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# GOOD PRACTICE GUIDE ON EFFECTIVE PARTICIPATION TOOLS

EMVI. EMPOWERING MIGRANT VOICES ON  
INTEGRATION AND INCLUSION POLICIES

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# **EMVI - Empowering migrant voices on integration and inclusion policies**

## **WP2 - Good practice guide on effective participation tools**

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# I Introduction

## 1. Background

This Good practice guide brings together the most important findings about the possibilities for the political participation of migrants in five project consortium countries: Austria, Greece, Germany, Italy and Slovenia, based on the national reports that have been made within the project **Empowering migrant voices on integration and inclusion policies (EMVI)**.<sup>1</sup> Focusing on good practices of migrant political participation in each country, policy recommendations to public (local, regional, national) authorities are made in order to encourage structural and systemic improvement of migrant's engagement and political participation, on local, regional and national level. It is prepared for decision makers, public authorities, migrant leaders and organizations, local stakeholders and all those who will find it useful for implementing of policies and methods for the structural migrant participation, inclusion and emancipation.

The importance of the political participation of migrants and their descendants is emphasized in numerous European legal documents such as the **Council of Europe Convention on the Participation of Foreigners in Public Life at the Local Level** (1992).<sup>2</sup> The convention, ratified by only nine countries (the Czech Republic, Sweden, Italy, Finland, Denmark, the Netherlands, Albania, Iceland and Norway) enshrines the freedom of expression, assembly and association, establishment of consultative bodies at the local level for citizens of foreign origin residing in a Council of Europe member country and the right to vote and stand for election in local elections in those countries. However, the last chapter of the convention, considered of more difficult implementation and which relates to the universal right to vote, has been ratified by only four countries (Sweden, Finland, Denmark and the Netherlands).

At the European Union (EU) level, despite the implementation of integration policies set out in the document **Common Principles on Immigrant Integration Policies at the EU Level**

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<sup>1</sup> National reports in English are available on the web site of the project:

<https://diaspora-participation.eu/material-two/>

<sup>2</sup> <https://www.coe.int/it/web/conventions/full-list?module=treaty-detail&treaty-num=144>

(2004 and 2014)<sup>3</sup> by national governments, significant disparities remain between EU citizens and third-country nationals (TCNs) in all areas of integration. Principle No. 9 of that document emphasizes: "The participation of immigrants in the democratic process and in the formulation of integration policies and measures, especially at the local level, supports their integration. Giving immigrants a voice in the formulation of policies that directly affect them can lead to policy that better serves immigrants and enhances their sense of belonging. Where possible, they should be involved in elections, have voting rights and be able to join political parties."

The European Union Agency for Fundamental Rights (FRA) report **Together in the EU - Promoting the participation of migrants and their descendants** (2017)<sup>4</sup> concludes that the political rights of migrant citizens are very limited in member countries. In order to understand their classification, three categories of rights are mentioned: the right to vote, the right to be voted for and the right to be consulted, which is not expressly codified. Within the European Union, only 11 countries recognize the right to vote for TCNs (Belgium, Denmark, Estonia, Finland, Hungary, Ireland, Lithuania, Luxembourg, the Netherlands, Slovakia, Slovenia, and Sweden). Of these, only 8 admit the possibility for these citizens to stand for election at the local level (Denmark, Ireland, Finland, Lithuania, Luxembourg, the Netherlands, Slovakia, and Sweden). In contrast, Spain, Portugal, and the United Kingdom recognize the right to vote for a limited number of TCNs linked to their country of origin. Portugal and the United Kingdom (although no longer part of the EU) recognize the right to run for office in local elections. In eleven Central and Southeast European countries, third-country nationals do not have the right to register in political parties. On the other hand, with regard to the right to be consulted as a form of representation, albeit informal, enshrined in various European documents, including those mentioned above, it is noted that national consultative bodies for migrants exist in ten EU member countries. In other EU countries, consultative bodies for migrants have been established at the regional and local levels since the 1990s.

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<sup>3</sup> [https://ec.europa.eu/migrant-integration/library-document/common-basic-principles-immigrant-integration-policy-eu\\_en](https://ec.europa.eu/migrant-integration/library-document/common-basic-principles-immigrant-integration-policy-eu_en)

<sup>4</sup> [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2017-together-in-the-eu\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2017-together-in-the-eu_en.pdf)

Another key document for the design of integration policies is The European Commission's new **Action Plan for Integration and Inclusion 2021-2027**.<sup>5</sup> Drawn up on the basis of recommendations and consultations that took place with organizations and members of civil society in many European countries, while also taking into account the results that emerged from the previous Action Plan from 2016, the new plan aims to be more inclusive by recognizing difficulties and problems in the integration process even for citizens who have attained citizenship of a member state as a result of the naturalization process. The new action plan thus focuses not only on non-EU migrants, but also on EU citizens with a migrant background. With 34 million EU residents born outside its borders (8 % in 2019) and 10 % of young people aged 15-34 born in the EU having at least one of their parents of foreign origin, democratic structures within member countries cannot exclude their voices for much longer. The new plan emphasizes that integration and inclusion are critical for people moving to live in the European Union, for local communities, and for the long-term well-being of our societies and the stability of our economies. If we want to help our societies and economies thrive, we need to support everyone in the society, as inclusion is both a right and a duty for all. The Action Plan reaffirms that promoting an inclusive society on a democratic basis is in line with the core values of the European Union, the Charter of Fundamental Rights and the European Pillar of Social Rights. It is based on the principle that "the European way of life is an inclusive one," and since European societies are not yet able to deliver on this promise, as migration is still closely linked to issues of discrimination, one of the main goals of the action plan must be to raise awareness in the host societies about the importance of inclusion and participation of all.

This Good practice guide also takes into the consideration **Ask the People**, a consultation organized in 2018 by the **European Migrant Advisory Board (EMAB)**, a self-led group of advisors with immigrant and refugee backgrounds, involving over 500 migrants and refugees in seven EU countries (Finland, Germany, Greece, Italy, the Netherlands, Portugal and Spain).<sup>6</sup> Initiated by the Partnership on Inclusion of Migrants and Refugees under the Urban Agenda for the European Union<sup>7</sup> it works to increase the participation of immigrants and

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<sup>5</sup> [https://ec.europa.eu/commission/presscorner/detail/it/qanda\\_20\\_2179](https://ec.europa.eu/commission/presscorner/detail/it/qanda_20_2179)

<sup>6</sup> Report is available here: [https://ec.europa.eu/migrant-integration/library-document/ask-people-consultation-migrants-and-refugees\\_en](https://ec.europa.eu/migrant-integration/library-document/ask-people-consultation-migrants-and-refugees_en)

<sup>7</sup> <https://futurium.ec.europa.eu/en/urban-agenda/inclusion-migrants-and-refugees>

refugees in different policy-making processes affecting their fundamental rights. The consultation focused on eight areas: integration, access to the labour market, housing, higher education, participation, the situation of unaccompanied minors, microcredit, and the EU Action Plan on Return. As written in their report<sup>8</sup>, their main recommendation regarding political participation is the following: “The EMAB recommends that governments and local authorities carry out regular consultations with migrants and refugees and community organisations, especially prior to amending policies affecting their legal status or well-being, and that they develop strategies and platforms to engage host communities and refugee groups to promote social cohesion and diversity. To avoid tokenism, ‘structured participation’ models should be adopted by EU, national and regional institutions, which provide the necessary means, space, opportunity, and support. NGOs that represent refugees and migrants should also lead by example in their own recruitment and promotion.”

## **2. Methodology**

Based on the context mentioned above, the **EMVI** project aims to investigate through research activities conducted in each partner country (Austria, Greece, Germany, Italy, Slovenia), aspects related to the political integration process of migrants and the characteristics of their political participation. For that reason a research report has been developed in each partner country using a multi-method approach, including both qualitative and quantitative analysis, desk research, interviews and focus groups. The national reports focuses on migrants/people with a migration background in the broadest sense, meaning: people with refugee status (international or subsidiary protection, humanitarian status) as well as third-country nationals (TCNs) and their descendants including people of different ethnic origin, religion, age, gender identity and sexual orientation. Based on that process all five national researches, provide a basis for exploring existing arrangements and structures and developing new ways for migrants' political participation in consultative and decision-making processes concerning the design and implementation of integration policies. Investigating the situation in each of the partner countries to this project, the main goal was to understand how migrants are politically

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<sup>8</sup> [https://ec.europa.eu/migrant-integration/library-document/ask-people-consultation-migrants-and-refugees\\_en](https://ec.europa.eu/migrant-integration/library-document/ask-people-consultation-migrants-and-refugees_en)

involved and empowered and how their needs are met and their voices heard, including their rights to participate in civil society and politics such as the freedom of association, the right to assemble, the right to petition, and the right to vote. The focus on women has been particularly important. Based on the findings of the national reports, some crucial recommendations have been developed as well as some good practices exposed in order to encourage better inclusion of migrants, especially women, into the political processes in the countries. Good Practices were demonstrated with regard to:

- better cooperation and communication between already established migrant organisations or councils and public authorities (local, regional, national);
- better integration processes (including trainings and education) with the emphasis on political participation;
- better financial and structural support of formal and non-formal migrant organisations in the country.

## II National Facts and Figure

### 1. Austria

1.5 million people (about 17,7%) living in Austria don't have the Austrian citizenship, so they are foreign citizens and persons with migration background – out of which a quarter of million are born in Austria. The largest groups of foreigners (1.1.2021) are from Germany (208.732), Romania (131.824), Serbia (121.990), Turkey (117.580), Bosnia (96.990), Hungary (91.395), Croatia (89.007), Poland (65.604), Syria (55.372), Slovakia (45.362) and Afghanistan (44.002) (Statistik Austria, 1.1.2021). About one quarter of the population (2.14 million) has a “migration background” (defined as both parents are born in a foreign country) – 40% of which are from EU and EFTA states, 26% from former Yugoslavia (without Croatia and Slovenia), 12,6% from Turkey, 6% from Afghanistan, Syria or Iraq (ibid.).

According to UNHCR (2022), 152.514 refugees under UNHCR's mandate, 27.847 asylum seekers and 3.162 stateless persons lived in Austria in the year 2021. In the same year, 39.930 persons applied for asylum, 25.270 of which are male, 2.700 are female and 11.960 are under age (among those are 5.605 unaccompanied minors) (Ministry of Interior 2021). The most applications were done by Syrian, Afghan, Moroccan, Iraqi and Somali citizens (ibid.). Other than in many EU countries, children of refugees *born* in Austria, still have to go

through the asylum-seeking process. In 2021, 3.100 asylum applications were filed for children of refugees born in Austria (done automatically at birth), which counts for 8% of all asylum applications (Expertenrat für Integration 2021). In 2021, around 12.000 persons were granted asylum (ibid.). Out of those, the largest groups are from Syria (6,900), Afghanistan (2,600) and Iran (600). In total, around 35% of all asylum cases concluded in 2021 were decided positively with legally binding effect. A further 4,300 persons were granted subsidiary protection. Among them were mainly protection seekers from Afghanistan (1,700), Syria (1,100) and Iraq (900) (ibid.).

Among all persons living but not born in Austria, 51,1% are female and 48,9% are male (1.1.2020). In 2019, one third of all asylum applications were submitted by women, whereas 47% of all positive asylum decisions in the same year were issued to women (ÖIF 2020), mainly from Afghanistan (1.800), Syria (1.200) and Somalia (470). More women (54,5%) than men received the citizenship (ibid.). Interestingly, 45,4% of women with migration background have a high school or university degree, compared to 37,9% of women without migration background. 11,8% of women with non-Austrian citizenship were unemployed, whereas 6% of Austrian women did not have a formal, paid employment in 2019 (ibid.).

The proportion of the population with a migration background is quite different among the federal states. It is particularly low in Burgenland (13.4%), Carinthia (14.5%), Styria (15.3%, 187.058 persons) and Lower Austria (16.4%). In Upper Austria (20.0%), Tyrol (22.0%) and Salzburg (23.6%) there is only a slightly below-average proportion of persons with a migration background, while in Vorarlberg (26.6%, 104.529 persons) there are slightly more people with a migrant background than the national average. Vienna has by far the highest proportion of persons with migration background with 46.2% (866.647 persons) (Statistik Austria 2021).

