	751
---	-----

Total number of refugees by country of origin in	23
--	----

Development

Personal remittances received (as % of GDP) in	1%
--	----

Public opinion

Percentage of adult respondents who reported plans to move permanently to another country in the next 12 months (estimate), in 1.2

Context

Total population at mid-year 2020 2.1 MILLION

At the end of November 2020, almost 200,000 foreigners (29,397 EU citizens in 170,342 third-country nationals) resided based on a permit or residence permit; 92,844 third-country nationals had a valid permanent residence permit and 77,498 had a valid temporary residence permit. Most of the permitted residence is in the hands of the citizens of Bosnia and Herzegovina, followed by the citizens of Kosovo, Northern Macedonia, and Serbia.

In 2020 year, from January to the end of November, 63,226 temporary residence permits were issued in 6,305 permanent residence permits. According to the purpose of the issued temporary residence permits, third-country nationals are dominated by a single residence and work permit (41,338), followed by family associations (16,063) in the study (4293). At the end of November, we registered 29,397 foreigners in Slovenia, so we had to validly confirm the application for (permanent) residence, which was issued to an EU citizen. Most certificates were issued to citizens of Croatia, followed by citizens of Bulgaria, Italy and Germany.

In 2020, 3276 applications for international protection were lodged; most were invested by citizens of Morocco, Afghanistan, Pakistan and Algeria. International protection status was granted to 85 persons. The first place among them is shared by the citizenship of Syria and Turkey, followed by the citizenship of Iran, and the third place is shared by the citizen of Iraq in Palestine.

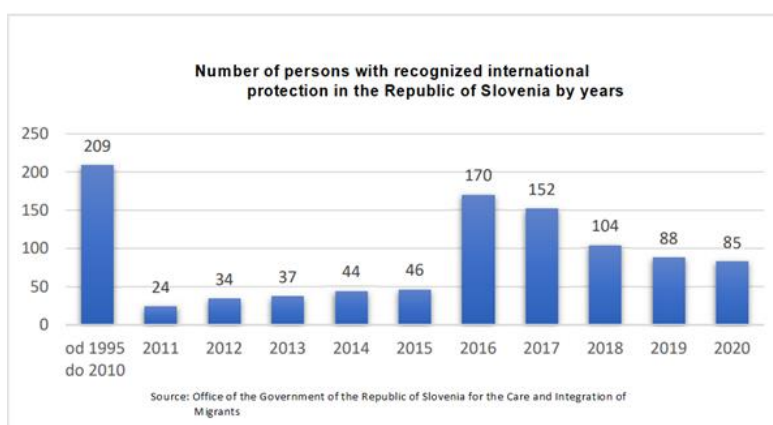


Figure 6 Number of persons with recognized international protection in the Republic of Slovenia by years

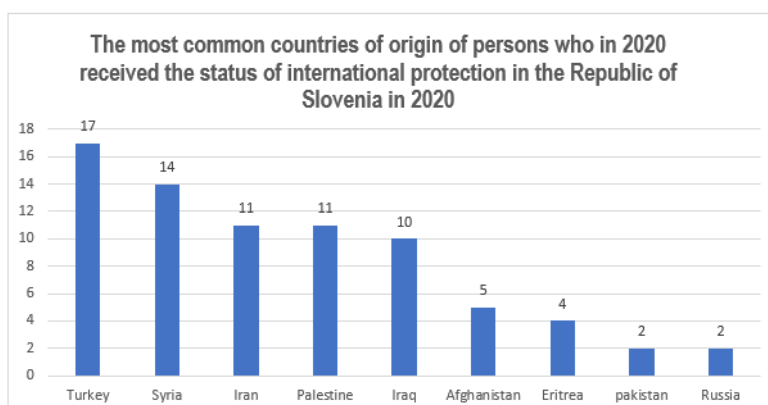


Figure 7 The most common countries of origin of persons who in 2020 received the status of International protection in the republic of Slovenia



Figure 8: Strategy of the Government of the Republic of Slovenia in the field of migration

In the Coalition Agreement on Cooperation in the Government of the Republic of Slovenia for the 2018–2022 term of office, the Government Coalition set itself the task of drafting a comprehensive migration agreement.

A strategy based on inter-ministerial integration. In order to prepare and monitor the implementation of the Strategy of the Government of the Republic of Slovenia in the field of migration and coordination of activities in the field of migration an inter-ministerial working group has been established.

The members of the working group are representatives of all ministries at the level of state secretaries and representatives of the Prime

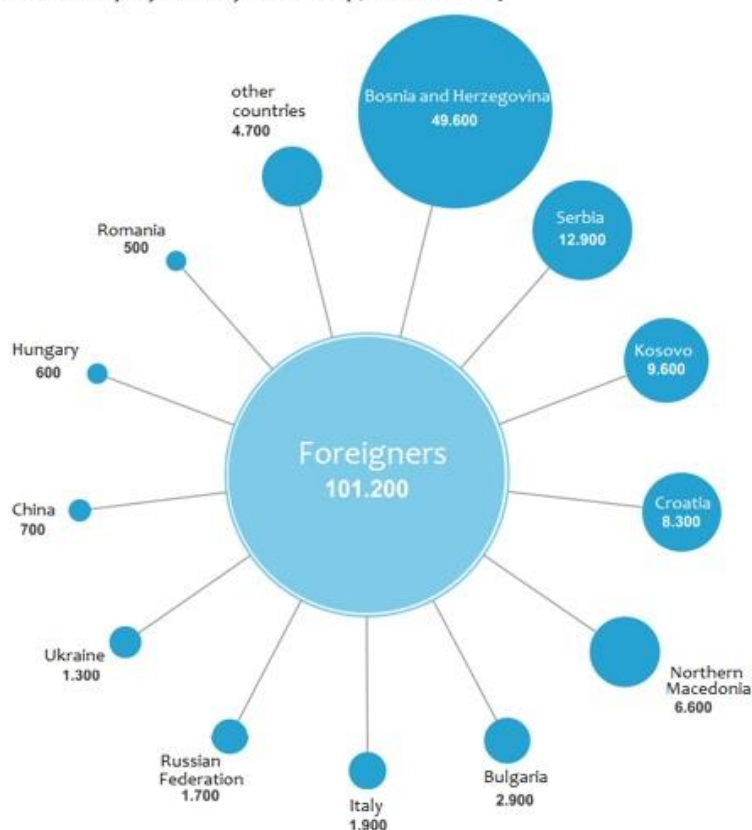
Minister's Office, Sova, the Police, the Office for Care and Integration of Migrants, the Government Communication Office, the Government Office for Macroeconomic Analysis and

Development and the Protection and Rescue Administration. The strategy consists of six horizontal pillars, which are interconnected and form a comprehensive approach to migration.

The content of individual pillars was prepared and coordinated by the competent departments.

The number of employed foreigners has increased by 81% in the last five years. At the end of October 2019, 11% of persons in employment were foreigners (approximately 101,200).

Persons in employment by citizenship, October 2019



Most of them were from Bosnia and Herzegovina (49% or about 49,600), followed by citizens of Serbia (13% or about 12,900) and Kosovo (9% or about 9,600). 96% of these persons were employed and 4% self-employed.

