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THE ADMISSION AND INTEGRATION OF REFUGEES IN EUROPE

LEGAL AND POLICY PERSPECTIVES

Edited by
Sebastian Meyer, Salvatore Fabio Nicolosi and Giacomo Solano

ROUTLEDGE

The Admission and Integration of Refugees in Europe

The Admission and Integration of Refugees in Europe argues for a more interconnected understanding of laws and policies for the admission and integration of refugees and asylum seekers in the European Union.

Admission and integration normally refer to different phases of the migratory process, but this demonstrates that they are inherently interconnected. Certain legal statuses conferred in admission procedures are directly relevant for the integration prospects of migrants, and the success or failure to integrate has potential repercussions for residence rights, although refugees are in that respect better protected than other immigrants. Legal pluralism further complicates the European context, as admission is often seen as under European Union jurisdiction, and integration as a Member State consideration. However, the book argues that this legal pluralism in fact helps us to better explain how interaction between admission and integration takes place across laws and legal orders. Combining broad conceptual and constitutional analysis with closer readings of specific policies and country-specific case studies, this book demonstrates the potential for specific admission policies to either promote or hinder integration.

This book will be an important contribution to debates on European asylum and refugee law, human rights, and migrant integration policy.

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Routledge
Taylor & Francis Group
LONDON AND NEW YORK

First published 2025
by Routledge
4 Park Square, Milton Park, Abingdon, Oxon OX14 4RN

and by Routledge
605 Third Avenue, New York, NY 10158

Routledge is an imprint of the Taylor & Francis Group, an informa business

British Library Cataloguing-in-Publication Data
A catalogue record for this book is available from the British Library

ISBN: 978-1-032-61376-5 (hbk)
ISBN: 978-1-032-61377-2 (pbk)
ISBN: 978-1-032-61378-9 (ebk)

DOI: 10.4324/9781032613789

Typeset in Galliard
by Newgen Publishing UK

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Introduction

Methodology and conceptual toolbox

1 Connecting admission and integration of refugees in the legal and political frameworks and discourses

Sebastian Meyer, Giacomo Solano and Salvatore Fabio Nicolosi

1 Introduction: the book's focus and main arguments

This book addresses laws and policies that target refugees and other beneficiaries of international protection (BIPs) as well as asylum seekers,[1] both in terms of admission to and reception in the European Union (EU) and in terms of integration in the society of the destination Member State, before or after their legal status is determined. This book applies a multidisciplinary comparative approach to study the multifaceted relationship of admission and integration policies in respect of BIPs, and it looks at it from both a legal and policy standpoint.

The admission and integration of refugees in Europe constitute two legal and policy aspects that will be undoubtedly impacted by the new legislation underpinning the New Pact on Migration and Asylum (COM/2020/609), which was adopted last 14 May and that will be applicable as of June 2026. It is, nonetheless, premature to assess the impact of this new legislation on the admission and integration of refugees in Europe, even though the new laws and policies indicate that access to EU territory will be subject to stricter conditions. Integration, in turn, seems to be informed by the Commission's increasing emphasis on the liberal democratic values of the EU (Novotny 2022). However, the goal of defending liberal values by illiberal means like border protection and securitisation practices, such as the screening of applicants, underscores the need for a timely reassessment of the relationship between refugee admission and integration.

Hence, the book treats admission and integration not as two separate and unconnected areas, but as inherently linked stages in the regulation of forced migration. Understanding this link requires in-depth examination since the recognition of someone as a BIP can be seen as a prerequisite for successful integration, whereas, it can be also argued that a certain degree of prior integration into the destination Member State is even required before a more durable legal status (e.g. long-term residence) can be granted (Federico and Baglioni 2021; Helbling, Simon and Schmid 2020; Pasetti and Conte 2021; Solano and Huddleston 2020).

DOI: 10.4324/9781032613789-2

Existing studies have focused on either admission or integration as two disconnected aspects. Legal scholarship focuses disproportionally on the different legal statuses and the conditions for their acquisition or loss, without considering how the question of integration is to a significant degree determined outside of legal rules and procedures (Jesse 2020; Neylon 2019). Legal scholars often make assumptions about integration, for instance, in the sense that a secure legal status will enhance the integration of the persons concerned. That falls short in methodological terms because an understanding of the actual effects of admission policies on the integration of BIPs requires a conceptualisation of integration as a social phenomenon, taking shape in multipolar relationships among BIPs, States and destination societies.

Policy studies address this shortcoming by scrutinising integration policies based on indicators that operationalise a broader conception of integration not limited to legal status alone (Solano and Huddleston 2021). However, policy studies often looked at admission and integration as mainly two unconnected areas. In addition, integration has been considered relevant especially for economic migrants, while studies on BIPs have, in particular, focused on admission (Pasetti and Conte 2021; Solano and Huddleston 2021). Studies in social sciences (e.g. geography, sociology and anthropology), based on empirical insights, focus on exclusionary policies, practices and discourses of integration (Anthias and Pajnik 2014). This underestimates the role of law as a normative science in strengthening the legal position of migrants, including BIPs. Studies from both social and policy sciences can benefit from a legal approach, as the distinct contribution of law and legal scholarship is to stabilise the mutual expectations of migrants and destination societies by striking a balance between the fundamental rights of the former and the communal life of the latter. In this context, fundamental rights are of particular importance since BIPs are more vulnerable than other categories of migrants. In addition, legal scholarship clarifies what the relevant rights and obligations are and where international, European and national legal orders overlap and interrelate.