A look at the citizenships: in Burgenland 9,6% do not have the Austrian citizenship, 10,6% in Lower Austria, 11,3% in Carinthia, 11,9% in Styria, 13,6% in Upper Austria, 16,7% in Tyrol, 18,2% in Salzburg, 18,6% in Vorarlberg and 31,5% in Vienna (ibid.).

## **Graz**

In 2021, out of 333.049 inhabitants, 77.411 people registered in Graz have a different citizenship than the Austrian one. Out of these, the 10 largest countries of origin are: Croatia (9.076), Romania (8.827), Bosnia and Herzegovina (7.160), Germany (7.068), Turkey (5.577), Hungary (3.494), Syria (3.121), Afghanistan (3.112), Slovenia (2.513) and Russia (2.325). 38.978 persons living in Graz, who do not have the Austrian citizenship are EU citizens and 38.433 are non-EU citizens (Graz 2022).

## **Lustenau**

Lustenau has a long history of immigration. Especially in the 20th century many people, so called “Gastarbeiter” came to the municipality to work in embroidery. In 2011, there were people from 60 different nations living in Lustenau (Heinzle and Scheffknecht 2011). In 2022, there are already people from 89 different nations living in Lustenau. The five biggest nations apart from Austrian are Turkey (1.459), Germany (890), Romania (502), Bosnia and Herzegovina (267), and Syria (240). Today (status of July 2022), Lustenau has in total 24.984 inhabitants. 5.884 people have a different citizenship than the Austrian one. 3.178 people are from non-EU states. Around 2.500 are from EU states (source: anonymized lists from the registration office of the municipality). The municipality of Lustenau has a specific municipal department called Zusammen leben (Living together) that sets initiatives for migrant integration and is also involved in EMVI project.

## **Political participation**

The Migrant Integration Policy Index (2020)<sup>9</sup> ranks Austria among the countries that promote only “temporary integration”, criticizing that Austria goes “only halfway towards granting immigrants with basic rights and equal opportunities”. Furthermore, it does “not provide immigrants with a secure future in the country. Policies [...] encourage the public to see immigrants as foreigners and not fully as equals and neighbors”. Austria’s access to nationality as well as migrants’ political participation is labeled as “unfavorable” (ibid.). It further states, that “Austria continues to experience unfavorable policies towards their political participation as they still have no voting rights, few local consultative bodies and weak support for immigrant organizations” (ibid.).

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<sup>9</sup> <https://www.mipex.eu/>

The restrictive naturalization law leads to the fact, that about 1,5 million people (about 17,7%) in Austria – out of which a quarter of million people is *born* in Austria - have no citizenship and are therefore not allowed to vote. In the age group 27 to 44, the percentage is over 40%. These numbers are rising, as every fifth child born in Austria has a foreign citizenship. Statistics show that the strict naturalization law mainly affects workers<sup>10</sup> / low-income earners – and in this group especially women, who tend to work in lower-paid professions (Kücüktekin and Odošašić 2022). These numbers even raise concerns about how representative the democracy in the country is. According to expert estimates, about a third of autochthonous Austrians could not afford the citizenship or would not meet the conditions that were mentioned above (ibid.).

The current **“Black Voices” referendum (Anti-racism referendum)** is one way of and a call for more political participation of migrants. It calls for a National Action Plan against Racism and demands targeting structural racism in areas such as education, health care, police and the labor market. The referendum also asks for the “introduction of the right to vote and stand for election at all political levels, starting from a registered period of residence of five years in Austria” (Black Voices 2022).

The **Migrants’ Advisory Council Graz** is a political representation of the interests of third country nationals in Graz which is 10% of the total city population. The council consists of nine members (non-EU citizens) elected also by non-EU migrants living in Graz. Members are elected through a direct and secret ballot that takes place on the same day as the Municipal Council elections Graz and serve for the same legislative period of 5 years. The council members work on a voluntary basis and convene regularly. The Migrants’ Advisory Council (formerly Foreigner Advisory Council) was established in 1995 by a policy resolution of the Municipal Council of Graz (Migrants’ Advisory Council). The Migrant Advisory Board in Graz is a consultative organ of the city politics. It is foreseen by law that cities in Styria who have more than 100.000 migrants living in the city should have a Migrant Advisory Council.

The Migrants’ Advisory Council has the following tasks:

- Preserve and protect the interests of migrants

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<sup>10</sup> In Vienna about 60% of workers are not allowed to vote (Kücüktekin and Odošašić 2022)

- Advise the city council and the administration through suggestions, recommendations and opinions
- Promote a better cohabitation among all inhabitants of Graz
- Inform and advise the associations and communities about its activities
- Reporting on the state and well-being of immigrants in Graz
- Organizing seminars, events and workshops on such themes as culture, politics, education, social issues and sports
- Networking and cooperating with the Graz municipal authorities, institutions and NGOs (ibid.)

According to interviews and focus group discussions with the director and the chair of the board, as well as migrants and other experts in the field, some successes of the Migrant Advisory Board Graz since its foundation are: the greater visibility of migrants in the city, the installation of an Integration Council at the City Government, an Integration Office and a budget which is dedicated to Migrants' interests. Also, the foundation of the Anti-Discrimination-Office is seen as a success of the Board. Improvements in the housing sector, as opening community housing to migrants is also seen as fruits of their work.

The following challenges were mentioned: Empowering the Council by giving it more budget and a higher stand in politics is one of the current topics it is working on with the new city government coalition. The councillors are working on a voluntary basis and only get a small compensation for the meetings.

Further, the model would need elected councillors who are experienced in politics and who know well how politics work in Austria, but the reality often is different, as there is a lack of these people. Another main difficulty is the rather low voter turnout. The majority of the migrants does not vote or does not even know that they could vote at the election for the Migrant Advisory Board. To reach the migrants is described as difficult, since the Board can only communicate with and actually reach migrant associations. However, a lot of migrants are not part of an association. To have a greater visibility is one the goals of the Board.

One of the main concerns regarding the Migrant Advisory Board was its power. Since it is not a decisive body, but a consultation body most of the interviewees were quite sceptical about its possibilities to change something. Insecurities and doubts about the official status

of the board also led to not voting. Nevertheless, a consultation body like the Migrant Advisory Board is a good practise instrument and should exist in other cities and countries as well.

## **2. Greece**

According to 2019 figures, as regards legally residing migration, Greece has a long settled migrant population holding long term permits at a 37% rate. According to the Ministry of Migration Policy's monthly statistics on resident permits, in 31st of August 2019<sup>11</sup> the stock of migrants legally residing in Greece stood at 552,485, recording thus a slightly increase of 1.5% comparing to August 2018 (544,443). If we added to that, the 93,962 resident permit applications that were pending on 31st August 2019, the total number of legally residing TCNs in the country could be estimated at 646,447, which in turn corresponds to 6% of the total population (of 10.722,300 inhabitants) living in Greece (GSMPRAS September 2019).<sup>12</sup> Further, 44,898 asylum applications (including Dublin cases) lodged till 31<sup>st</sup> August 2019 showed around 8 % increase comparing to the same time cohort in 2018 (41,358) (Statistical data of the Greek Asylum Service, September 2019).

The 2011 national census<sup>13</sup> data registered 912,000 foreigners (of which 713,000 TCNs and 199,000 EU citizens/non-Greek) living in Greece accounting for 8.3% (6.5% and 1.8% respectively) of the total resident population in the country. The Labour Force Survey (LFS) data provide a useful tool to identify trends through the years even if there is an inherent risk that they consistently underestimate the number of TCNs living in Greece. A comparison between the stay permit data with the LFS data demonstrates the LFS data estimates the TCN population to be 140,000 less, which is a 30% difference. This high rate of discrepancy can be attributed to the different goals and methodological approaches applied to collect and classify the data. This is reflected in the way of calculating the total stock of migrant population (of any age and legal status) regardless of its job status, on the one hand, and the labour force/manpower composition, on the other. Data from the 2019 Labour Force

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<sup>11</sup> Available: <http://www.immigration.gov.gr/miniaia-statistika-stoixeia>

<sup>12</sup> General Secretariat for Migration Policy, Reception and Asylum statistics on issuance-renewal of resident permits, the total number of third country nationals

<sup>13</sup> While the national census of 2011 does not provide the most up to date data for 2016, it is worth consulting as regards the total migrant population residing in Greece as it does not distinguish between legal and undocumented residents. Even though one might consider that recent arrivals were not registered as at all probability they lacked a fixed domicile.

Survey (2nd Quarter) suggests an increase of 7 % in the total migrant population (from 15 to 64 years old) with 411,400 non-Greek citizens residing in the country in 2019 compared to 382,900 in 2018 (Figure 1). Interestingly, while the total number of TCNs increased by 9.5 % (347,500 in 2019 compared to 314,600 in 2018), the number of EU citizens<sup>14</sup> (non-Greeks) decreased by 6.5 % (63,900) in 2019 compared to 2018 (68,300).<sup>15</sup>

Valid stay permits for TCNs, as provided by the Ministry of Migration Policy in August 2019, point to a slightly increased number (by 1.5%) of third country nationals, notably 552,485 persons, comparing to 544,443 in 2018, while the gender distribution remains at the same level. There is a gender balance trend with men constituting slightly over half (290,895) of the total migrant population, while 47 % of the population (259,917) is relatively young, notably between 30 and 49 years of age. The economic crisis and high unemployment rates combined with legal status' precariousness magnified the size of structural barriers in a way that long settled migrants losing both their (temporary) legal and job status, and lapsing back to informality (Gemi 2019, p. 56). Data from the Greek Ministry of Migration Policy (2019) show that the largest number of legal migrants residing in Greece was recorded in 2010, when 601,675 residence permits were in force, while in the years to come (2012-2017) this number decreased.

In terms of job status, the impact of the economic crisis on immigrant workers as the most vulnerable social group was manifold and largely interwoven with the systemic characteristics of the Greek labour market. The unemployment rate of migrants was estimated to be 36 % during the height of the crisis (2012-2014). At the same time, however, the large economic sectors such as agriculture and tourism have become dependent on migrant labour working informally, while undeclared work has also been the main feature in domestic care where 40% of migrant women work under irregular condition (Bagavos et.al 2019, p. 323).

An estimated 65% of Greece's foreign population is Albanian, while the numbers of EU citizens residing in Greece are not included in the database of Ministry of Integration Policy. Georgians and Pakistanis (with 4.1% and 3.5% respectively) are the third and fourth largest

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<sup>14</sup> Falling under the Eurostat category of "EU 28 countries except reporting country"

<sup>15</sup> Eurostat database on population by sex, age, citizenship and labour status. Available: <https://ec.europa.eu/eurostat/web/lfs/data/database>.

communities according to TCN's database on valid permits in August 2019. In terms of resident permits' category, 57% of men hold permits for "other" reasons, followed by permits for "family reunification" (26%) and residence permits for employment purposes (17.5%). Most women hold family reunification permits (48% which is decreased by 6% comparing to 2018), followed by "other" category permits (43%, an increase of 5% comparing to 2018) and employment permits (8.6%, an increase of 7% comparing to 2018).

Among EU Member States, the largest differences of the employment rate for the native-born population as compared to persons born outside the EU, were observed in Greece (18.8%) (Migrant Integration Statistics, Eurostat May 2019, p.7) According to EL.STAT in the first quarter of 2019 the number of employed foreign men and women increased by 11.9%. Even though most new jobs were occupied by natives (81.3%), the increase in the number of the employed was bigger for foreigners (9.3%) than natives (2.1%). The rise in the number of employed foreigners is likely due to the recovery of sectors that prefer to hire low or medium-skilled foreigner workers than natives such as tourism, construction and agriculture (Cholezas 2019, p. 30). The unemployment rates of foreigners were 8% higher than of Greek citizens in 2018. Meanwhile, in 2019 the unemployment rates for Greek citizens showed signs of improvement from 19% in 2018 to 17% in 2019. Foreigners, on the other hand, appear to be more exposed to unemployment (probably due to undeclared job activities), as its rate has been increased by 2 % in 2019 (29 %) in comparison to 2018 (27 %). According to Eurostat, the largest gender gaps in labour market participation among persons born outside the EU were recorded in Greece (27.2 %) (Migrant Integration Statistics, Eurostat May 2019, p.4).