Figure 9: Persons in employment by citizenship

List of Policies on the inclusion of migrants and refugees in the labour market and VET system

NO.1

NAME OF THE POLICY Ustava Republike Slovenije - Constitution of the Republic of Slovenia

LEVEL National

YEAR 1991

COUNTRY Slovenia

THEME	General
GENERAL DESCRIPTION	<p>The Constitution of the Republic of Slovenia was ratified by the National Assembly at the Assembly in 1991. The Constitution is the basic and highest general legal act, and thus the act with the greatest legal force, which also contains elements of an ideological-political act. Compared to other European constitutions, it has rarely been amended, and its content has not significantly affected the constitutional structure and its orientation. It contains 176 articles, which are divided into ten sections that follow the preamble:</p> <ol style="list-style-type: none"> 1. General provisions 2. Human rights and fundamental freedoms 3. Economic and social relations 4. State regulation 5. Self-government 6. Public finance 7. Constitutionality and legality 8. Constitutional Court 9. Procedure for amending the Constitution 10. Transitional and final provisions <p>The Constitution of the Republic of Slovenia from 1991 is one of the most important documents in the history of the Slovenian nation. On the one hand, it means the consolidation and upgrading of Slovene state sovereignty, which was established on 25 June 1991 by the Slovene Assembly with the adoption of the Basic Constitutional Charter on the Independence and Autonomy of the Republic of Slovenia. On the other hand, it means securing the foundations of a democratic political system, with an emphasis on the protection of human rights and fundamental freedoms.</p>
OBJECTIVES	The basic purpose of the constitution: to limit the unlimited intentions of the absolute ruler by the bourgeoisie. It is short and provides the necessary normative starting points for the parliamentary form of government. It contains a special chapter on human rights, but only the most basic and lasting rights of the Slovene nation are written down, they are self-determination, it has no programme provisions, except in terms of basic economic and social relations.
RESULTS	Rights and freedoms have arisen in very different circumstances and are the result of the diverse efforts of different groups.
LINK	Link

NO.2

NAME OF THE POLICY	Ženevska konvencija o statusu beguncev - Geneva Convention relating to the Status of Refugees
LEVEL	National
YEAR	1951
COUNTRY	Slovenia



THEME Education (VET) system; Labour Market; Work Environment

GENERAL DESCRIPTION The 1951 Convention relating to the Status of Refugees is a key document of international refugee protection. The Convention defines who is a refugee and what legal protection, assistance and social rights must be provided to refugees by the signatory states. At the same time, the Convention stipulates that refugee may not be returned to a country where their lives would be endangered. On the other hand, the convention also defines the duties that a refugee has towards his or her host country and states which groups of people (for example, war criminals) are not entitled to refugee status.

OBJECTIVES The original purpose of this convention was to protect European refugees seeking safe refuge after the end of World War II. The 1967 Protocol extended its purpose and removed geographical and temporal restrictions. Thus, the convention became a universal instrument of protection, at a time when refugees began to appear all over the world.

ACTIVITIES The 1951 Convention is not designed to address the causes - such as human rights violations, political or armed conflicts that cause people to flee their homeland - but was designed to reduce the consequences of these situations by providing international protection and assistance to victims, including assistance in re-arranging life.

RESULTS The 1951 Convention relating to the Status of Refugees and its Protocol from 1967 have made a significant contribution to the development of important regional instruments for the protection of refugees.

LINK [Link](#)

NO.3

NAME OF THE POLICY Direktiva 2013/33 EU o standardih za sprejem prosilcev za mednarodno zaščito - EU Directive 2013/33 on standards for the reception of applicants for international protection

LEVEL National, European

YEAR 2013

COUNTRY Slovenia

THEME Education (VET) system; Labour Market; Work Environment

GENERAL DESCRIPTION The Directive sets standards for the reception of applicants for international protection in EU countries. The main objective of the directive is to limit secondary movements within the EU due to inconsistencies in reception conditions between Member States. The directive is intended to lay down the conditions for admission to ensure dignified living conditions comparable in all the Member States.

OBJECTIVES The purpose of this Directive is to lay down standards for the reception of applicants for international protection (hereinafter: applicants) in the Member States. This Directive shall apply to all third - country nationals and stateless persons applying for an international

application protection in the territory, including at the border, in territorial waters or in the transit zones of a Member State if they are as applicants are allowed to stay in the territory, as well as for family members if they are involved in such an application under national law for international protection.

ACTIVITIES	<p>This Regulation regulates in more detail the methods and conditions for granting rights to applicants for international protection (hereinafter: the applicant), about:</p> <ul style="list-style-type: none"> • special treatment of vulnerable persons with special needs, • material care in the case of accommodation in an asylum home or its branch (hereinafter: asylum home), • financial assistance in case of accommodation at a private address, • emergency treatment, • education, • access to the labour market • pocket money.
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RESULTS	Better reception conditions for applicants for international protection
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LINK	Link
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NO.4

NAME OF THE POLICY	Direktiva 2016/801/EU - Directive 2016/801/EU
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LEVEL	National and European
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YEAR	2016
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COUNTRY	Slovenia/EU
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THEME	Education (VET) system; Labour Market; Work Environment
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GENERAL DESCRIPTION	The Directive lays down the conditions for the entry and residence of third-country nationals for the purposes of research, studies, traineeships, voluntary work, pupil exchange programmes or educational projects and au pair work.
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OBJECTIVES	The objective of this Directive is not to regulate the admission and residence of third-country nationals for the purpose of employment, and it does not aim to harmonize national laws or practices with respect to workers' status. It is possible, nevertheless, that in some Member States specific categories of third-country nationals covered by this Directive are in an employment relationship based on national law, collective agreements, or practice. Where a Member State considers third-country national researchers, volunteers, trainees, or au pairs to be in an employment relationship, that Member State should retain the right to determine volumes of admission of the category or categories concerned in accordance with Article 79 (5) TFEU.
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ACTIVITIES	The main changes are summarized below.
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- Introduction of long-term residence for job search or starting a business. This purpose of the stay will be intended for university students after completing their studies in the country and for research workshops that have completed their research activities. In these cases, you can look for a job or start a business in the Czech Republic for up to 9 months. However, the permit will not automatically imply shared rights of access to the labour market or the initial business activity.
- Obligation to attend adaptation and integration courses. Efforts for the long-term integration of aliens residing in the Czech Republic will no longer be voluntary - the introduced element will be limited to the relevant obligations: conditions of residence in the country to be included (in some cases) an obligation to residence permits for participants in the introductory adaptation and integration course for newcomers. The amendment introduces an obligation due to the identified needs to inform foreigners, about their rights and obligations, immediately after arriving in the Czech Republic.

RESULTS This Directive should contribute to the objective of the Stockholm Program to harmonize national legislation on the conditions of entry and residence of third-country nationals.

LINK [Link](#)

NO.5

NAME OF THE POLICY Zakon o tujcih - Foreigners Act

LEVEL National

YEAR 2011

COUNTRY Slovenia

THEME This Act determines the conditions and methods of entry, departure, and residence of aliens in the Republic of Slovenia.

GENERAL DESCRIPTION This law summarizes the content of the directives and the decision of the European Union. The Aliens Act regulates the entry of aliens into the Republic of Slovenia, obtaining visas and residence permits, leaving the country, voluntary return and removal of aliens, special procedures, and bodies responsible for implementing the provisions of the Act. Special chapters are intended for the integration of foreigners in the Republic of Slovenia and records.

OBJECTIVES This Act regulates the implementation of the following regulations of the European Union:

- Council Regulation (EC) No 2252/2004 of 13 December 2004 on standards for security features and biometrics in passports and travel documents issued by Member States (OJ L 385, 29.12.2004, p. 1). 1).
- Council Regulation (EC) No 539/2001 / EC of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the

external borders and those whose nationals are exempt from that requirement (OJ 2001 L 81, p. 21). 3. 2001, p.1).

- Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on the Union Code on the rules governing the movement of persons across borders (codified text) (OJ L 77, 23.3.2016, hereinafter text: Schengen Borders Code).
- Council Regulation (EC) No Commission Regulation (EC) No 380/2008 of 18 April 2008 amending Council Regulation (EC) No Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third-country nationals (OJ L 115, 29.4.2008, p. 1).
- Regulation (EC) No Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing the Community Code on Visas (Visa Code) (OJ L 243, 15.9.2009, p. 1, hereinafter "the Visa Code");
- Regulation (EU) no. Regulation (EC) No 265/2010 of the European Parliament and of the Council of 25 March 2010 amending the Convention implementing the Schengen Agreement and Regulation (EC) No 562/2006 on the movement of persons with a long-stay visa (OJ L 85, 31.3.2010, p. 1).

RESULTS Implementation of Directive 2016/801/EU

LINK [Link](#)

NO.6

NAME OF THE POLICY Zakon o mednarodni zaščiti (ZMZ-1) - International Protection Act

LEVEL National

YEAR 2016

COUNTRY Slovenia

THEME Education (VET) system; Labour Market; Work Environment

GENERAL DESCRIPTION This Act determines the basic principles and guarantees in international protection proceedings, the procedure for recognition, extension and withdrawal of international protection, the duration and content of international protection and the scope of rights and duties of applicants for international protection and persons granted international protection.

OBJECTIVES Its purpose is the comprehensive transposition of the provisions of the Common European Asylum System into national law and the introduction of legal, efficient, and expeditious asylum procedures, which provide the necessary protection to third-country nationals who have obtained international protection and enable integration into Slovenian society.