While Greece received over a million refugees and migrants in 2015 and 2016, UNHCR estimates some 43,000 refugees and migrants are in Greece. Yet, statistics about persons from Third Countries in Greece with residence permits have not been made public for the past few years. Most researchers resort to adding numbers to estimate the total, yet this exercise often proves slippery. For example, in 2018, 36.000 new immigrants obtained a residence permit longer than 12 months in Greece (excluding EU citizens), 18.6% more than

in 2017. This figure comprises 8% labour migrants, 48% family members (including accompanying family), 2.3% who came for education reasons and 41.7% other migrants.<sup>16</sup>

Immigration and asylum-seeking flows via the Greek Turkish sea and land borders have increased during 2018-2021. Flows have increased in 2019 along both the Greek Turkish sea borders (arrivals on the Aegean islands) and the Greek Turkish land border. During the first half of 2019, more than 30,000 people arrived in Greece by sea and over land, the majority from Afghanistan, Syria, and Iraq (UNHCR, September 2019). In addition, over 7,000 migrants arrived on the Greek islands in August, and over 10,000 in September 2019, the highest monthly figures since the European Union and Turkey signed a deal to limit migrant traffic across the Aegean in 2016, and many more since then. Clamping down on border crossings, in the land and the sea, in the presence of FRONTEX operations, with the European Parliament weary about thousands of pushbacks, the death toll of drowning and deaths in the Evros river and the Aegean Sea has dramatically increased in 2022.

In 2019 nearly 22,000 people (35 % of whom children) were accommodated in Reception and Identification Centers (RICs) across the Greek islands. These centers' capacity has been exceeded by 500 %, forcing vulnerable people to live in degrading and dangerous conditions. This increase has been largely attributed to the long delays in processing both asylum applications and family reunification requests. In addition, even when the asylum applications have been lodged, those people remained in the RICs on the islands because of the lack of space in the reception centers on the mainland. In response, 10,000 people have been moved from the islands to the mainland since September 2019, according to the Ministry of Citizens' Protection.

### **Heraklion**

As the administrative centre of Crete, it often sets the example for integration policies, and a successful implementation would mean that it could be set as a reproducible example for other Cretan cities and even on the mainland. The "Local Integration Plan for Migrants and Refugees" is a document authored by an experienced social worker that worked in ESTIA and modified by the Refugees and Migrants Integration Council members. The debates in the Committee were often procedural, most of the members had not read the plan during

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<sup>16</sup> <https://www.oecd-ilibrary.org>

the designated debate sessions.<sup>17</sup> The document mentions the ESTIA (UNHCR and Greek State) and HELIOS (IOM) programs, the aforementioned “Refugees and Migrants Integration Council,” the Regional Asylum Office, socio-medical Services largely present at all Greek cities, “access to education,” and the “possibility to absorb migrants, asylum seekers, and international protection beneficiaries in the workforce in the agricultural and tourism sectors.” What stands out in the document, which makes the Heraklion case unique, is the “political will to integrate,” which translates into the support for the housing programs that the City of Heraklion manages.

The “Integration Plan” identifies several difficulties and shortcomings for Heraklion, all of which are corroborated by the present research. For example, all the services and programs in place are of limited reach, face difficulties in their implementation, and are all characterized by the lack of access to their intended recipients. The ESTIA and HELIOS programs only served asylum seekers and recognized refugees respectively, while the socio/hygienic services lack the necessary personnel to provide services to speakers of languages other than Greek, some basic English, and/or rarely Arabic. Both have now ended. Their workload also severely hinders their ability to accommodate the numbers of people needing them now. In many of the guesthouses, Offices, and Centres, the paperwork required excludes displaced populations that either do not have identifying paperwork or do not know how to obtain it: they are often unaware about their rights to use those services. Finally, access to education has been limited, with the number of integration classes fluctuating annually despite the population of displaced remaining steady or rising; volunteering initiatives being vulnerable because there are no guarantees for their viability other than the tireless work of the participating teachers and social workers.

### **Political participation**

The National Strategy for the social inclusion of third country nationals, published by the Ministry of Interior in April 2013 has until recently been the only possible blueprint for strengthening the participation of migrants at local level in general and the role of MICs. The Migrant Integration Councils (MIC) are an institution in the field of Greek Local Government, introduced with the law also known as the Kallikratis Programme. Together with the

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<sup>17</sup> Interview discussion, April 2022.

institution of the Municipal Consultation Committee and its Supporter/Ombudsman of the Citizen and Business, these initiatives are invited to contribute to the most immediate and more effective citizen participation in local events, in pre – consultation decision-making, the transparent exercise of power and the upgrading of municipal institutions governance.<sup>18</sup>

The provision for the formation and operation of MIC is not an innovation of the Greek self-governing organisation. Already, since the mid-90s, similar consulting institutions exist and operate in many European cities with the aim of strengthening its political and social cohesion of local communities with strong intercultural elements.

In parallel with the Law 3838/2010 the government launched the "modernisation" of the provisions of the law on citizenship and attributed the right of political participation of expatriate and legally residing immigrants in the elections of Local Government.<sup>19</sup> The government considered this political participation imperative for three reasons. First, to harmonise national legislation with the guidelines of the "Convention on the participation of foreigners in public life at the local level" according to the requirements of the Council of Europe (05/02/1992).<sup>20</sup> Secondly, for the adoption of the, provided for at EU level, right to participate in local events which was included in the guiding principles of the Stockholm Program under preparation (European Council, 2010).<sup>21</sup> Third, to highlight the pioneering role of Local government in the implementation of a model of democratic and open society, as well to lift blockades and ghetto entrapments.

The publication of Law 3838/2010 preceded that of Law 3852/2010 for about two and a half months, something not accidental. In the first instance legislation launched and strengthened the institution of MIC provided in the second and gives it an increased momentum and an expectation. Articles 14 and 17 of Law 3838/2010 recognise for the first

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<sup>18</sup> Explanatory memorandum of the draft law "New Architecture of Local Government and Decentralized Administration - Kallikratis Program ", <http://www.hellenicparliament.gr/UserFiles/2f026f42-950c-4efc-b950-340c4fb76a24/r-topanad-eis.pdf>

<sup>19</sup> According to the then government, this participation is part of an asset integration policy aimed at creating a social osmosis among immigrants and local host communities and highlights the essential role of local government in implementation of a model of a democratic and open society in provoking difference, <http://www.hellenicparliament.gr/UserFiles/2f026f42-950c-4efc-b950-340c4fb76a24/SMETAGEN-EIS.pdf>

<sup>20</sup> <http://conventions.coe.int/Treaty/en/Treaties/Html/144.htm>

<sup>21</sup> The Stockholm Program provides in point 6.1.4. that an 'active policy integration should aim to recognize [third-country nationals] rights and obligations corresponding to those of the citizens of the Union. That should remain as a goal of the common immigration policy and to be implemented as soon as possible and by 2014 at the latest " .

time the right to vote and to be elected to those immigrants who meet the conditions set by law. And the right to participate does not remain on paper as one formal right. On the contrary, it is reinforced through article 78 of Kallikrates, where the law mentions the participation of the elected foreign municipal councillors in the MIC as mandatory<sup>22</sup>, securing the latter ones a role in local affairs, as well as to all foreigners participating in the electoral process the principle of forming a political identity.

The establishment of the Migrant Integration Councils (MICs) since 2010 became the first local government body specifically aimed to this end. With all their weaknesses and limitations, the formation of the MIC in a municipality signals its intention to promote integration. They also established a forum where migrant associations can communicate their concerns and interact with other interested actors in the city. Greek municipalities can do so a) through the way in which they implement general policies, and how actively they seek to reach and bring in TCNs so that they equally benefit from general policies that target the population at large (i.e. such as social policy, education and urban regeneration, among others), and b) through projects, programs and initiatives that are specifically designed for and target TCNs, and which often have to secure national or European funding outside of the municipal budget.

The MIC is an advisory body at the municipal level which is composed by the decision of the municipal council in order to assume a triple role.<sup>23</sup> First, recording and investigating the problems faced by migrants living permanently and legally in the region of the municipality concerned and which impede the integration migrants in the local community and their contact with public authorities. Second, formulating recommendations and proposals to the municipal council for the development of local actions to promote the smooth social integration of migrants and to resolve obstacles they face. Third, creating structures so that dialogue is not random and informal, but specific and targeted.<sup>24</sup>

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<sup>22</sup> According to article 78 "in the above councils foreign members who may have been elected are obligatorily appointed as members".

<sup>23</sup> There is no deadline by law for the formation of the council, see, Ministry of Foreign Affairs Eng. No. 59 74896 / 30.12.10: Institutional changes of the "Kallikratis" Programme.

<sup>24</sup> It should be noted that this is not the first time that local government bodies have been called to cooperate with migrants on issues of local interest of the municipality. The Law 3463/2006, also known as the Code of Municipalities and Communities, in article 214 provided for the obligation of municipal and community authorities to 'consult with residents in their areas, collective social actors and stakeholders' population both

According to article 78 of the Law 3852/2010, MICs (MICs in Greek) consist of five to eleven members which are appointed by the relevant municipal council. Their involvement towards strengthening social inclusion of legal migrants is allegedly ensured through their composition. The members are appointed municipal councillors, representatives of migrant organisations,<sup>25</sup> whose seat is located within the administrative boundaries of the municipality concerned, or representatives who are selected by the migrant community residing permanently in the municipality concerned, according to the terms provided by a relevant regulation issued by the court of first instance. At the same time, social representatives should be included in the composition, actors who develop within the administrative district of the municipality activities related to addressing problems of migrants. The Council chairman, one of the elected councillors, is elected by the same decision appointing the members, while in the case that a foreigner councillor has been elected his appointment to the Council becomes mandatory. The participation of the members in the Council is honorary and unpaid,<sup>26</sup> while for its formation no deadline is set by law.

The catalytic role of the relevant municipal council (MC) in the establishment of the MIC, since the latter's formation is left to the MC discretion. Further, the regulation of the MICs operation is an exclusive task of the relevant municipal council, which implies that there may be differences in the mode of operation between the MICs. From the two above-mentioned remarks and from the description of Article 78 follows that the legal framework appears very loose, since in fact it is more a guiding principle (Afouxenidis et al., 2012). The logic of the legislator is that each municipality has its own peculiarities, its own problems and advantages, different proportion of native and foreign population, while the members of the latter have in each locality a different composition. Therefore, each municipal authority, within the axes that the law sets, has the option to adapt the institution to its realities and form its specific priorities. This flexibility is supposed to facilitate the longevity

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during the preparation of the action plans and regulatory acts, as well as when making decisions of general interest ", Government Gazette vol. 114 / 08.06.2006.

<sup>25</sup> The representative of the participating migrant organizations is not required to be a citizen of a specific municipality, Ministry of Foreign Affairs No. 59 AP house 74896 / 30.12.10: "Institutional changes of "Kallikratis" Programme.

<sup>26</sup> For a draft regulation of the operation of SEMs prepared by EETAA see:

[http://www.eetaa.gr:8080/kallikratis/support/Kanonismoi/d\\_symvoulio\\_entaxis\\_metanastwn.pdf](http://www.eetaa.gr:8080/kallikratis/support/Kanonismoi/d_symvoulio_entaxis_metanastwn.pdf)

of the institution and the success of his work. The MICs' composition, operation and results of the work, in the very few municipalities where they have been formed, are related to endogenous and exogenous factors. These factors are related to the will of the municipal authority to "wheel" the new institution, the number of immigrants and its composition, the activity or non-local immigration organisations, local geomorphism, local economy and the implemented immigration policy of the Central Administration.

There are municipalities that have set up and operate MICs. However, this is the exception and is found mainly in some large urban centres.<sup>27</sup> There are many reasons why the overall operating is negative. First, in municipalities where MICs have not been formed, the municipal authorities consider the issue as a formal obligation and not as an essential step in strengthening the whole of the local society. Even more, a formal obligation with a high risk and potential political cost given the racist and xenophobic narratives and attitudes in the general public sphere. In addition, the municipalities are understaffed, burdened with a multitude of responsibilities and without resources. Municipal authorities are reluctant to support administratively and financially such an institution while experiencing a persistent fear that any action in the field of migration will make them negatively accountable to citizens who bear xenophobic attitudes.