ACTIVITIES	The law is supposed to provide faster and more efficient international protection procedures in practice. In addition, the proposed solutions are intended to prevent abuse of the international protection system.
RESULTS	The law is in line with European directives and applies to the implementation of Regulations (EU) of the European Parliament and of the Council
LINK	Link

Conclusion

Integration is currently the predominant term in Europe to describe the processes (and their consequences) of integrating immigrants into the new social environment. Despite the predominant use of the term integration in Europe, its popularity is not universal, and even the authors who use it often point to its problems, which largely stem from the complexity of the concept of integration, which characterizes a wide range of dynamic processes and situations in different areas of society, and it can also apply to individuals as well as to social groups or to society. In contrast to this complexity, the term integration is often used very simplistically to denote the general processes of immigrant integration into social life.

Migrant education is an important part of the socio-cultural integration of migrants. Research shows that adult migrant education needs to be regulated systemically to ensure regular funding and does not depend solely on the initiatives of individual people's universities and private schools. It is necessary to strive to find these solutions because migration is a fact of modernity. Even if these are not initially citizens of a country, it is the state that must solve the problem. Creating conditions for the learning and education of migrants and the community is an important task not only of education but of the entire policy in the country, as solutions must also be sought at the interstate or global level. By engaging in the search for solutions in this area, the state also indirectly solves the issue of migration of its citizens to other countries. Globalization, the problem of poverty, wars and the development of transport are factors that accelerate migration, which can be temporary or permanent. In both cases, individuals and society must learn to live in new conditions.

In Slovenia, there are educational programmes that are originally intended for Slovenes, but nevertheless, they are also suitable for migrants, but they should be adapted.

As an EU member, Slovenia is formulating the *acquis* in the field of migration based on an EU directive, which will be added, and transposing the directives into national law does not yet ensure their implementation in practice.

Legislation on the area of migrants and refugees to the labour market is in line with European directives and laws and applies to the implementation of Regulations (EU) of the European Parliament and of the Council.

6. Poland

Materials and Methods of the Polish research

The information collecting, for the Polish country, was based on the website, bibliographic sources as well as consultations. The main sources of data were documents of state bodies, legal acts, statistical yearbooks. The information provided on the websites of organizations dealing with migrants and refugees issues was also based.

The most important websites are listed below:

- website of the Polish Parliament (isap.sejm.gov.pl/isap.nsf/home.xsp).
- databases of Central Statistical Office of Poland (Statistics Poland) – GUS (<https://stat.gov.pl/>).
- Ministry of the Interior and Administration (<https://www.gov.pl/web/mswia-en>).
- The Centre of Migration Research – CMR (<http://www.migracje.uw.edu.pl/about-us/general-information/http://www.migracje.uw.edu.pl/about-us/general-information/>).

Background research and National/Regional policies

Inclusion of migrants and refugees in the labour market and VET system

In 2016, the Council of Ministers revoked the document "Poland's migration policy - current state of play and proposed actions" of 2012, which so far defined the directions of the state's migration policy. On February 14, 2017, the government adopted the Strategy for Responsible Development (SRD) until 2020 (with a perspective until 2030). One of the strategic projects provided for in the SRD is the "Polish Migration Policy", which includes the development of a document presenting the Polish model of active migration policy, assuming, inter alia, improving the management of emigration and immigration processes, as well as the integration of foreigners and encouraging them to settle in Poland, considering the security of the State.

As a result of not only the increased scale of economic emigration but also the economic growth in Poland after accession to the EU and the decline in unemployment, the problem of labour shortage, raised more and more often by employers, has emerged, specifically in sectors such as agriculture and construction. This led, inter alia, to the commencement of a discussion on a wider opening of the Polish labour market to foreigners and the need to change the policy pursued in this area (Polish Migration Policy 2019).

For the above reasons, in the years 2006-2011, the Ministry of Labour and Social Policy introduced several regulations entitling foreigners to take up temporary employment in Poland, without the need to obtain a work permit. These provisions initially applied to citizens

of countries bordering: Belarus, Russia and Ukraine, and then to citizens of Moldova, Georgia and Armenia (as part of the Mobility Partnership).

The Corporate and Social Responsibility is an element of co-operation with foundations for refugees and immigrants. It allows a wide range of activities between them:

- increasing the competence of foreigners in the Polish language;
- providing opportunities to expand knowledge in areas allowing for more active participation in the local labour market and social life;
- integration and activation of foreigners seeking employment in Poland and supporting their entrepreneurship; assistance in completing formalities related to setting up a business.

Some factors that allow the intensification of immigration to Poland are³⁶:

1. The region of Central and Eastern Europe began to diversify strongly in economic and social terms. Poland, as one of the leaders of changes and the most dynamically developing countries, is becoming an attractive country for the inhabitants of areas with lower economic potential.
2. Reducing mobility barriers, including Poland's admission to the Schengen area, gave foreigners coming to our country for medium- and long-term stays, to move freely within this area and to conduct various types of activities.
3. With the accession to the EU, the attractiveness of Poland has increased significantly in the perception of foreigners not only as a transit country but also as a place of study, employment, and a country of residence.
4. The post-accession mass emigration of Poles contributed to changes in the Polish labour market, resulting in unmet demand for labour, especially in occupations belonging to the so-called secondary sector of the labour market.

Increased interest in the stay of foreigners in Poland can be noticed since 2008. As a result of the development of the Polish economy, more and more noticeable demographic changes, and pressure from employers to obtain labour from abroad, as well as external events (such as the conflict in Ukraine or the economic crisis in Russia), the inflow of foreigners to Poland becomes more and more significant. Currently, Poland has the fastest growing population of economic migrants in the EU. It can be assumed that the number of economic immigrants in Poland will continue to increase - considering the forecast changes in Poland's demographic structure, as well as socio-economic changes, Poland may need a significant strengthening of labour supply shortly.

The most important legal acts and regulations in Poland concerning migrants and refugees are:

1. Constitution of the Republic of Poland of April 2, 1997
 - Article 56 indicates that foreigners fleeing persecution may apply for refugee status.

³⁶ Polish Migration Policy 2019 - <https://interwencjaprawna.pl/wp-content/uploads/2019/06/Polityka-migracyjna-Polski-wersja-ostateczna.pdf>

- The Constitution refers to the law and international agreements (Geneva Convention) that regulate the procedure for granting international protection.
2. Act of June 13, 2003, on granting protection to foreigners within the territory of the Republic of Poland
 - It is undoubtedly the most important and detailed piece of refugee legislation.
 - The Act on granting protection to foreigners specifies the grounds for granting refugee status and subsidiary protection, implementing, and specifying in this respect the Geneva Convention and the EU asylum directives.
 - The Act describes the principles and course of the procedure for granting international protection, indicates the administrative authorities competent for this category of cases and the types of decisions that may be made in such procedures.
 - The Act regulates the form and procedure of granting social assistance, provided for applicants for international protection, as well as the conditions and rules for applying detention to applicants, i.e. compulsory placement in a closed centre.
 3. Act of 12 December 2013 on foreigners
 - The Act is important for applicants for international protection because its provisions impose the obligation to leave Poland on applicants who have been refused protection.
 - Act defines the conditions for granting a residence permit for humanitarian reasons - the Polish national form of protection, the obtaining of which means the right of an unrecognized refugee to remain in our country (no deportation decision is then issued).
 4. Regulation of the Minister of the Interior and Administration of February 19, 2016, on the amount of aid for foreigners applying for international protection
 - This regulation regulates the issues of social assistance for foreigners awaiting the issuance of a decision on granting international protection: its form, amount, granting procedure.

International Protection and Asylum in Poland

A foreigner is granted international protection if in his country of origin, he/she is at risk of persecution or a real risk of loss of life or health. These issues are regulated in Poland, inter alia, by the Act on granting protection to foreigners within the territory of the Republic of Poland, which is harmonised and strongly related to the law of the European Union.

In 2018, almost half of asylum seekers were minors and women - the highest rates in Europe. 4,100 people submitted applications in this case. The largest number of applications was submitted by citizens of Russia – 2,700 people, Ukraine - 466 people and Tajikistan - 144 people.



Approximately 1.600 foreigners submitted their applications again. The conditions for granting one of the forms of international protection were met by 450 foreigners³⁷.

According to data of Central Statistical Office of Poland³⁸(December 31, 2019) 2.106.101 foreigners live in Poland.