In February 2013 the Council of State (CoC) by decision of the Plenary (S.T.E., 2013) considered, inter alia, the provisions of articles 14 to 21 of Law 3838/2010 as unconstitutional, particularly on the right of participation of foreign nationals of third countries as regards the bodies of the Local Self-Government Organisations of the first degree. The highest administrative court considered that these provisions are contrary to Articles 1, 5 and 102 of the Greek Constitution which recognises that the political right to vote and to be elected belongs exclusively to Greek citizens.<sup>28</sup>

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<sup>27</sup> Examples are Athens, Patras, Korydallos, Heraklion, Thessaloniki

<sup>28</sup> On 5 August 2010, an application for annulment was lodged by a private individual against a) of no. Φ.130181 / 23198 / 30.4.2010 decision of the Minister of Interior, Decentralization and E-Government (Government Gazette B'562) entitled "Determination of supporting documents to accompany the declaration and application for registration in the Municipal Register due to birth or study in a school in Greece, in accordance with the provisions of article 1 A of the Greek Code Citizenship "and b) the 6th Circular of the same with protocol number 24592 / 7-5-2010 Of the Minister entitled "Exercise of the right to vote and to be elected by expatriates and legally residing third-country nationals for the promotion of elected bodies of the primary local government ", in the part that refers only to the provision rights to vote and to be elected to third-country nationals. On the 1st of February 2011, the 4th Department of the Council of State with decision

### 3. Germany

Germany is considered an “Einwanderungsland” (an immigration country), which means it is perceived as a country to which a high number of people immigrate and thus a country with a high ratio of inhabitants with migratory backgrounds (Statistisches Bundesamt 2022). In 2021, 22.3 million people (27.2% of the population of Germany) had migratory backgrounds. This corresponds to every 4th person in the country. 53% of these people (almost 11.8 million people) held German citizenship in 2021, while 47% held non-German citizenships (almost 10.6 million people) (ibid.). As of 31 December 2021, around 1.4 million people living in Germany with permanent resident status had been granted protection in Germany (Bundesregierung, Antwort auf Kleine Anfrage, Drucksache 20/584, March 2022: 3). 43,684 of them were entitled to asylum according to Article 16a of the Grundgesetz (the German Constitution), 760,918 were refugees according to the Geneva Refugee Convention, 255,671 persons were entitled to subsidiary protection, and 136,156 people were subject to a deportation ban. Another 239,000 people had been granted protection due to various circumstances, for example for pursuing a profession or because humanitarian reasons prevented their deportation (Mediendienst Integration, “Zahl der Flüchtlinge”).

Almost two-thirds (62%) of all persons with migratory backgrounds are immigrants from other European countries or their descendants. This corresponds to 13.9 million people, 7.5 million of whom have roots in other member states of the European Union. The second biggest region of origin is Asia. The 5.1 million immigrants from Asia and their descendants make up 23% of persons with migratory backgrounds, of which 3.5 million have a connection to the Middle East. Less than 1.1 million people (5%) are of African descent. The most common countries of origin are Turkey (12%), Poland (10%), the Russian Federation (6%), Kazakhstan (6%) and Syria (5%). In 2021, 1% or 308,000 of the people living in Germany with migratory backgrounds originated from Ukraine. Due to the current influx of refugees, the number of people with Ukrainian migratory backgrounds could increase significantly in the future, according to the Federal Statistical Office (Federal Statistical Office, press release no. 162 of 12 April 2022). As of June 19, 2022, about 867.214

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350/2011, ruled that exercise of the right to vote, as well as the exercise of the right to vote for the promotion of the organs of local self-government is reserved only to the Greeks citizens and cannot be extended to those who do not have this status without revision of the relevant provision of the Constitution. The case was referred by the 4th Department to Plenary session of the Council of State.

Ukrainians were registered in the German Central Register of Foreigners (Ausländerzentralregister AZR) since February 2022 (Mediendienst Integration, “Flüchtlinge aus der Ukraine”).

In Berlin, 811,334 inhabitants with roots in other countries do not have a German passport, and 569,972 Berliners have a migratory background (Statistical Office Berlin-Brandenburg, December 2021). This constitutes 36.6% of Berlin’s population, according to the Office of Statistics Berlin- Brandenburg (Statistical Office Berlin-Brandenburg, December 2021). Of these almost 1.4 million people who have migratory backgrounds or non-German origins, about 400,000 come from EU countries, most of them from Poland (112,000). 183,000 people have Turkish roots, about 150,000 have origins in Arab countries and about 145,000 people have roots in countries of the former Soviet Union (RBB24, February 2022). As of 31 December 2021, there were 2,552 living people who were entitled to asylum (Die Bundesregierung, Antwort auf Kleine Anfrage, Drucksache 20/584, March 2022: 4).

Elections in Germany take place at local, state, and federal levels. Only German citizens and EU citizens can vote in local elections. Third-country nationals (TCNs) are therefore excluded from conventional political participation, including holding political office. Most political parties in Germany also allow foreigners to become party members, but they cannot stand for election (Schu et al. 2021: 34). People who have been living in Germany for decades but have a foreign passport are not eligible to vote. However, the coalition government in power since 2021 is planning to reform citizenship law to facilitate naturalisation. The coalition agreement states that multiple citizenship is to be possible again also for non-EU citizens.<sup>29</sup> In addition, naturalisation will be possible after five years instead of the current eight years, and already after three years in the case of special integration achievements (Coalition Agreement 2021-2025: 188). The extension of the right to vote in municipal elections to third-country nationals has so far been rejected on constitutional grounds. The Federal Constitutional Court has interpreted Article 20 (2) of the Grundgesetz (the German constitution) in such a way that only nationals can participate in national elections, allowing

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<sup>29</sup> According to the Staatsangehörigkeitsgesetz, the German Nationality Act, multiple citizenship is only possible if one parent of a child has a foreign passport (§ 4). If a person has two nationalities at birth, they need to decide between them when they are between the age of 18 and 23 (§ 29 StAG). Only in individual cases can a person become a German citizen while keeping the passport of a non-EU country (§§ 10 Abs. 1 Nr. 4, 25 Abs. 1 Satz 2 StAG). In general, multiple citizenship is only allowed for nationals of other EU member states (§§ 17 Abs. 1 Nr. 2, 25 Abs. 1 S. 1 StAG).

only EU citizens to participate in local elections. Therefore, it would require a constitutional amendment if the legislative also wanted to grant third-country nationals the right to vote in municipal elections in Germany (Schu et al. 2021: 37). Attempts to extend the right to vote in municipal elections have so far been unsuccessful (ibid.).

Thus, non-EU citizens in Germany only have the possibility of “non-electoral participation” (Müssig 2020: 33). Since the 1970s, there have been so-called “foreigners’ advisory councils” and “integration advisory councils” at the municipal level in Germany. These are bodies of participation for people with migratory backgrounds and/or without German citizenship (Schu et al. 2021: 34). Migrant organisations, new German organisations<sup>30</sup>, self-organised refugee associations<sup>31</sup> and trade unions also play an important role in communicating and representing the interests of the migration society. Third-country nationals living in the Federal Republic of Germany, migrants, and people of migratory descent also participate in petitions, go to demonstrations or do voluntary work (Schu et al. 2021: 64-67).

### **The National Level**

Since 1998, there has been the Bundeszuwanderungs- und Integrationsrat (BZI) (Federal Immigration and Integration Council) at the federal level, with its headquarters in Berlin. It is a nationwide association of the state organisations of municipal integration, migration and foreigners’ advisory councils, acting as a point of contact for the federal government, the Bundestag and Bundesrat, as well as for the national centres and organisations at the federal level. The BZI is represented in various bodies, including being involved in the shaping of the National Action Plan on Integration from 2019 to 2021 and participating in thematic forums for the individual phases of the Action Plan (BZI participation bodies). Apart from its function as an advisory board, it is also responsible for various projects that deal with empowering citizens with a migration history. For example, from May 2021 to June 2022, the BZI has launched the project “KommPAktiv – Kommunale Integrationsbeiräte qualifizieren, Demokratie stärken”. The project aims to train voluntary migration and integration advisory boards, providing them with tools with which they can participate

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<sup>30</sup> The new German organisations (ndo) are a post-migrant network of associations, organisations and projects from all over Germany. They advocate for all kinds of people (migrants and Germans) of migratory descent.

<sup>31</sup> Self-organised refugee organisations and initiatives are those created by people who are refugees or asylum seekers. They are campaigning for the concerns and rights of refugees.

actively in local politics. It is important to mention here, however, that the BZI is not a permanent body but an association dependent on funding. But the new federal government has signalled in the context of the coalition agreement that a participation law at the federal level will be initiated, which will also include the establishment of a participation council as a permanent body (Coalition Agreement 2021-2025: 118).

Apart from the Federal Immigration and Integration Council, migrant organisations represent the interests of people with a migratory background. They are experts and partners at the federal, state, and municipal level and advice on issues of migration, integration, and participation. Migrant organisations are also channels of communication for municipalities to reach citizens of migratory origin and, in particular, provide a voice for the concerns of migrant communities. At the national level, for example, there is the Bundesverband Netzwerke von Migrant\*innenorganisationen e.V. (Federal Association of Networks of Migrant Organisations) (BV NeMO e.V.). It aims to increase the ability of migrant organisations to operate and advocate on a professional level and to have an impact on policies regarding migration and integration as well as participation. The German government provides structural funding to some nationally operating migrant organisations. Structural funding is granted for a longer period than project funding and aims at strengthening the organisational structures, different to funding for projects which only can be used for the implementation of activities within the project.

### **The Federal State Level**

The federal states also have integration and migration commissioners who are part of the state administration. North Rhine-Westphalia has established so-called municipal integration centres dealing with integration on the municipal level. Most federal states also have migration and integration advisory councils. These are advisory bodies often introduced by municipal laws that represent the population with a migratory background in political decisions. How they are formed varies depending on the federal state regulations. In some federal states the representatives are elected, in others appointed, while in some there is a mixed form. The advisory boards have no decision-making powers and in many municipalities there is no legal obligation to establish an advisory board. In some federal states, however, both the establishment of an advisory board and its tasks and powers are regulated by the participation and integration laws of the federal states. In other cases,

there is a lack of specific provisions on the establishment of migration councils or when councils must be consulted, and there are often no provisions on the right to make motions and to speak (Kersting 2020: 190). An exception are federal states that have stipulated the establishment of a migration council in their municipal code (ibid. 191). However, many migrants who are entitled to vote for the advisory boards hardly seem to perceive or accept the actions of the advisory boards, as the Sachverständigenrat Integration und Migration (Expert Council of German Foundations for Integration and Migration) (SVR) states in its annual report of 2021 (Schu et al. 2021: 59). This could be mainly because the impact of these bodies on political decisions is considered low and many migrants do not feel sufficiently represented by the advisory boards (ibid.).

### **The Local Level (Berlin)**

In Berlin, Katarina Niewiedzial has been the Commissioner for Integration and Migration since May 2019. Her task is to shape migration and integration policy within all Senate administrations and policy areas. In addition, the Commissioner is responsible for steering Berlin's overall integration policy. She is also the contact person for migrant organisations and head of the counselling centre "Welcome Centre" for new arrivals, immigrants, and people of migratory descent without a German passport. On the federal state level, Berlin has a Law on the Regulation of Participation and Integration in Berlin that was amended in 2021 and renamed the Berliner Gesetz zur Förderung der Partizipation in der Migrationsgesellschaft (PartMigG) (Law on the Promotion of Participation in the Migration Society of the State of Berlin). The PartMigG was passed on 17 June 2021 and is also referred to as the "Open Door Act". It regulates binding measures to promote diversity in the administration and the economy as well as the political participation of people with migratory backgrounds. The law was developed with significant participation of the State Advisory Council for Participation (Brandalise 2021: 1).<sup>32</sup>

Established by Senate resolution on 29 April 2003, Berlin's State Advisory Council for Participation will be composed of 13 members, representing migrant communities who are entitled to vote, out of which one has to represent ethnic German migrants, one refugees

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<sup>32</sup> With the amendment of the Law for the regulation of Participation and Integration in Berlin (now PartMigG) the State Advisory Council on Questions of Integration and Migration was renamed to the State Advisory Council for Participation.

and one the LGBTQI\* community with a migratory background. One member will represent the Council of the Roma and Sinti communities within the Advisory Council (§17 PartMigG). The PartMigG also lists other stakeholders and representatives of the administration who need to attend the meetings of the council. A central reform of the law is the obligation to establish integration and migration advisory boards at the district level, the smallest municipal level in Berlin. It is only with the amended PartMigG that the districts are required to establish advisory councils and provide funds for the administration of the advisory councils. Only in some districts, non-organised migrants are members of the council, representing their communities. All the other members are representatives of migrant organisations, non-migrant NGOs as well as charity organisations which have to apply for the seats in the council and will be selected by the integration office of the district.

Next to the PartMigG, the Berlin State passed the Berliner Landesantidiskriminierungsgesetz (Anti-Discrimination Act) on 21 June, 2020 which is the first of its kind in Germany and closes a legal gap that still exists, particularly in the area of discrimination caused by state action. A long-term project funded by the Berlin Senate was Berlin Entwickelt Neue Nachbarschaften (BENN), the name of which means “Berlin Develops New Neighbourhoods”. It has been established in 2017 in the neighbourhoods of refugee accommodations as part of a Berlin-wide integration management program. Since then, 16 BENN locations were created within the city. The goal was to support the participation of refugees in social life activities in the neighbourhood, but also to promote active citizen participation as well as engagement between the newcomers in the neighbourhood and its long-term residents. Another crucial instrument for strengthening the participation of migrant organisations and organisations of refugees is the Participation and Integration Programme of the Berlin Senate. Organisations funded by the programme receive project funding for three years. This allows migrant organisations to create a more stable and sustainable situation.

### **Political participation**

The Berlin municipalities and the Senate are bound to the **The Berliner Gesetz zur Förderung der Partizipation in der Migrationsgesellschaft (PartMigG) – Law for the Promotion of Participation in the Migration Society**, which is now an important basis for the demands of the migrant population. When it comes to inclusion and participatory

approaches, this legal ground facilitates the exchange with different offices. The law, as interpreted by a participant in one of the focus groups in the national research, should offer access to the administration as a whole. For that reason, the integration offices in every district are now obligated to enforce this law in the municipalities. This makes it easier for migrant organisations to approach the administration. Every single focus group in this research mentioned multiple reasons why they found the PartMiG by the Berlin Senate a very positive signal, especially because many migrant organisations and the State Advisory Council for Participation were included in the development of the proposal. A participant also said that it is important that with the PartMigG the participation and integration advisory councils in the districts have a legal foundation and financial resources for administration. There was a general wish to have this kind of process for any law that concerns migrants. Due to the PartMigG, there is now also the possibility for TCNs to work in the committees for participation and integration of the district assemblies as knowledgeable citizen representative with voting rights within the committees of the assemblies.

**Berlin's State Advisory Council and the Councils for Participation and Integration on the district level** were presumed by the interviewees for the EMVI national report as the predominant structural participation opportunity for the representation of perspectives and views of TCNs. Despite various problems in the practical work of the councils with the administration and in the own structures due to a lack of resources, the council representatives saw themselves as being in a better position to deal with these problems with the PartMigG and the establishment of an office for the advisory councils in the districts and at the Berlin state level. However, almost all interview partners had the impression that the topics discussed in the councils are of little concern to the actual needs of non-organised individuals. Instead, many interviewees understood migrant advisory councils rather as networking opportunities for migrant organisations or as committees of the municipality, used to defend itself against accusations of making policies without consulting migrants. Others saw the appointment by the municipality as problematic because it allows the administration to invite only those migrant organisations to the table with which they have already worked together for many years. Nevertheless, some participants saw advisory councils as very important until TCNs have voting rights at the

municipality level. In the focus groups, differing opinions were shared on the question whether councils are currently created in a democratic or fair manner, as members are not directly elected to the councils. One discussant felt that enabling TCNs to vote for the representatives would be no more democratic as eventually the elected representatives would remain in a consulting position. Others held the view that having elections would increase the knowledge about the councils and would force the representatives to engage in a closer exchange with the migrant population of the municipality about the topics on their agenda. Increasing the visibility of the councils through communication and PR measures was regarded as important.

Another widely used opportunity for participation is the creation of new associations. All participants in the interviews view this as the most effective and widely used way to do projects that have an impact on migrants and to influence certain policies. Migrant organisations are seen as the bridge between politicians and the non-organised migrant population. Many interviewees described a substantial problem to fund their work and doing sustainable work such as empowerment or advocacy. To be able to work effectively on racism, housing shortages and other important issues and especially to be able to advocate for the interests of the migrant population in policymaking, structural funding on the Berlin state level was seen as the crucial solution. So far, however, there is no structural funding at the state level. A first important step in the right direction was seen in the extension of the funding period up to three years for organisations funded by the Participation and Integration Programme of the Berlin Senate.

#### **4. Italy**

In Italy, immigration has seen three different phases starting in the 1970s and 1980s with an initial phase of arrivals contained in numbers, then continuing in the next two decades with significant flows and finally the most recent phase, characterized by economic crises and humanitarian emergencies during which new arrivals are mainly people seeking humanitarian protection and family reunifications. Rights on political participation of migrants in Italy have not evolved much over the years and have mainly stopped at the legislation of the 1980s and 1990s related to the first migration flows.

According to the National Institute of Statistics<sup>33</sup>, the foreign resident population in Italy as of January 1, 2022, is 5,193,669. In 2019, it amounted to 4,996,158, and thus increased by less than 200,000 in three years. According to the same source<sup>34</sup> in recent years and starting from 2018 there has been a decline in new entries and residence permits issued to non-EU citizens by 26.8 %, which amount to a national total of 106,500 residence permits, the lowest number in the last 10 years and almost 40 % fewer than those issued in 2019. This decline is reflected in a decrease in permits granted for study (-58.1% from the previous year) and asylum permits (-51%). In 2020, there were 13,467 new permits for asylum and international protection applications (12.6 % of total new permits issued). The decrease affected all non-EU countries of main origin, but the most noticeable decrease (more than 80 % compared to 2019) was in Indian and Ukrainian nationals. This balance, however, was altered with recent entries due to the war in Ukraine starting in February 2022. Permits for family reunification, which has always been the main reason for entry in Italy, also dropped by 38.3% and accounted for only 59% of new residence permits issued. On the other hand, as far as work reasons are concerned, again there was an incisive decrease (- 8.8%) compared to the other reasons for entry partly due to the slowdown of the immigration flow decree regulating entry for work reasons into the country.

Some of the reasons for this decline in admissions and issuance of residence permits are obvious, such as the limitation of travel due to the Covid-19 pandemic. In addition, the lockdown situation has led to a slowdown in services nationwide resulting in delays in processing residence permit paperwork. The processing of applications for regularization of workers in the sectors of agriculture, livestock, fishing or related activities or those in care work (domestic helpers, caregivers) was also slower than for previous regularizations. As of January 2022, the files analysed out of 240,000 applications were only 13%. The remaining 87% are still waiting for a response.

Another reason to consider with respect to the decrease of citizens from non-EU countries is the acquisition of citizenship. Between 2011 and 2020, more than 1.2 million people acquired Italian citizenship, and it can be estimated that as of January 1, 2021, new citizens by acquisition of citizenship residing in Italy were about 1.6 million. Considering the whole

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<sup>33</sup> [https://www.istat.it/storage/rapporto-annuale/2022/Rapporto\\_Annuale\\_2022.pdf](https://www.istat.it/storage/rapporto-annuale/2022/Rapporto_Annuale_2022.pdf)

<sup>34</sup> [https://www.istat.it/it/files//2021/10/Cittadini-non-comunitari\\_2020\\_2021.pdf](https://www.istat.it/it/files//2021/10/Cittadini-non-comunitari_2020_2021.pdf)

population with migratory background (foreigners and Italians by acquisition of citizenship), the population of foreign origin has continued to grow, although not at the pace of the past, reaching almost 6 million 800 thousand residents as of January 1, 2021.

The most numerous nationalities in Italy and well established in the territory with different immigration patterns are five. The largest one is the Romanian community. Even though Romania is a member country of the European Union, Romanian citizens are still counted in immigration studies as they amount of more than 1 million of the foreign population by January 2021. Romanians are very close culturally to Italy and can be considered a recently settled community, characterized by family-based migration. The gender ratio within the community is less balanced than other four largest communities with 73.6 men for every 100 women. The second largest community, the Albanian community has similar characteristics in the pattern of migration, which is also predominantly family-based. The gender ratio is 105 men per 100 women. Albanians reach 433,000 residents in the country. The third largest national community is Moroccan with about 429,000 residents. Immigration of the Moroccan community is mainly due to employment and initially it was the heads of households who migrated. However, there has been no shortage of family reunifications over the years, and this is also evidenced by the gender balance where for every 116 men there are 100 women. The fourth largest community is the Chinese community with 330,000 residents and family-type migration characteristics. For every 102 males, there are 100 females. The fifth community is Ukrainian and is well established in Italy beyond the new arrivals due to the outbreak of war last February. As of January 2021, there were 236,000 Ukrainian residents, and until June 11, 2022, there were 132,129 new arrivals of people fleeing the country, according to data from the Ministry of the Interior: 69,493 were women, 20,181 were men, and 42,455 were minors. Ukrainian immigration first emerged in a big way in 2002 with regularization under the Bossi-Fini decree<sup>35</sup> when 107,000 Ukrainians, mostly women working as domestic helpers, applied for regularization. Today, within the community women are still the majority and make up about 77.6% of residents.

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<sup>35</sup> <https://www.eurofound.europa.eu/publications/article/2002/new-legislation-regulates-immigration>

Other nationalities present that make up most of the new arrivals also due to economic changes and political balances in various parts of the world are: Filipinos (3.2%), Indians (3.2%), Bengalis (3.1%), Egyptians (2.7%) and Pakistanis (2.6%). Among new arrivals in 2020, particularly among those who applied for international protection, the most numerous nationalities are: Pakistan (3,683 permits, 27.3% of those entering for this reason), Nigeria (1,395 entries, 10.4% of the total) and Bangladesh (1,152, 8.6% of those entering for asylum).

The gender balance within the Italian migratory scenario presents very interesting features because it is linked to some migration patterns where the first to migrate were women. A phenomenon not studied in depth, female migration began with a first wave in the 1980s and 1990s where the first to migrate were women from Cape Verde, the Philippines and Brazil. They emigrated out of economic needs, mostly alone and became the mainstays of their families, the "breadwinners" who supported their country with the remittances they sent. In the same years, numerous women from warring African and Middle Eastern countries moved to Italy. These were Muslim women, who in many cases re-joined their husbands who had immigrated years earlier. In the 2000s, many women arrived from Eastern European countries (Ukraine, Romania, Moldova, Russia) and most of them were educated. Leaving their husbands and children at home, they moved to Italy to work in child and elderly care. Care work became a trap because beyond immediate earnings there were no career prospects. According to data from the Initiatives and Studies on Multiethnicity Foundation<sup>36</sup>, from January 1, 2005, to January 1, 2020, the number of female immigrants increased by 141% (compared to a 112% increase in men). Female immigration has changed the balance of the migration phenomenon and in 2020 amounts in 52.4% of legal adult migrant residents in Italy if we do not consider the minors population where the prevalence is male. The largest nationalities mirror national estimates by numerical %age, but the highest %age of female presence is estimated to be Ukrainian (77.3%), followed by Polish (74.1%), Moldavian (66.1%) and Bulgarian (62.6%). More skewed to the male side, however, are all Asian and African national groups: Sri Lankans, Moroccans, Indians, Nigerians,

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<sup>36</sup> <https://series.francoangeli.it/index.php/oa/catalog/book/757>

Tunisians, Egyptians, and especially Pakistanis, Bengalis, and Senegalese. Among the latter three, female incidences reach only 30.4%, 28.1% and 25.4%, respectively.

In terms of new arrivals, among those seeking international protection there is an increase in the presence of women. In 2016 men accounted 88.4% of asylum-seeking migrants; in 2020 they slightly exceed 76%.

Although Southern Italy represents a gateway for many non-EU nationals, their presence is concentrated in the Center-North part of the country. As of January 1, 2021, only 14% of permits were issued or renewed in the South where – due to the reduction in incoming flows – the decrease in regular residents was most noticeable between 2020 and 2021.

North and South of Italy also differ in terms of the prevailing reasons for the permit: the share of residence permits for asylum and other forms of protection reaches 9% in the South and 11% in the Islands (Sardinia and Sicily) against a national average of less than 5%. In contrast, long-term permits are around 60% in the South and below 55% in the Islands against an Italian average of over 64%.