Latest Statistics on Migration and International Protection of Poland

The scale of migration to Poland remained relatively low for many years after joining the EU. Data from the Census conducted in 2011 revealed that about 63.000 foreigners resided permanently in Poland, which constituted only about 0.2% of the permanent inhabitants of Poland. The analysis of other data leads to similar conclusions - registration data indicate that between 1990 and 2010 slightly over 130.000 immigrants came (and registered) to Poland³⁹.

According to data of Central Statistical Office of Poland⁴⁰ (December 31, 2019) 2.106.101 foreigners live in Poland: Ukraine 1.351.418, Belarus 105.404, Germany 77.073, Moldova 37.338, Russia 37.030, India 33.107, Georgia 27.917, Vietnam 27.386, Turkey 25.049, China 23.838, other countries 360.541.

List of Policies on the inclusion of migrants and refugees in the labour market and VET system

NO.1

NAME OF THE POLICY	Constitution of the Republic of Poland of April 2, 1997
LEVEL	National
YEAR	1997
COUNTRY	Poland
THEME	Human and citizen freedoms, rights, and duties
GENERAL DESCRIPTION	Foreigners fleeing persecution may apply for the refugee status
OBJECTIVES	Creating living and working conditions for citizens, migrants and refugees
ACTIVITIES	<ul style="list-style-type: none">• Creating legal acts,

³⁷ Polish Migration Policy 2019

³⁸ GUS

³⁹ Polish Migration Policy 2019

⁴⁰ GUS

- Creating organizations dealing with migrants and refugees

RESULTS Equal treatment of citizens and foreigners

LINK [Link](#)

NO.2

NAME OF THE POLICY Act of June 13, 2003, on granting protection to foreigners within the territory of the Republic of Poland

LEVEL National

YEAR 2003

COUNTRY Poland

THEME Granting protection to foreigners

GENERAL DESCRIPTION The Act shall lay down the principles, conditions and procedure for granting protection to aliens within the territory of the Republic of Poland as well as the authorities competent in these matters

OBJECTIVES On the territory of the Republic of Poland, an alien may be granted protection in one of the following forms: 1) the refugee status; 2) asylum; 3) the permit for tolerated stay; 4) temporary protection

ACTIVITIES

- personal data of an alien may be processed in the proceedings and registers run based on this Act
- proceedings for granting and withdrawing the refugee status

RESULTS Regulates the form and procedure of granting social assistance, provided for applicants for international protection

LINK [Link](#)

NO.3

NAME OF THE POLICY Act of 12 December 2013 on foreigners

LEVEL National

YEAR 2013

COUNTRY Poland

THEME	International protection
GENERAL DESCRIPTION	The Act lays down the principles and conditions governing entry into, transit through, residence on and departure from the territory of the Republic of Poland as they apply to foreigners, as well as the procedure and the authorities competent in these matters.
OBJECTIVES	<ul style="list-style-type: none"> • provisions, • the Head of the Office for Foreigners, • the crossing of the border, • visas, • temporary residence permit
ACTIVITIES	<ul style="list-style-type: none"> • obligation to leave Poland on applicants who have been refused protection • granting a residence permit for humanitarian reasons
RESULTS	Conditions for staying in Poland
LINK	Link

NO.4

NAME OF THE POLICY	Regulation of the Minister of the Interior and Administration of February 19, 2016, on the amount of aid for foreigners applying for international protection
LEVEL	National
YEAR	2016
COUNTRY	Poland
THEME	Support for foreigners
GENERAL DESCRIPTION	Support for people staying in the centre for foreigners
OBJECTIVES	Many objectives e.g.: regulation specifies the amount of e.g.: 1) one-off financial assistance or the value of gift vouchers for the purchase of clothing and footwear related to the stay in the centre for foreigners, 2) constant financial assistance for the purchase of personal hygiene products related to the stay in the centre
ACTIVITIES	Securing social needs
RESULTS	Direct help for foreigners
LINK	Link

Conclusion

Based on Polish Migration Policy (2019) it can be concluded:

- The system of integration of foreigners should present integration as a certain obligation, and not only one of the options that a foreigner can choose. The goal which should be pursued in this context should first be effective integration, and then assimilation of a given foreigner.
- The experience to date shows that foreign workers play a complementary role in the Polish labour market - they take up jobs that are unattractive to native workers. This does not mean, however, that in the future there will be no threat of competition for the same jobs, and this issue must be considered in the assumptions of the migration policy. In addition, it is necessary to counteract the phenomenon of monopolization of secondary professions by immigrants, as in the long run, it gives rise to social unrest and a source of conflict. It can also lead to economic discrimination of employees based on their origin.
- In recent years, the number of foreign students at Polish universities has been growing dynamically, which results both from demographic issues (less and less numerous generations of Poles entering the age of higher education) and the related development needs of universities, as well as from the growing attractiveness of Poland as an EU country and the Polish system educational adapting to the needs of foreigners.
- The increasing influx of migrants also means the need to effectively counteract illegal migration (including through an active visa policy and strengthening border protection), including attempts to extort or use immigration or refugee procedures for purposes inconsistent with the declared ones (e.g. working in the shadow economy, further migration to other EU countries). Issues related to security are also gaining importance - issues such as preventing conflicts and crime, including terrorism, active participation of security services in the process of legalizing the stay of foreigners and monitoring their stay and ensuring social cohesion come to the fore.

7. Germany

Materials and Methods of the German research



The data on the integration of refugees into the labour market is not particularly clear-cut. The official statistics of the *Statistisches Bundesamt* do not show any separate figures and information on this. However, the *Bundesagentur für Arbeit* published its "*Arbeitsmarkt Compact*"⁴¹ report in 2020, which deals with refugee migration. Furthermore, the 2020 study by the *Kompetenzzentrum für Fachkräftesicherung (KOFA)*⁴² on the integration of refugees into the German labour market is evaluated. Furthermore, the generally accessible legal regulations of the *Aufenthaltsgesetz (AufenthG)* are used. Since 2021, Germany has also had the so-called "*Nationaler Aktionsplan Integration*"⁴³, which maps the various phases of integration and develops measures to promote integration.

Background research and National/Regional policies

Inclusion of migrants and refugees in the labour market and VET system

The aim of this report is to present the current situation in Germany in order to compare it with the other EU member states and to work on the further development and, if necessary, standardization of the regulations and mechanisms for the integration of refugees.

Reliable figures about the situation of refugees in the German labour market are available primarily from the Federal Employment Agency. Their report "Labour Market Compact" from March 2020 - Refugee Migration gives the following picture:

Labour market: At the end of 2018, there were a total of 1.8 million refugees in Germany. As of March 2020, 449,000 refugees were recorded as seeking work, and 210,000 refugees were actually unemployed, representing 9 percent of all unemployed. As of December 2019, 360,000 refugees were considered underemployed. 95,000 were participating in labour market policy measures, 104,000 protection seekers were in external support such as integration courses, and about 1/3 of refugees had started training.

Structure of unemployment: The majority of refugees in Germany, and thus also of those looking for work, are young, male refugees. Their level of education is low, which is why they

⁴¹

https://statistik.arbeitsagentur.de/Statistikdaten/Detail/202003/fluchtmigration/fluchtmigration/fluchtmigration-d-0-202003-pdf.pdf?_blob=publicationFile&v=1

⁴² <https://www.kofa.de/service/news/detailseite/news/kofa-studie-22020-integration-von-fluechtlingen-in-den-arbeitsmarkt>

⁴³ <https://www.nationaler-aktionsplan-integration.de/napi-de/aktionsplan>

are mainly looking for helpers' jobs, i.e. jobs that can be performed without any formal requirements in terms of language skills or vocational qualifications.

Around 140,000 refugees were in employment or training as of March 2020. In the period from October 2019 to March 2020, there were a total of 24,000 applicants for vocational training among refugees.

Situation in the companies⁴⁴: Currently one in four companies (24 percent) employs refugees or has done so in the last three years. That are about 18,000 companies in Germany.

The proportion of refugees in regular employment has risen by more than five percentage points since 2016, an increase of 50 percent (from 10.2 percent to 15.8 percent). Over the same period, the proportion of companies employing people with a refugee background as trainees has also risen (from 7.2 percent to 10.1 percent). By contrast, the proportion of companies employing people with a refugee background as interns has fallen since 2016.