Slightly less than half of non-EU citizens live in cities or densely populated areas; about 41% live in small towns and suburbs; and just over 10% in rural or sparsely populated areas. In the Northwest and Central Italy, the presence is concentrated in cities and densely populated areas; in the Northeast and the South, small towns prevail (45% and 43%), while rural areas are home to one-sixth of non-EU residents in the Northeast and the non-EU regular residents in the South. The territorial location of the various communities responds to different migration and job placement patterns. Concentration in cities is highest for Filipinos (84%), Egyptian (69%) and Bangladeshi (68%) citizens. Moroccan and Albanian nationals, the two oldest settled communities, prefer small towns.

### **Region of Tuscany**

As far as the Region of Tuscany is concerned, as early as 2004 it has included in its Statute, among its general principles, the promotion with respect to constitutional principles, (of) the extension of the right to vote to immigrants. In addition to experimenting with the tool of the Advisory Boards and the Migrant's Council in different municipalities and provinces,

to stimulate the participatory ferment of society, the Region approved Law 69/2007<sup>37</sup> with the aim of enhancing the civic spirit of the territory, in order to contribute to increasing the quality of collective decisions. This legislation promotes the active involvement of individuals, entities, groups, parties, and associations in the elaboration of regional and local policies, expressing the clear institutional will to introduce forms of participatory and deliberative democracy to nurture the legitimacy of institutions. Citizens, migrants, or stateless persons who are resident in the territory or temporarily present in Tuscany for study or work can take part in participatory processes. The opening of processes to non-nationals as well, whether resident or not, is seen as a symptom of awareness of regional multiculturalism. The participation of non-nationals encourages their social and political inclusion, allowing the visibility of their needs and interests. National Agency of Italian Municipalities (ANCI) has actively supported this "bottom-up" push, asking the Parliament to pass a bill entitled Norms for Political and Administrative Participation and the Right to Elect without Discrimination of Citizenship and Nationality, aimed at foreigners who have been residents for five years (Giovannetti and Perin 2012). The text of the law drafted by National Agency of Italian Municipalities was later re-proposed as part of the "L'Italia sono anch'io" 2015 campaign, a broad mobilization promoted by a plurality of civil society organizations, which through committees established throughout the country collected signatures to present the text as a popular initiative bill, along with another text, concerning the recognition of citizenship to children born in Italy to legally resident immigrants. The continued closure of institutional participation spaces to non-EU immigrants thus introduces an internal differentiation within the population of foreign citizens residing in Italy, attributing the right to vote, with the exclusion of political elections, only to EU citizens.

**Empoli** is a small municipality of Tuscany with 7890 foreign nationals representing 16.2% of the resident population. The municipality for several years now, no longer has an immigration office, but such services are outsourced to other associations and cooperatives in the area such as "La Società della Salute Empolese Valdarno Valdelsa", "Associazione Arturo", etc., which in addition to services also offer training courses, Italian language for foreigners and others. Empoli used to have a migrants council, but does not have it any

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<sup>37</sup> <https://www.regione.toscana.it/documents/10180/11537824/Legge%20regionale%20N.69%20del%202007/e782eb5a-8787-4647-acb6-518b6c56cf8e>

more. As a part of EMVI project it is engaged in establishing new and innovative participation forms such as the advisory council, e-participation of migrants and similar.

### **Political participation**

Given the restrictive legislation on the right to vote and the lengthy process provided by Italian law on the acquisition of citizenship by naturalization, which consists of 10 years of uninterrupted legal residence plus 2 years of file evaluation, after fulfilling a series of other requirements such as income, housing, etc., third-country nationals find as the only way for political participation in the territories where they reside alternative tools of participation that contribute to their paths of integration and that promote active citizenship. These tools consist first of all, of the right of association and assembly and thus the establishment of associations by foreign nationals as a means of unity in the community and interlocution with the local government. Secondly, Presidential Decree 394/1999<sup>38</sup>, in compliance also with the provisions of the Strasbourg Convention on the participation of foreigners in local public life, in Article 57, gave the possibility to local authorities to establish ad hoc consultative bodies that can, in part, make up for the non-recognition of the right to vote. With the emergence of these consultative mechanisms at the local and regional levels, participation has been taken to another level. The Advisory Boards and Councils of Foreigners are bodies composed of representatives of the various communities present in the territory and appointed by national associations and communities or directly elected by resident foreign citizens. They do not have decision-making powers but have an advisory function on immigration policies and aim to represent the voices and demands of immigrants.

The National Council for the Problems of Non-EU Workers and their Families and the Regional Councils were introduced by the first immigration law (L. 946/1986)<sup>39</sup> with the aim of dealing with the initial reception and job placement of migrants. In the following years, some local experiments of Advisory Boards and Councils of Foreigners were reported, while other municipalities established the figure of the Deputy Councillor, who could participate in the City Council and could present petitions regarding resident immigrants, but without

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<sup>38</sup> Presidential Decree No. 394 of August 31, 1999 Regulations on the implementation of the Consolidated Text of provisions concerning immigration regulations and regulations on the status of foreigners, pursuant to Article 1, paragraph 6, of Legislative Decree No. 286 of July 25, 1998.

<sup>39</sup> <https://www.gazzettaufficiale.it/eli/id/1986/12/10/086U0832/sg>

voting rights. The consultative bodies implemented at the local level appear to be more oriented toward promoting the cultural and political integration of immigrants. The first experience was in 1994 in the municipality of Nonantola, where the figure of the Deputy Foreign Councillor was established. Despite the significant turnout in the elections and the experimentation of this figure in other Italian municipalities as well, the initiatives implemented, like the Advisory Boards and Councils, have never been considered satisfactory (Martiniello 1999). There are, however, positive effects such as the socialization to voting. Indeed, in order to compose the Councils on an elective basis, real elections were held, involving a plurality of lists and candidates.

Another effect induced by the creation of the migrant councils has been the increase in the number of associations, mostly mono-ethnic in nature, as the mechanism of the councils is based on a horizontal relationship between representatives of different communities, but also on a vertical relationship between representatives and their own compatriots. To this respect, the instrument of migrant councils has often ended up marginally nurturing real dynamics of dialogue and cooperation between national groups, on the contrary reinforcing the ethnicization of forms of representation. In general, researchers who have studied the dynamics activated by these instruments have revealed their weak capacity to affect decision-making processes, emphasizing their predominantly symbolic character (Caponio 2006; Recchi 2006; Colloca 2008). Years after the first experiments, migrant councils and advisory boards now seem to have concluded their function of creating networks between institutions and ethnic communities and among the communities themselves. Experience teaches that consultative instruments, marked by ethnic representation, cannot replace individual mobilization within the circuit of representation, and they fulfil their function in contexts in which the priority is recognition, and this is all the truer since the Councils, as of 2004, no longer involve a significant proportion of foreign nationals, who have meanwhile become communitarian, thus reducing their target population. Other municipalities, given the obstacles encountered in granting the right to vote in local elections, have introduced into their statutes the right to participate in local referendums to all those registered at the registry office, providing a very short time of residence as a requirement (six months/one year). This is the case in the municipalities of Turin, Milan, Livorno, Pescara, and Gorizia.

## 5. Slovenia

In the current year, 2,106,215 inhabitants live in Slovenia, of which 1,057,473 are men and 1,048,742 are women. The share of foreign citizens in Slovenia is 8.3% of the total population, which represents 174,340 people, namely 112,217 men and 62,123 women. Slovenia is one of the ageing societies—the natural increase in population growth has been negative every year from 2017 onwards, as more people die each year than are born. On 1 April 2022, Slovenia had 965 inhabitants less than three months earlier. In the first quarter of the current year, the number of Slovenian citizens decreased by 2,900, while the number of foreigners increased by 1,900. Of all foreigners, the largest number of foreigners in Slovenia are citizens of the former Yugoslavia (137,484), followed by citizens of the European Union (21,192), and the least number of citizens of all other countries (13,766) (Statistical Office of the Republic of Slovenia, 2022). Here, the migrant population in Slovenia is understood as people who have migrated from other countries, including asylum seekers, refugees (people who gained international or subsidiary protection), as well as third-country nationals. Most of them are non-EU and come from the former Yugoslavia's successor states. Croatia's status changed from third-country to EU Member State in 2013 and a part of Schengen Area in 2023. As for the statistical composition of the female migrant population in Slovenia, it follows the general trend, as the majority are classified as third-country nationals and come from neighbouring Western Balkans, much smaller numbers come from the EU, and a tiny population are refugees. (Bajt and Frelj, 2022)

The main reasons for migration in Slovenia are work, family reunification, studies, other reasons, a family member of a Slovenian citizen, and a family member of an EU citizen. Like other EU countries, Slovenia is substituting its labour deficit with migrant workers due to the declining number of people in employment. Yet, state immigration policies have long remained embedded in understanding Slovenia as a transit country (Bajt and Pajnik 2014; Bajt and Frelj 2019), and migrant integration is not deemed a policy priority.

In August 2022, 910 persons in Slovenia had recognised international protection, but 159 of them lived abroad, so 751 refugees currently live in Slovenia, mainly from Syria, Ukraine, Eritrea, Iran, and the former Yugoslavia. There are also some from Somalia, Iraq, Afghanistan, Kazakhstan, Türkiye, Palestine, the Russian Federation, and least from Sudan, DR Congo, Cameroon, Sierra Leone, Yemen, Zimbabwe, Nigeria, Albania, Ethiopia, India,

Morocco, Pakistan and Sri Lanka. (Office for the Support and Integration of Migrants, 2022)

Even otherwise, Slovenia is quite restrictive in terms of granting international protection.

According to the interviewees' experiences and corroborated by the experts' advocacy work with migrants, bureaucratic matters are problematic in Slovenia. This also involves getting correct and quick information regarding various issues. Access to services is particularly difficult in smaller towns and villages (or in places where there are considered to be no immigrants). Also, there is a lack of services or support that would include migrant women in the needs assessment process. The influence of the COVID-19 pandemic on the integration processes of migrants in Slovenia has been extremely negative, especially for female migrants. Even though the latest analyses show how education services—particularly language courses—were the most likely type of service to be moved online across all EU countries, the Slovenian reality was that most language courses for foreign nationals were stalled or even cancelled, resulting in a massive backlog in terms of accessibility. (Bajt and Frelih, 2022)

Important for the context of the political participation of migrants is the fact that in 2002, amendments to the 1993 Local Elections Act and the 1994 Political Parties Act entered into force. The first, as the most important innovation, introduces the right to vote in local elections also for foreigners with permanent residence (but not for foreigners with temporary residence or asylum seekers), while the second allows EU citizens to become members of Slovenian political parties (but not for all other foreign citizens, e.g. to ex-Yugoslav citizens, of whom there are the most in Slovenia).

### **Political participation**

“Political integration means that immigrants are involved in political decision-making processes in the country, that they can actively participate in these processes and also influence decisions. The right to vote is very important for political integration. The right to vote in parliamentary or other elections at the state level is usually obtained by immigrants only with citizenship, while at lower levels (local and regional elections) a certain period of legal residence in the country is increasingly sufficient to obtain the right to vote. Political integration does not only mean the possibility for immigrants to participate in political

processes but also the actual presence or the participation of immigrants either through elections, political parties, special forms of minority representation, etc.” (Bešter, 2007: 111)

In 2012, the Government of the Republic of Slovenia established the Council for the Integration of Foreigners, which—officially—performs the following tasks: gives opinions and recommendations on national programmes important for the integration of foreigners, gives opinions and recommendations and participates in the procedures for the preparation of laws and other regulations that affect the field of integration of foreigners, monitors the implementation of integration measures, analyses the situation and reports on this annually to the Government of the Republic of Slovenia. However, at least as of 2018, foreigners (neither persons with recognised international protection nor third-country nationals) are not members of this Council. Namely, the Council configuration was changed to include only two representatives of the Government Office for the Support and Integration of Migrants and state secretaries—representatives of ministries of the interior, of labour, family, social affairs and equal opportunities, of education, science and sport and of culture. The Council failed to meet at all in 2018 and 2019. In 2020, it did meet, and according to its annual report, it ordered two analyses related to persons with recognised international protection: 1. Government Office for the Support and Integration of Migrants shall prepare data on abuses of social transfers by foreigners with recognised international protection who leave Slovenia, and shall send it for further consideration to the Ministry of Labour, Family, Social Affairs and Equal Opportunities; and 2. by the end of 2021, an analysis of the inclusion of foreigners in the “Initial Integration of Immigrants” programme (Slovene with elements of learning about Slovenian society) should be carried out, which should monitor the success and adequacy of programmes for learning Slovenian and propose possible changes (Ladić et al., 2022). The annual report also shows that the Council considers the reduction of the period of integration of persons with recognised international protection from three to two years as a tool for “encouraging persons with recognised international protection to integrate into Slovenian society more actively in the field of employment” (ibid.). The functioning of this Council is thus very controversial.

Based on the positions of the 2011 Declaration on the Status of National Communities of the Nations of the Former Yugoslavia, the Council of the Government of the Republic of Slovenia was established for issues of national communities of the former Socialist Federal

Republic of Yugoslavia in the Republic of Slovenia, as the consultative body of the Government for the area of these “new national communities”. Although—unlike the Council for the Integration of Foreigners in which no foreigner has a seat—in this Council, except for representatives of the Ministry of Culture, Education, Science and Sports; the Ministry of the interior; the Ministry of Foreign Affairs; the Ministry of Labour, Family, Social Affairs and Equal Opportunities; Office of the Government of the Republic of Slovenia for Nationalities; Public fund of the Republic of Slovenia for Cultural Activities; there are also representatives of the Albanian, Bosniak, Montenegrin, Croatian, Macedonian and Serbian national communities in Slovenia. However this Council is not functional, has no power and exists only formally.

From May 2022, when the new left-centre government in the Republic of Slovenia took office, the Ministry of the Interior also experienced its own transformation, which with the new minister also approached the issue of migration in a more democratic, inclusive and civilised manner, and established a Working Consultative Group for the field of migration, in to which a large number of the most prominent NGOs from the field of migration are invited. Although it is not clear, how this body will operate and how binding its proposals and findings will be, it is positive that this group includes representatives of three migrant organisations: Gmajna Cultural Association, Infokolpa and Intercultural Dialogue Society.

Also, the Office for the Support and Integration of Migrants plans to establish a consultative working group composed of refugees, but for now, this is only in the conceptual phase.

In 2006, Slovenia signed the Convention on the Participation of Foreigners in Public Life at Local Level, but never ratified it. According to The Migrant Integration Policy Index, Slovenia have numeration 30, meaning slightly unfavourable regarding enfranchised or regularly informed, consulted or involved in local civil society and public life. Although this is not the best, it is still better than Italy (25), Austria (20) and Greece (20), and regarding the countries from the project consortium, only Germany (60) is better rated regarding political participation of migrants. (Solano and Huddleston, 2020).

However, as the research emphasises, all integration measures will not give satisfactory results if we do not also think about how to prepare the entire society to be more open to

others and different and to be able to accept and respect cultural differences between people (Bešter, 2003: 116).

### **III European comparison and policy recommendations**

Ten interviews with people with migrant background including refugees (and those with international or subsidiary protection and humanitarian status) as well as third country nationals (TCNs) and their descendants and three focus groups with beneficiaries and providers of existing participatory methods and/or consultative bodies (migrants, stakeholders, decision makers, national/regional/local officials, administration, authorities) were conducted in each partner country. In total, 50 interviews and 15 focus groups have been conducted within the whole project consortium. Based on the interviews and focus groups as well as on the desk researches findings on civic and political inclusion and engagement of migrants in each of the five project countries, common recommendations have been prepared with a focus on good practices that can be implemented in each of the national, regional and local contexts.

#### **1. The right to vote (at least on local/regional level) should be implemented for all long-term residents in the country**

In Austria, Greece, Germany and Italy, third-country nationals do not have the right to vote in local and national elections, as the right to vote is strictly linked with the citizenship status. Even if a person has lived for a decades in Austria, the right to vote and participate politically could be denied. In all the countries mentioned above only EU citizens are entitled to vote in local elections. Third-country nationals are therefore excluded from conventional political participation, including holding political office. Most political parties in Germany for example, allow foreigners to become party members, but they cannot stand for election. Citizens who have lived in Germany for decades but have a non-EU passport are not eligible to vote. The extension of the right to vote in municipal elections to third-country nationals has so far been rejected on constitutional grounds. Also in Greece, exercise of the right to vote, as well as the exercise of the right to vote for the promotion of the organs of local self-government is reserved only to the Greeks citizens and cannot be extended to those who do not have this status without revision of the relevant provision of the Constitution. Italy in

comparison to the other project countries has the most restrictive legislation on the right to vote. According to the Italian law, citizenship by naturalization can only be acquired after 10 years of uninterrupted legal residence additionally to 2 years of file evaluation, after fulfilling a series of other requirements such as income, housing, etc. Due to this lengthy and restrictive process third-country nationals find as the only way for political participation in the territories where they reside alternative tools of participation that contribute to their paths of integration and that promote active citizenship.

The general right to vote in Slovenia is also tied to citizenship status, which means that some people who stay and live in Slovenia cannot influence the political future, especially asylum seekers and refugees. But, permanent residency enables voting at the local level. In 2002, amendments to the 1993 Local Elections Act and the 1994 Political Parties Act entered into force. The first, as the most important innovation, introduces the right to vote in local elections also for foreigners with permanent residence (but not for foreigners with temporary residence or asylum seeker status). The second one, allows EU citizens to become members of Slovenian political parties (but not for all other foreign citizens, e.g. to ex-Yugoslav citizens, of whom there are the most in Slovenia). The right to vote in local elections, as the Slovenian case shows, is a fundamental instrument for the political participation for TCNs. This good practice from Slovenia shows that laws can be changed in order to enable political participation and inclusion of migrants and consequently contribute to build a more equal and democratic political community.

Migrants, also interviewed in EMVI research, strongly demand the introduction of the right to vote. Without that, it is difficult to talk about real political participation. Not being able to vote in any elections is seen as a form of discrimination and something that has to be changed. It is not perceived by migrants clear why EU-citizens have the right to vote in municipal/local elections but third-country-nationals do not. The paradox caused by the mutual conditionality of citizenship and voting rights or political participation, is well seen in the case of the diaspora, which also does not live in the country and does not necessarily have close contact with it but has the right to vote in their country of origin—different than the majority of foreigners who live, work and, last but not least, pay taxes in the country. In short, those who don't even live in the country have more rights to make decisions about it,

just because they are citizens or their descendants, than those who actually live in the country and contribute to society, just because they are foreigners.

Long term migrants live and work in the country and are their very parts. The right to officially participate in political life is crucial. Political integration means that immigrants are involved in political decision-making processes in the country, that they can actively participate in these processes and also influence decisions. The right to vote is very important for political integration. Political integration does not only mean the possibility for immigrants to participate in political processes but also have an actual presence or participate either through elections, political parties, special forms of minority representation, etc.

**All people who legally reside in a long term in the country should be granted voting rights at local/regional level equivalent to voting rights at local/regional level for EU citizens.**

**2. Migrant participation, representation and engagement in public bodies that deal with the issues of integration, inclusion, diversity should be improved, encouraged and valued**

Political integration is a two-sided process so there is a need to sensitize local, regional and national administrations in finding more effective tools to involve migrants in the political and decision-making processes. Participation begins with information about possibilities and opportunities, and there is a need for higher attention to the way in which communication is done.

Only Germany has already established a national consultative body and regional consultation structures for migrants on federal level, where councils are established by appointment and not elected, having a legal ground with the Participation law. Austria, Greece and Italy are among the countries who do not have national consultative bodies but there do exist structures on the local or regional level, such as the EMVI project partner Migrants' Advisory Council in Graz. Slovenia does not have any of that yet.

Most of the interviewees in the national research of the project agree that the most effective way to design participation today is to do it in a transversal way by treating all

foreigners as citizens who can also have a say on issues beyond immigration alone but with their specific needs in mind. So the most important recommendation with regard to representation is to systematically include migrants and migrant communities in all consultative bodies that relate to them.

The Migrants' Advisory Council Graz, a political representation of the interests of third country nationals in Graz (10% of the total population of Graz) can be considered as a good practice. The council consists of nine members (non-EU citizens) elected by non-EU migrants living in Graz. Members are elected through a direct and secret ballot that takes place on the same day as the Municipal Council elections Graz and serve for the same legislative period of 5 years. The council members work on a voluntary basis and convene regularly. The Migrants' Advisory Council (formerly Foreigner Advisory Council) was established in 1995 by a policy resolution of the Municipal Council of Graz (Migrants' Advisory Council). The Migrants' Advisory Council has the following tasks: Preserve and protect the interests of migrants; Advise the city council and the administration through suggestions, recommendations and opinions; Promote a better cohabitation among all inhabitants of Graz; Inform and advise the associations and communities about its activities; Reports on the state and well-being of immigrants in Graz; Organize seminars, events and workshops on such themes as culture, politics, education, social issues and sports; Networks and cooperate with the Graz municipal authorities, institutions and NGOs (ibid.)

The research in countries where councils are well established (especially Austria and Germany) where revealed significant gap in communication between the councils and the migrant population that should be overcome. In order to make the councils widely known but also to motivate more individual and non-organised migrant representatives to be active in migrant advisory councils, different measures were suggested:

- Enable Advisory Councils to do their own press and communication work (e.g. press releases, website and social media sites);
- Councils should have the possibility to hold meetings without politicians present, facilitating the exchange between council members for those with language barriers;
- Increase visibility of the councils to build trust by organising public events with different migrant communities and groups in the municipality;

- Allow councils across EU Member States and regions a regular exchange and communication to enable strategic work for common concerns of migrants;
- The municipalities should offer training (e.g. advocacy, networking, or on administrative work and procedures more general) for the members of advisory councils making them able to cope with the rhetorical skills of policy-makers and for professional consultation on policies. Consider to hire external trainers from migrant organisations;
- The migrants advisory councils should be elected by the migrants themselves and they should be consulted on a mandatory and regular basis and their views should be taken up seriously by administrations or explained why something cannot be realized;
- The members of the council should be compensated for the work they are doing.

Almost all the migrants interviewed within the research process are willing to become more active in the political life of the country they reside in, if only they had the opportunity. Especially this is the case in Slovenia where those instances are only in the beginning. In some countries, such as Italy, migrants are interested to implement or plan to activate city or migrant councils, innovating their model, within their area. Migrants are familiar with the history of city and/or regional councils of migrants and agree that this chapter would seem to be over, but the model should be innovated. Also, in some countries, such as Greece, there is a strong protagonism of the second generation who have become spokesmen of instances, have founded associations and movements, and are extensively trained on the mechanisms of participation of migrants. They are familiar with the migratory composition of their city, and they all stress the importance of getting immigrants to participate in policies that directly affect them.

**All countries and levels of governments should accept the motto that no decisions on migrants should be made without migrants, therefore migrant advisory bodies should be installed or improved (if they already exist) on local, regional and national levels.**

### **3. Integration/inclusion/activation programmes should be improved and developed with a special focus on education and training for political participation**

In order to be motivated and skilled to participate in political processes, migrants in the first place need to understand how the political system works in the country they reside in and how they can participate in that process. As the interviews and focus groups with migrant representatives in every country showed, the more migrants are informed, educated and skilled, the more they will feel part of the country and will be motivated to actively participate in the political processes. Nonetheless, more evaluation has to be done in order to understand how politics and political participation structures are put into practice in each country. What the research revealed was that in each of the project countries, migrants as well as the majority society need better education for political engagement and training on political participation.

When it comes to integration measures this is something that especially should be developed. In the interviews conducted for the national reports many migrants stressed out that the integration courses usually do not provide enough knowledge about where to find information on political participation. In every country to this project, it was evaluated that a general lack of information about possibilities to participate politically and their political rights and duties exists. Integration courses usually are focused mainly on language teaching, education, the health system and the labour market. What is missing in every programme in the project countries is the education on how to start associations and self-organisations in order to be able to advocate for migrants needs, interests and demands.

Besides, political participation is often jeopardized when migrants can access many services only after receiving a legal status in the country. In the process of asylum-seeking which can take up to several years, migrants have limited rights and thus viewer access to structures in which they can participate politically. The restrictions regarding work, language education or rights to travel make it hard for migrants to fully arrive and integrate into the society. Having to face all these restrictions and challenges of migration, being politically active is almost impossible at this stage.