The main obstacle to hiring and employing refugees are low language skills. Likewise, companies cite the support effort required for refugees, a lack of legal certainty and the fact that existing support programmes do not match the actual situation as obstacles to employing refugees.

On the other hand, companies that have experience with the target group perceive these supposed barriers to employment as lower. The uncertainty of many companies results in particular from a lack of knowledge of the legal framework and funding opportunities.

hand, companies that have experience with the target group perceive these supposed barriers to employment as lower. The uncertainty of many companies results in particular from a lack of knowledge of the legal framework and funding opportunities.

Principle of the obligation to obtain a permit: if employers in Germany wish to employ asylum seekers, they must always obtain a permit from the relevant foreigners' authority. The immigration authority consults with the Federal Employment Agency before issuing the permit. The permit requirement also applies to marginal employment.

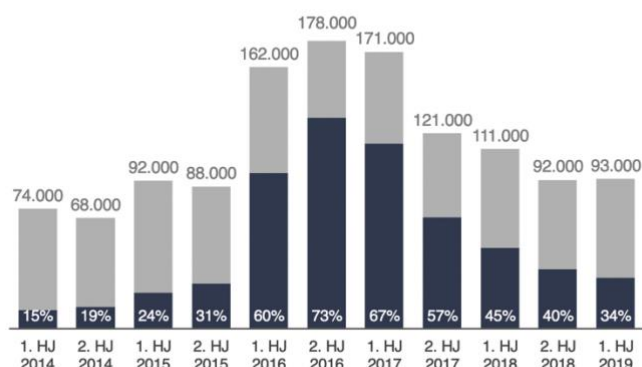
Exceptions - a permit is not required for:

- vocational training in a state-recognized training occupation,
- for the employment of a worker with a university degree, provided that the worker meets the requirements for the issuance of the "blue card",
- Internships for career orientation or as part of a course of study or vocational training lasting up to three months,
- the employment of a worker who has lived in Germany for more than four years.

⁴⁴ <https://www.kofa.de/service/news/detailseite/news/kofa-studie-22020-integration-von-fluechtlingen-in-den-arbeitsmarkt>

General ban on employment: a general ban on employment applies:

Zahl der Teilnehmer an Integrationskursen stagniert im 1. Halbjahr 2019
Neue Kursteilnehmer in Integrationskursen



Datenquelle: BAMF, Integrationskursgeschäftsstatistik

Figure 10: Number of participants in integration courses

Status	Residence permit	Meaning	Approval requirement
Recognized refugee	Residence permit	Asylum application positively decided	no
Asylum seekers	Residence permit	Asylum procedure not yet decided	yes
Tolerated	Toleration	Asylum application rejected, deportation suspended	yes

State support for integration

Integration courses support the integration efforts of foreigners by providing a basic offer for integration. They aim to teach refugees the language, the legal system, culture and history in Germany.

However, after a sharp increase until the second half of 2016, which was mainly due to the wave of refugees in 2015, the number of participants fell again.

Three-quarters of the 93,000 of the course participants in 2019 were in a general integration course. Women were slightly more represented than men in most types of integration courses in the first half of 2019. In the first half of 2019, 145,000 participants completed an integration course, more than 20% of whom were recent immigrants. A key indicator for determining the success of integration courses is the results of the German Test for Immigrants (DTZ), which concludes the language course part of the integration course. Overall, however, the success rate here is low.

National Action Plan on Integration⁴⁵

The National Action Plan on Integration was presented at the 5th Integration Summit on January 31, 2012. In it, the federal and state governments agreed on joint goals and measures to improve individual support for young migrants, to improve the recognition of degrees acquired abroad, and to increase the proportion of migrants in the public service of the federal and state governments. In addition, new topics were added, such as health care and nursing care for migrants.

The action plan covers all five immigration groups, i.e.

- EU internal migration,
- Asylum seekers/refugees,
- Family reunification,
- Educational migration,
- Labour migration.

The action plan includes different phases with actions corresponding to each phase.

Phase I: Before Immigration:

- Information and education,
- Language training in the country of origin,
- Targeted recruitment of skilled workers,
- Pre-integration services in the country of origin

Phase II: Initial integration

- Language Development,
- Consulting,
- Recognition of professional and other educational qualifications,
- Educational offers

Phase III: Integration

- Language Development,
- Facilitating access to information offerings, e.g., through multilingual Web presences,
- Promotion of women with a migration background,
- Education, care, upbringing in day-care centres and schools,
- Integration offers on site

Phase IV: Growing together

- Sports offers in clubs etc,
- Health Promotion,
- Housing and Urban Development,

⁴⁵ <https://www.nationaler-aktionsplan-integration.de/napi-de/aktionsplan>

- Media,
- Culture

Phase V: Cohesion

- Civic Education,
- Involvement in regional and municipal projects and decisions,
- Promoting diversity in companies.

On February 3, 2021, the German government also decided to add an explicit chapter on culture to the Action Plan. The aim of this chapter is to promote diversity in cultural institutions and to involve people with a migration background more closely in the cultural sector. The cultural chapter was developed under the leadership of Monika Grütters, Minister of State for Culture and Media, together with more than 200 stakeholders from the cultural sector. The cultural chapter will be presented to the public on March 9, 2021, as part of the 13th Integration Summit chaired by German Chancellor Angela Merkel together with civil society stakeholders.

National Action Plan on Integration

On the basis of the "National Immigration Action Plan", the *Fachkräfteeinwanderungsgesetz* was enacted on March 1, 2020. This law regulates in §§ 18-21 *Aufenthaltsgesetz* the so called "*Erwerbsmigration*", as skilled labour immigration.

Skilled workers in this sense are people who have successfully completed qualified vocational training of at least two years duration or who have successfully completed vocational training or university studies abroad that are equivalent to qualified domestic vocational training or a German university degree.

The aim of the law is to facilitate access to the German labour market for these skilled workers. This is implemented by the fact that there is no priority check by the Federal Employment Agency. The skilled worker only has to prove that he or she has a signed employment contract or a concrete offer to conclude one and that the recognized professional qualification is given.

The employment sought must correspond to the qualified vocational training acquired. There is no restriction to bottleneck occupations, i.e. those that cannot be adequately filled with German applicants. Qualified specialists are also permitted to enter Germany for up to six months to seek employment. Furthermore, there is the possibility of qualification in Germany to achieve the equivalence of vocational training acquired abroad. Finally, settlement for self-employment is permitted after only four years, instead of the previous five.

Conclusion

Above all, the refugees' lack of language skills, but also the companies lack of knowledge about the legal requirements for the training and employment of refugees, constitute an obstacle to the integration of refugees into the labour market. However, there are both public and private initiatives to improve this situation.

8. Belgium

Materials and Methods of the Belgian research



Information on the situation in Belgium was gathered through different online portals that are listed in the section regarding the website and thanks to the analysis of 3 different important documents:

- The collective agreement n° 38, concluded within the National Labour Council, affirms the principle of equal treatment during the selection and recruitment process. The equal treatment rule, as confirmed in Article 2a of the agreement, prohibits any discrimination based on sex, marital status, past illness, race, colour, ethnic or national origin, age, political or philosophical belief, membership of a trade union or other organisation, sexual orientation, disability. Non-compliance with this rule is punishable by criminal law. The collective agreement n° 38 has been amended several times. The latest amendment dates from October 10th, 2008. It introduces a code of conduct regarding equal treatment in the recruitment and selection of employees. This code is annexed to the collective agreement n° 38e.
- The Anti-Discrimination Law of July 30th, 1981, is the law of punishment of certain acts, motivated by racism or xenophobia. To ensure the effectiveness of this law, it was amended by the law of May 10th, 2007. Direct and indirect discrimination as well as incitement to discrimination and harassment are prohibited. Any difference of treatment in the framework of employment relations in the broad sense (access to the profession, conditions of employment, termination of employment relations), based on nationality, so-called race, skin colour, descent, country of origin or ethnicity, can be prosecuted and punished under civil and criminal law by the Law against Racism and Xenophobia.
- The law of May 10th, 2007, combating certain forms of discrimination replaces the law of February 25th, 2003. It prohibits any form of direct or indirect discrimination based on age, sexual orientation, disability, religion or belief, marital status, birth, wealth, political opinion, language, current or future state of health, a physical or genetic characteristic and social origin. This legislation provides civil law protection measures

against discrimination. In a civil procedure, a strike can be ordered to end the discrimination quickly. The law also provides for a protection procedure for the employee-complainant (complaint, action before the court, intervention of the services of the Supervision of Social Laws). It provides for a shift of the burden of proof to the employer, when the victim alleges facts giving rise to a presumption of the existence of direct or indirect discrimination.