Heraklion, as the administrative centre of Crete, sets the example for a good practice on integration policies, and a successful implementation would mean that it could be set as a

reproducible example for other Cretan cities, Greece and also other countries. The “Local Integration Plan for Migrants and Refugees” mentions the ESTIA (UNHCR and Greek State) and HELIOS (IOM) programs, the aforementioned “Refugees and Migrants Integration Council,” the Regional Asylum Office, socio-medical Services largely present at all Greek cities, “access to education,” and the “possibility to absorb migrants, asylum seekers, and international protection beneficiaries in the workforce in the agricultural and tourism sectors.” What stands out in the document, which makes the Heraklion case unique, is the “political will to integrate,” which translates into support for the housing programs that the City of Heraklion manages.

The “Integration Plan” identifies several difficulties and shortcomings for Heraklion, all of which are corroborated by the present research. For example, all the services and programs in place are of limited reach, face difficulties in their implementation, and are all characterized by the lack of access to their intended recipients. The ESTIA and HELIOS programs only served asylum seekers and recognized refugees respectively, while the socio/hygienic services lack the necessary personnel to provide services to speakers of languages other than Greek, some basic English, and/or rarely Arabic. Both have now ended. In many of the guesthouses, Offices, and Centres, the paperwork required excludes displaced populations that either do not have identifying paperwork or do not know how to obtain it: they are often unaware about their rights to use those services. Finally, access to education has been limited, with the number of integration classes fluctuating annually despite the population of displaced remaining steady or rising; volunteering initiatives are vulnerable because there are no guarantees for their viability other than the tireless work of the participating teachers and social workers.

Only when basic needs are satisfied and living conditions are stable, the interviewees in all project countries felt that people are able to become politically active. However, it was observed that these problems were seldom transferred into political activism. This is even more important in the case of vulnerable groups such as women. As exposed by the representatives of migrant women in Berlin, the legal enforcement of anti-discrimination and racism laws in everyday life context is sometimes an obstacle to becoming politically active. Having negative experiences with authorities and being used to corruption and

illiberal political systems in home countries makes it at the same time difficult for politically active migrant representatives to empower and motivate non-organised individuals for structural participation. Generally, a distinction was made between structural inclusion of associations (migrant organisations) and initiatives, collectives and individuals. It was viewed that opportunities for structural participation often are limited to migrant organisations while there are fewer structures for inclusion in policy making for groups which operate in informal structures and for non-organised individuals.

Nonetheless, to support the representation of migrants and to give them the opportunity and space to raise their concerns is crucial for their empowerment. Being heard as non-EU-citizens is central in the debates on integration and inclusion. Not only do migrants often feel not informed, also if they raise their voices, they do not feel heard, their success is seldom seen. In all project countries, the opinion was shared that also TCNs have a stand in political debates and want to play an active role in the shaping of policies and laws. The EMVI research and other studies reveal that there is still a gap between the representation of migrants and their proportion of the population in the municipalities which are partners to this project. This should be changed.

To improve access to political participation, several suggestions are offered:

- Include in integration courses information and exercises/trainings on political participation in local, regional and national contexts;
- Develop flexible and not time-bound political education, offering trainings for political language and rhetoric;
- Create special political participation trainings for women that are offered during the hours when they are not busy with work or childcare;
- Expand language courses to include language training for political participation;
- Allow for a stable residence status with a permit to work;
- The guarantee of a safe and stable environment and access to proper housing;
- Improve recognition of foreign degrees;

- Make voluntary work recognised as a professional experience and be able to give qualifications and certificates for voluntary work as well as to be able to get employment in an organisation or the public administration;
- EU member states should fight racism and other forms of discrimination more systematically.

**In order to keep the EU on a democratic path and to develop the EU countries in a direction of a political communities, integration/inclusion/activation programmes should be improved and developed with a special focus on education and training for political participation as well as a stable life without existential threats should be enabled for migrants.**

#### **4. Building the trust of migrants and strengthening the cooperation between migrant communities and local/regional/national authorities should be developed**

Local, regional and national authorities should work together with migrants of different origins, race, age, sex and gender in all levels in order to create trust in political processes. The authorities should create more inclusive and diverse working environment. Fighting racism, discrimination and a lack of chances should be a regular part of administrative work in order for migrants to feel free, safe and welcome in the political processes at all levels. For strengthening the cooperation with migrant individuals and organisations, authorities should create more employment opportunities within the administration for people with a migration background, on a more structural level. Cultural mediators should be more included in public bodies and employed in public institutions. On the other hand, training and workshops for members of the state officials, local and regional council and offices are to be organized in order to become more sensitized for the migrant issues. More opportunities for exchange with decision makers should be given to non-organised migrants and vulnerable groups such as women.

Some recommended activities that can be implemented are:

- Organisation of informal events such as: issue-raising meetings in the neighbourhoods, cultural (cooking, music, arts) events, meetings with policy makers who have a migration background. Less informal and small meetings or roundtable

discussions to develop concrete solutions to urgent problems seemed to be found as good ways to allow for mutual exchange and development of inclusive policies;

- Facilitating public services and acquisition of documents by offering also information, forms, and services in different languages;
- Using different digital platforms to reach people in a more direct and easy way such as social media or communication services such as WhatsApp/Telegram/Viber tickers;
- Promoting new Innovative ways of migrants' participation like e-participation.

We can consider as a good practice on this topic, the Berliner Gesetz zur Förderung der Partizipation in der Migrationsgesellschaft – PartMigG (Law for the promotion of Participation in the Migration Society) which was developed in collaboration with different migrant organisations and the State Advisory Council for Participation. Many migrant representatives wished to have a similar approach to policy making as for the development of the PartMigG in other political fields which concern them.

**In general structural involvement of migrants and their organisations on all levels of government should be improved starting with the inclusion of migrants in the administration staff and informal and innovative tools like e-participation, issue-raising meeting and roundtables for migrants to raise their voice in an organized manner to decision makers.**

#### **5. Integration and inclusion policies should be improved on a structural level including systematic funding for migrant organisations**

Improving political integration and inclusion policies requires social and cultural work to raise awareness of the added value that migrant citizens bring to society in various spheres. In policymaking, more attention in promoting cultural diversity is requested. When developing policies and processes targeting migrants, special focus should be given to migrant women by promoting their empowerment, autonomy, and awareness of their own value and abilities.

Regarding the structural inclusion of migrant organisations in the development of policies on integration and inclusion, during the research process it was viewed that limited funding opportunities are available for committee and advocacy work, complicating strong political

work and impact on policy making. A commonly shared presumption was also that the consultation of migrant organisations needs to be more valued and viewed as an integral part of decision making. So, finding new ways of structural and long-term funding for migrant organisations is important.

Structural funding for migrant organisations on the local, regional and state level is crucial in order to make them able to advocate stronger for inclusive policies and professional counselling of the administration and local, regional and national government and to foster their freedom of association. Migrants should be encouraged to be politically active in the migrant organisations and those organisations should be properly financed in order to be able to develop their programmes. It is also important to systematically and financially encourage and support the self-organisation of migrants, their organisations, networks and associations. Bare rights do not mean much if there is no power, empowerment, or emancipation to realise these rights.

Cooperation between the administration and migrant organisation should be reimbursed with appropriate project funds or specific funds for consultation services. It is only fair to compensate the consulting of migrant organisations and migrant representatives with professional fees.

Italian Ministry of Labour and Social Policies established the "Register of Associations, Entities and Other Private Bodies Carrying Out Activities in Favour of Immigrant Foreigners" which includes associations that promote the integration of foreign citizens through activities pertaining to different areas such as providing language courses, disseminating information to support the process of integration of migrants in the society, enhancing the cultural expressions of the country of origin, preventing and combating all forms of discrimination and xenophobia; intercultural mediation, organizing training courses for those in public or private offices who work in contact with the migrant population, etc. It also takes care for the funding of these organisations. One example is CONNGI<sup>40</sup> (Coordinamento Nazionale Nuove Generazioni Italiane ), which began as a project of the Ministry of Labour and Social Policy and then became established as a second-level association gathering within it 35 associations founded by second-generation youth

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<sup>40</sup> <https://conngi.it/>

nationwide. Another example, which supports migrants' associations in increasing their skills is the A.MI.CO Program<sup>41</sup> promoted by International Organization for Migration which offers the possibility of subsequently participating in a call for proposals and obtaining funding in the form of grants. Mention can also be made of other such funding promoted by the International Activities sector of various regions such as the Tuscany Region through the "Simple Projects on International Cooperation," the Lombardy Region, etc., which have over the years also provided funding for migrant associations in the form of re-granting.

Such examples of systematic funding can be a good practice to follow. Civic participation in migrant communities and migrant organisations can help newly arrived migrants and refugees settle and develop a social network. In addition, these organisations give refugees and migrants a voice. It is important to continue to invest in refugee community and migrant organisations as they play an important role in empowering their communities. At the same time it is essential to incorporate these organisations in existing structures so that they become part of mainstream civic life. Increased funding and support should be made available in order to enable them to build capacity and undertake medium and long-term projects. Other civic organisations should encourage migrants' and refugees' membership and participation in their activities.

**Integration and inclusion policies need to be structurally improved including funding for migrant organisations and activities tailored to participation possibilities for women.**

## **IV Conclusion**

The consortium of EMVI project believes that for the effective functioning of democratic systems it is important that all members of the political community play an active role and have an equal rights. Therefore, it is important to also promote the political participation of migrants in the country they reside. The political participation of migrants can help them to settle in, to feel a part of the community and to develop a social network. The political participation of migrants ultimately supports the diversity of the European community.

Participation in the political decision-making process also promotes integration. The granting of political rights is a democratic mean of expression and at the same time gives

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<sup>41</sup> [https://italy.iom.int/sites/g/files/tmzbd11096/files/documents/Amico\\_Digital\\_.pdf](https://italy.iom.int/sites/g/files/tmzbd11096/files/documents/Amico_Digital_.pdf)

responsibilities to voters. Moreover, in countries that give migrants the right to vote and stand for election, migrant issues are placed higher on the political agenda with politicians becoming more responsive and aware of the concerns of this group. This leads to a more balanced public debate, less stigmatising of migrants and government policies that are more conducive to integration. The right to vote at the municipal, regional, national and European level should be granted to all migrants who have resided regularly for a specific period of time in the country. To this end, political parties also have a responsibility to more actively attract migrants and offer training in political processes. In general, necessary mechanisms should be put in place to inform migrants of their entitlement to vote and stand in certain elections.

There are other challenges to political integration than voting rights and the right to stand for elections. Participation in politics generally requires, for example, advanced writing skills, public speaking and the ability to chair meetings. Some states have made efforts to encourage the participation of migrants in political life more than the others and these are important measures particularly where migrants represent a significant percentage of the population. Political parties should try more to attract migrants and offer training in political processes. The promotion of migrants' involvement in mainstream civil organizations is the duty of the whole society: legislative bodies should reduce hindrances for the civic and political engagement of migrants. Civic organisations should develop strategies to encourage migrants' membership and active engagement. The state should encourage and support migrant selforganisation and migrant organised communities.

The acquisition of citizenship remains the most potent measure of political integration into a receiving society by foreign nationals. There are considerable differences between EU member states in their naturalisation and citizenship criteria and procedures. The various requirements, for example renouncing the nationality of the country of origin, make it difficult for migrants to acquire citizenship.

European governments should implement Article 34 of the 1951 Refugee Convention and Council of Europe Recommendation 564 (1969) on the Acquisition by Refugees of the Nationality of their Country of Residence, and in particular facilitate the naturalisation of migrants and refugees by:

a) taking into account the total period of residence of a person in a country of durable

protection including periods under temporary protection or as a registered asylum seeker;  
b) removing or at least reducing legal obstacles to naturalisation, such as the minimum period of residence when it exceeds five years, or requirements that applicants should prove

loss of former nationality;

c) allowing people to continue holding their original nationality where possible;

d) enabling migrant and refugee children to obtain at birth the nationality of the country in which they were born;

e) removing administrative obstacles by introducing accessible procedures, transparent criteria for acceptance and low procedural fees when they exceed the financial possibilities of migrants and refugees.

All EU Member States should sign up to, ratify and implement the Convention on the Participation of Foreigners in Public Life at Local Level. Developing the EMVI project is one of the steps towards political empowerments of migrants which we understood as a basis for a functional, equal and fair community.

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