Background research and National/Regional policies

Inclusion of migrants and refugees in the labour market and VET system

On December 15th, 1980, the Act on access to the territory, residence, establishment, and removal of foreign nationals - also referred to as the 'Migrants Act' or 'Residence Act' - was adopted, which to this day forms the basis for the residence of foreign nationals in Belgium. The "Royal Decree of October 8th, 1981" implemented the Act of December 15th, 1980. However, this 1980 'Migrants Act' has been subject to constant changes over the past 25 years, giving rise to considerable complexity in the legislation on residence.

As a result of evolving European regulations and national developments, the Belgian Migrants Act of 1980 has been reformed several times. Legislation related to labour policy is the Law of April 30th, 1999, on the employment of foreign workers.

Since the sixth State reform in 2014, labour migration powers have been transferred to the regions.

The right to work depends on the status of the migrant. It is possible to distinguish among migrant workers, asylum seekers, subsidiary protection, and recognized refugees.

Employment of migrant workers - a migrant worker is someone who comes to Belgium with the aim of working. Since the sixth State reform, the federated states can draw up their own economic migration policies, adapted to the needs of their labour market. As a result, from now on, the conditions for access to employment may differ from one federal state to another. However, the residence rules and the rules for employing foreigners, who live in Belgium for purposes other than work, remain a federal competence.

The procedure to obtain a combined permit from the regional authorities and the Immigration Department is the same in the three regions and in the German-speaking Community. The employer starts the procedure and applies for the combined procedure/permit for his/her future employee. As soon as the application is declared admissible, the provincial Economic Migration Department, which decides on the labour section, also forwards the application to the

Immigration Department⁴⁶, which will decide on the residence section. A maximum of 120 days is allowed to decide whether the employee can work and live in Flanders.

However, the employee may only start working if he/she has also received permission for the “residence” component from the Immigration Department. If the decision is positive, the Immigration Department will issue a paper residence permit to the employee and employer. With this, the employee can start working, while waiting for the electronic combined permit, that he/she will receive via his/her municipality. With the introduction of the new procedure, there are now the following possibilities to work in Belgium:

1. **The combined title:** this permission to work is automatically granted to foreigners, who reside in Belgium for another purpose than work. The title is automatically mentioned on the residence permit, the person does not have to make a separate application. It concerns, for example, refugees, asylum seekers, workers from the EEA, family reunifications, etc...
2. **The combined procedure/permit:** this procedure and title were introduced for foreigners, who come to Belgium to work for more than 90 days. They must apply for a work and residence permit through their employer.
3. **The work permit B** (the old procedure): if a foreigner wants to work and stay in Belgium for less than 90 days, the old procedure still applies. This is also the case for cross-border workers and (for the time being) for au pairs.

Legislation and entry into force for the Flemish Region: Act of April 30th, 1999, on the employment of foreign nationals. Decree of the Flemish Government of December 7th, 2018⁴⁷, entering into force as of January 1st, 2019.

Regulations and entry into force for the Walloon Region: Act of April 30th, 1999. Decree of the Walloon Government of May 16th, 2019, on the employment of foreign workers and repealing the Royal Decree of June 9th, 1999, implementing the Act of April 30th, 1999, on the employment of foreign workers⁴⁸, entering into force as of June 1st, 2019.

Brussels Capital Region: Act of April 30th, 1999, Regional Decree June 9th, 1999, amended by Decree of May 16th, 2019, published officially on June 4th, 2019, and amended on June 25th, 2020, published on July 8th, 2020, entering into force as of July 1st, 2019.

German-speaking Community: Act of April 30th, 1999, Decree of June 9th, 1999, amended by Decree on May 23rd, 2019, published on July 8th, 2019, entering into force of September 1st, 2019.

In general, in the Brussels Capital Region and in the German-speaking Community, the principle still applies that admission to work is only possible after a labour market survey by the future

⁴⁶ DVZ

⁴⁷ Published officially on December 21st, 2018

⁴⁸ Published officially on June 19th, 2019

employer. The employer must prove that he/she cannot find a suitable candidate employee on the local labour market, within a reasonable period. Moreover, the employee must come from a country with which Belgium has a bilateral agreement⁴⁹. In practice, the government can deviate from this in individual cases within the framework of an appeal procedure.

In practice, however, there are exemptions from the labour market examination for some specific categories of workers⁵⁰. In the Brussels Capital Region, this nationality condition was recently abolished.

In Flanders, there is a check needed to see whether a potential foreign worker is referenced within a certain category, that is exempted from a labour market survey. These categories are, for example, the professions on the “bottleneck occupations list”, for highly skilled or managerial employees, linked to the average gross annual salary⁵¹. If the foreign employee is not referenced within one of these categories, he/she can still obtain admission after a labour market survey. In Flanders, this list of “bottleneck professions” can only contain middle-skilled profiles: these are jobs that correspond to qualification level 3 or 4 in the Flemish qualification structure⁵². So, it concerns employees with at least a secondary education diploma. Bottleneck jobs are jobs for which the Flemish Minister of Work and Employment has decided that there is a structural shortage on the labour market. The Minister draws up a list of these professions every two years⁵³, which is published in a ministerial decree.

In the Walloon Region too, there are additional exemptions from the labour market survey, among others for jobs, mentioned on the new “bottleneck professions list” and for seasonal workers. The Walloon government decree stipulates that the Walloon Minister of Work and Employment draws up an annual list of “bottleneck professions” in the Walloon Region. For these professions, there is a presumption of shortage and therefore no need for the employer to prove it. There is no requirement regarding the level of education.

Seasonal work is possible for a maximum of 5 months in any 12-month period and is open to all nationalities in all regions. The sectors in which seasonal work is allowed differ per region. In Flanders and Wallonia, seasonal work is allowed in agriculture, horticulture, and catering, in the Brussels region only in agriculture, in the German-speaking part of Belgium, only in agriculture, hotels, restaurants and catering. In some regions, admission for seasonal work is also subject to a labour market survey. A labour market survey is mandatory in all regions except in Wallonia.

Duration of work permit in Belgium - in principle, the work permit is valid for the duration of the assignment and for a maximum of 12 months. After this period, a renewal must be applied for. In the four regions, in some cases there are exceptions to this, and the maximum period is

⁴⁹ Serbia, Macedonia, Kosovo, Bosnia and Herzegovina, Montenegro, Turkey, Morocco, Algeria, Tunisia

⁵⁰ Art. 3 Order of June 25th, 2020, of the Government of the Brussels-Capital Region, amending the Royal Decree of June 9th 1999, implementing the Act of April 30th 1999 on the employment of foreign nationals

⁵¹ Art. 16, 17 Decree Flemish Government

⁵² Levels are the same as within EQF

⁵³ On the advice of the Flemish Public Employment Service and the intersectoral social partners

extended to three years for certain categories of workers. This mainly concerns highly skilled workers.

An employee can obtain an admission to the labour market for an indefinite period after a certain period. This allows the employee to take up any position with any employer. In Flanders, an employee can obtain an indefinite permit, after having worked in Flanders for four years over a period of five years prior to the application. In the other regions, this is possible after having worked for 2, 3 or 4 years during a period of 10 years of legal and uninterrupted residence. The number of years of work depends on whether the family of the employee is a regular resident of Belgium, or the employee has the nationality of a country with which Belgium has concluded an agreement on the employment of foreign employees⁵⁴.

Employment of Asylum Seekers, Refugees, Subsidiary Protected Persons

During the asylum procedure - During the asylum procedure, asylum seekers receive a matriculation certificate (AI). They are exempt from the single permit and are allowed to work after a waiting period of four months if the Office of the Commissioner General for Refugees and Stateless Persons has not taken a negative decision within those first four months. In principle, their matriculation certificate then states: "labour market: unlimited". They can work as long as the procedure lasts (also during a possible appeal procedure). They can also work as self-employed, by applying for a professional card.

Recognized refugees - Recognized refugees may work as employees or as self-employed, both with a temporary stay and with a permanent stay.

Subsidiary protection - Subsidiary protection is granted to people, who do not qualify for the refugee status or for residence on medical grounds and who demonstrate a real risk of suffering serious harm if returned to their country of origin. Eligible protected persons may work as employees, either with temporary residence or with permanent residence. They can also work as a self-employed, provided they obtain a professional card. Whether a professional card is granted, depends on the activity they wish to pursue. After granting permanent residence (5 years after the submission of the application for international protection), they can work as self-employed, without a professional card.

Integration programmes for Asylum Seekers, Refugees, Subsidiary Protected Persons

All regions of Belgium and the German-speaking Community have integration programmes. Although the programme has been compulsory in Flanders since 2003, the integration process only became compulsory in Wallonia in 2016 and in the German-speaking Community in 2017. Mandatory is also planned in Brussels but has not entered into force till now.

⁵⁴ Art. 16 Act of 1999: this depends on the country with which Belgium has an agreement and/or on the residence of the spouse and children in Belgium



The structure of the process is similar in the regions and includes a 'welcome' module, with an overview of the rights and obligations of people living in Belgium; an individual assessment, that identifies the person's needs in terms of housing, education, economic integration, and citizenship training; and language lessons where needed (French, Dutch, or German, depending on the region or community).

All regions also have their own regional actions and objectives regarding the integration of foreigners. Below you will find an overview of the most important actions per region:

For instance, one of the objectives of the regional action on integration of foreigners in Wallonia is social and economic participation (Walloon Code of Social Action and Health). The same applies in Flanders where the Flemish Policy Plan for Horizontal Integration and the Civic Integration Decree includes the socio-economic participation of foreigners as one of their objectives.

Although the regional entities are responsible for integration, the federal government remains competent for residence permits.

The Act of December 18th, 2016, introducing a general condition of residence into the Act of December 15th, 1980, on the entry into the territory, stay, establishment and removal of foreigners included new residence conditions in the Immigration Act, which is aimed at integration⁵⁵. Certain third-country nationals, outside the Schengen area, who have been granted authorisation to reside in Belgium for more than three months, must demonstrate their willingness and efforts to integrate into society, such as following an integration course, being economically active, obtaining a diploma, certificate or proof of registration, attending vocational training, having knowledge of the language of the municipality, where the foreigner is officially registered, actively participating in social organisations and/or having no criminal record.

Flanders - introduced an integration programme for newcomers in 2003 through the decree of February 28th, 2003. This decree was amended in 2013 and 2015 to achieve a more coordinated approach and resulted in the creation of a new autonomous Agency for Integration and two local Agencies for the cities of Ghent (IN-Gent) and Antwerp (Atlas). The conditions for access to this integration programme are as follows: being registered in the National Register in a municipality in Flanders or Brussels, and either (1) being a foreigner of at least 18 years of age, who intends to reside in Flanders or Brussels for a long period of time (more than one year) or (2) being a Belgian citizen born abroad or with at least one parent born abroad.

The integration programme is compulsory for certain categories, including non-EU nationals, aged over 18, who came to Belgium for the first time. This programme consists of a course in Dutch as a second language, a social orientation course and individual coaching. To obtain an integration certificate, newcomers have to pass standardised tests for Dutch as a second language (NT2) and social orientation (MO) courses.

Those who are not working, are required to register with the Public Employment Services (VDAB). Those who have not worked enough after two years, are required to take an additional

⁵⁵ www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&table_name=loi&cn=2016121816

language test. Participants have to pay for each course and test. For more information see: <https://integratiebeleid.vlaanderen.be/beleid>

In addition to the integration programme, Flanders has - since 2016 - also developed an 'Integration through Work' programme, developed, and supported by VDAB, the Flemish Public Employment Services. The main goal is to help the unemployed with a migration background to find work faster and in a sustainable way, by providing them with individual support⁵⁶.

Wallonia - the policy on integration of foreigners is part of the Walloon Code for Social Action and Health⁵⁷. The objectives of the regional action on integration of people of foreign origin are the following: equal opportunities, citizenship, social cohesion for a multicultural society, access to public and private services, and social and economic participation. The Walloon Government will receive an evaluation of this policy every five years.

The eight regional integration centres are responsible for developing a local integration plan for their respective territories. They are responsible for the integration programme, but they must also support local initiatives, coordinate integration activities, encourage the social, economic and political participation of foreigners and intercultural exchanges and collect local statistics.

More information: https://www.ilo.org/dyn/natlex/natlex4.detail?p_isn=94086&p_lang=fr

The integration programme, which is accessible to all foreigners in Wallonia, is defined by the Decree of March 27th, 2014. The Decree of April 28th, 2016, made the programme compulsory for certain categories of foreigners, namely foreigners who have been in Belgium for less than 3 years and who have a residence permit valid for more than 3 months. There are some exceptions such as EU, EEA and Swiss nationals and their family members, foreigners younger than 18 and older than 65, etc. The programme is free and consists of two modules.

The welcome module consists of information on the rights and obligations of people residing in Belgium, a social assessment to identify the person's needs and assistance with administrative procedures. The second module is defined based on the needs, identified during the social assessment. It includes a civic participation course, a French language course and guidance on the appropriate socio-economic integration system, based on an individual socio-occupational assessment. The latter assessment is organised in cooperation with the Walloon Public Employment Services (Forem).

Brussels - Any newcomer, aged between 18 and 65, coming from a country outside the European Union will be required to complete an integration course. There is a Cooperation agreement, concluded between the Flemish Community, the French Community Commission and the Common Community Commission, concerning the compulsory integration course for newcomers in Brussels Capital Region⁵⁸. Integration consists of a series of Dutch or French courses and social orientation lessons. During these courses, newcomers learn about Belgian

⁵⁶ <https://www.vdab.be/sites/web/files/doc/vluchtelingen/Integratie%20door%20werk.pdf>

⁵⁷ Code wallon de action sociale et de la santé CWASS

⁵⁸ April 26th, 2019

norms and values. They also learn practical skills, that make life in Belgium easier: how to register with a health insurance company, for example, or where to look for work. Newcomers in Brussels can choose where they want to follow the programme, i.e. in Flanders, Wallonia or Brussels. The compulsory integration in Brussels was initially planned to start on January 1st, 2021. But the official launch has been postponed until further notice.

However, in the management contract 2017-2022 of Actiris, the Brussels Regional Public Employment Services, the integration of newcomers is considered as one of the main objectives⁵⁹.

German-speaking Community (East Belgium) - The German-speaking Community offers an integration course for all migrants living in East Belgium. The integration course consists of the following phases:

- First reception: after registering within the municipality, reception serves as a first orientation. At 'Info-Integration', the migrants are advised and the programme for the integration course is worked out.
- Language and integration courses: the aim here is to teach people the language, but also their rights, duties, and obligations.
- The last step is successful integration into the labour market. For this, they can go to the Public Employment Services of the German-speaking Community⁶⁰. However, they do not have a special programme for immigrants.

All those who are interested, can register with 'Info-Integration'. In addition, newcomers, some of whom are obliged to participate in the civic integration course, are informed by the community service about the civic integration course and targeted for information integration.

The concept of the integration course is based on the recommendations of a working group, set up by the government in May 2015. Within this working group, representatives of various institutions, social domains and two migrants as experts in their own domains, were given the task of developing a concept for an integration course in East Belgium. This concept formed the basis for the Decree on Integration and Living Together in Diversity, which was adopted on December 11th, 2017, and entered into force on January 1st, 2018⁶¹.

⁵⁹ <https://www.actiris.brussels/media/lczabjk2/beheerscontract-actiris-2017-2022-kwaliteit-verzekeren-voor-jedereen-h-ACB38EC9.pdf>

⁶⁰ Arbeitsamt

⁶¹ http://www.pdg.be/fr/desktopdefault.aspx/tabid-4633/8159_read-60177

Conclusion

Non-discrimination policy concerns ethnic discrimination - Ethnic discrimination on the labour market is often still a reality in Belgium. Although unacceptable, persons of foreign origin are often the victims of discriminatory practices because of their nationality, so-called race, skin colour, descent, country of origin or ethnicity.

Although numerous legal instruments prohibit all forms of discrimination and unequal treatment in employment relationships, persons of foreign origin remain particularly vulnerable in the labour market.

ECRI - Country monitoring in Belgium (monitoring against Racism and Intolerance):
<https://www.coe.int/en/web/european-commission-against-racism-and-intolerance/belgium>



4

Resources

9. Resources

- 18. december je mednarodni dan migrantov - <https://www.gov.si/novice/2020-12-17-18-december-je-mednarodni-dan-migrantov/>
- Ženevske konvencije in dopolnilni protokoli - https://knjiigarna.fdv.si/i_792_zenevske-konvencije-in-dopolnilni-protokoli
- Konvencija o status beguncev- https://www.unhcr.org/si/wp-content/uploads/sites/25/2017/06/1951_Convention_status_refugees-svn.pdf
- Fekonja L. 2016. Problem nezakonitega priseljevanja na ozemlje Evropske unije in pridobitev statusov oseb s potrebo po mednarodni zaščiti po pravu EU in Pravu RS. Diplomsko delo. Univerza v Mariboru. Pravna fakulteta - <https://dk.um.si/Dokument.php?id=95424>
- Zakon o tujcih ZTuj-2 - <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5761>
- Direktiva [2016/801/EU](https://eur-lex.europa.eu/legal-content/SL/TXT/PDF/?uri=CELEX:32016L0801&from=SL) - <https://eur-lex.europa.eu/legal-content/SL/TXT/PDF/?uri=CELEX:32016L0801&from=SL>
- Zakon o mednarodni zaščiti ZMZ-1 - <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO7103>
- Pust U. 2009. Zaposlovanje tujcev v Republiki Sloveniji, Diplomsko delo. Univerza v Ljubljani, Fakulteta za družbene vede - <http://dk.fdv.uni-lj.si/diplomska/pdfs/pust-ursula.pdf>
- Governance of Migrant Integration in Slovenia - <https://ec.europa.eu/migrant-integration/governance/slovenia>
- The bigger picture - https://migrationdataportal.org/data?i=stock_abs_&t=2020&cm49=705
- Ministry of Labor and Social Policies, Annual Report, Foreigners in the labor market in Italy, July 2020
- Data Science Applications - Studies and Research Department of Anpal Services on RCFL - ISTAT microdata
- Act Amending the Employment and Work of Aliens Act - ZZDT-A, 2005
- Act Amending the Employment and Work of Aliens Act ZZDT-B, 2007
- Convention on the Status of Refugees, Geneva Convention, 1951
- Protocol on the Status of Refugees, 1967
- International Covenant on Civil and Political Rights, 1966
- Universal Declaration of Human Rights, 1948
- International Covenant on Economic, Social and Cultural Rights, 1966
- United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984
- International Convention on the Elimination of All Forms of Racial Discrimination, 1965
- United Nations Convention on the Rights of the Child, 1989
- The Employment and Work of Aliens Act - ZZDT, 2000

- Act of 13 June 2003 on granting protection to aliens within the territory of the Republic of Poland; Journal of Laws of 2003, No 128, item 1176, of 2004, No 96, item 959, No 173, item 1808, No 210, item 2135, of 2005, No 90, item 757, No 94, item 788
- Act of 12 December 2013 on foreigners; Journal of Laws, 30 December 2013, item 1650
- Polish Migration Policy (2019): [Polityka Migracyjna Polski 2019], Zespół do Spraw Migracji, Redakcja: Departament Analiz i Polityki Migracyjnej MSWiA, Projekt z dnia 10 czerwca 2019 r. (<https://interwenciaprawna.pl/wp-content/uploads/2019/06/Polityka-migracyjna-Polski-wersja-ostateczna.pdf>)
- Regulation of the Minister of the Interior and Administration of February 19, 2016 on the amount of aid for foreigners applying for international protection; Journal of Laws, 11 March 2016, item 311
- The Constitution of the Republic of Poland of 2nd April, 1997; Journal of Laws No. 78, item 483

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Website

10. Website

- <https://www.gov.si/drzavni-organi/vladne-sluzbe/urad-vlade-za-oskrbo-in-integracijo-migrantov/zakonodaja/>
- https://www.ess.gov.si/delodajalci/zaposlovanje_in_delo_tujcev/zakonodaja-o-zaposlovanju-tujcev
- [Direktiva 2013/33 EU o standardih za sprejem prosilcev za mednarodno zaščito](#)
- https://www.asylumlawdatabase.eu/sites/www.asylumlawdatabase.eu/files/aldfiles/S_L_4.pdf
- <https://extranjeros.inclusion.gob.es>
- [https://treballiaferssocials.gencat.cat/ca/ambits_tematicos/immigracio/index.html#goo_gtrans\(ca|en\)](https://treballiaferssocials.gencat.cat/ca/ambits_tematicos/immigracio/index.html#goo_gtrans(ca|en))
- <https://extranjeros.inclusion.gob.es/en/redeuropeamigracion/index.html>
- https://extranjeros.inclusion.gob.es/ficheros/redeuropeamigracion/Informe_Anuar_Politicas/doc_2019/arm2019_specifications_en.pdf
- https://extranjeros.inclusion.gob.es/ficheros/redeuropeamigracion/Informe_Anuar_Politicas/doc_2019/26_spain_country_factsheet_2019_en.pdf
- <https://extranjeros.inclusion.gob.es/es/InformacionInteres/FolletosInformativos/index.html>
- <https://extranjeros.inclusion.gob.es/es/index.html>
- https://extranjeros.inclusion.gob.es/ficheros/InformacionInteres/folletos_informativos/archivos/triptico_reagrupacion_familiar_eng.pdf
- https://extranjeros.inclusion.gob.es/ficheros/InformacionInteres/folletos_informativos/archivos/triptico_investigadores_eng.pdf
- <https://www.boe.es/buscar/act.php?id=BOE-A-2007-4184>
- <https://www.boe.es/buscar/act.php?id=BOE-A-2000-544>
- <https://www.boe.es/buscar/act.php?id=BOE-A-2011-7703>
- <https://www.boe.es/buscar/act.php?id=BOE-A-2009-17242>
- <https://www.boe.es/buscar/doc.php?id=BOE-A-2003-19714>
- https://www.boe.es/diario_boe/txt.php?id=BOE-A-2001-14166
- <https://www.boe.es/buscar/doc.php?id=BOE-A-1995-5542>
- <https://www.gazzettaufficiale.it/>
- <https://www.lavoro.gov.it/Pagine/default.aspx>
- <https://www.istat.it/>
- <https://www.camera.it/parlam/leggi/deleghe/98286dl.htm>
- <https://www.gazzettaufficiale.it/eli/id/2015/09/15/15G00158/sg>
- <https://www.gazzettaufficiale.it/eli/id/2008/01/04/007G0259/sg>
- <https://www.gazzettaufficiale.it/eli/id/2014/03/07/14G00028/sg>
- <https://www.gazzettaufficiale.it/eli/id/2015/09/15/15G00158/sg>
- <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legislativo:1998-07-25;286>
- <https://www.gazzettaufficiale.it/eli/id/2018/10/04/18G00140/sg>

- <https://www.gazzettaufficiale.it/eli/id/2020/10/21/20G00154/sg>
- <https://emm.si/migracije-in-slovenija/>
- <http://www.pisrs.si/Pis.web/pregledPredpisa?id=USTA1>
- https://www.unhcr.org/si/wp-content/uploads/sites/25/2017/06/1951_Convention_status_refugees-svn.pdf
- https://www.asylumlawdatabase.eu/sites/www.asylumlawdatabase.eu/files/aldfiles/SL_4.pdf
- <https://eur-lex.europa.eu/legal-content/SL/TXT/?uri=CELEX%3A32016L0801>
- <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5761>
- <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO7103>
- <http://www.parlamento.it/parlam/leggi/99068l.htm>
- https://www.cliclavoro.gov.it/Normative/Nota_direttoriale_23_gennaio_2017_prot.41_454.pdf
- https://www.cliclavoro.gov.it/Normative/Decreto_Legislativo_15_giugno_2015_n.81.pdf
- https://www.cliclavoro.gov.it/Normative/Decreto_Legislativo_24_settembre_2016_n.185.pdf
- https://www.cliclavoro.gov.it/Normative/D.L_28_giugno_2013_n.76.pdf
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- <https://www.istat.it/it/archivio/disabili>
- <https://www.istat.it/it/files//2020/02/Alunni-con-disabilita-2018-19.pdf>
- <https://www.istat.it/it/archivio/251409>
- <https://www.istat.it/it/files//2020/12/Report-alunni-con-disabilit%C3%A0.pdf>
- <https://www.disabili.com/images/pdf/Dossier-lavoro-disabili.pdf>
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Co-funded by the
Erasmus+ Programme
of the European Union