In this regard, this book distinguishes itself from other publications through its attention to the integration of BIPs. The distinct feature of this book is its focus on BIPs as a category of migrants that should not only find admission to comply with international law obligations but also be supported in their integration within the destination society. A holistic and interdisciplinary approach to admission and integration and linked policies would contribute to overcome the mentioned gaps and weaknesses of the existing literature.

2 Conceptual and theoretical background

The focus on admission and integration requires a theoretical definition of these concepts that could be functional to the proposed argument, namely, the need to understand these two phases of the migratory process as an indissoluble

whole. To this aim, by acknowledging the inherent challenges in defining concepts that have been used in policies and literature as covering various meanings, it is crucial to trace the contours of the concepts of admission and integration in light of the scholarly debate.

2.1 Admission

Admission concerns, in the first place, the access of persons seeking international protection to a *status determination procedure*. Access can be gained in the destination State after an irregular border-crossing (see Directive 2013/32/EU in conjunction with Regulation No 604/2013/EU),[2] or through safe, regular channels such as resettlement or other forms of humanitarian admission. This second option implies that different public and/or private actors, including national authorities, international organisations and civil society, cooperate to facilitate the admission of protection seekers. Hence, admission policies for BIPs are purposefully designed with a view to the humanitarian needs and, potentially, the integration prospects of the persons concerned, which is to be distinguished from ad hoc policies reacting to an irregular influx of migrants. As regards the latter, we also include externalisation, namely "the range of processes whereby … States complement policies to control migration across their territorial boundaries with initiatives that realize such control extra-territorially and through other countries and organs rather than their own" (Moreno-Lax and Lemberg-Pedersen 2019), and other migration control policies into our concept of admission, because these show that admission operates according to a logic of inclusion and exclusion. As Section 3 explains in greater details, discourses about "real" refugees set in motion operational measures that preclude or render access to a status determination procedure excessively difficult.

In the second place, admission relates to the degree to which migrants have access to *reception and integration facilities*, including basic needs such as food, healthcare and housing (see Directive 2013/33/EU).[3] Furthermore, EU law confers, subject to certain conditions, rights of access to facilities that might be beneficial for protection seekers' future integration *after* status recognition. After recognition as beneficiaries of international protection, the scope and level of protection increase in general (see Directive 2011/95/EU).[4]

However, the potential of those rights to promote integration hinges on whether refugees can effectively access them in practice. For example, access to integration facilities like vocational training or a workplace might be problematic when asylum seekers or refugees are hosted in rural areas and public transportation is scarce or unaffordable. This illustrates why it is necessary to examine the laws *and* policies of admission and integration. Apart from the material and procedural rights of refugees, the book thus addresses their actual implementation in different contexts, as well as autonomous policies not adopted to fulfil international or EU legal obligations.

2.2 Integration

The second main concept addressed in this book is the concept of integration, which refers to the process of settlement, interactions with the receiving society and social change following immigration (Garcés-Mascareñas and Penninx 2016; Yilmaz and Solano 2023). Integration is a two-way process, as it involves both the migrants and the society where they live. The receiving society creates the conditions that support or hinder migrants and their integration. Policymakers have (sometimes) tried to mitigate these challenges and make life easier for migrants through policies and initiatives to support them. Integration policies relate to the conditions required to become and to remain part of a specific society and the rights and support migrants receive (Hammar 1990; Entzinger 2000; Garcés-Mascareñas and Penninx 2016). Nowadays, countries have various integration models, which include active and direct migrant integration policies developed mainly in the last 20 years (Scholten and van Breugel 2018; Scholten et al. 2016; Solano and Huddleston 2020).

We draw inspiration from the social sciences that distinguish between system and social integration (in general, not about migrants – see Lockwood 1964). For Lockwood (1964), social integration refers to "the orderly or conflictual relationships between the actors", whereas system integration focuses on the compatible or incompatible/contradictory relationships between "the parts of the social system" (Lockwood 1964, 244). The latter refers to integration into state systems, such as the labour market or the health system, and the former to integration into society and its social life. Whereas the law can regulate system integration by, amongst others, allocating rights and obligations, social integration rather takes place outside the scope of legal rules and procedures. That does not mean that public authorities do not take any action in this respect. On the contrary, systemic integration may be an enabler for social integration in the sense that, for example, labour market integration will facilitate interaction with the domestic population and thus social integration. In addition, instead of attempting to prescribe integration legally, public authorities may adopt various non-binding policies, such as offering social orientation programmes for refugees, and, conversely, opening up the State and society for new inhabitants by "mainstreaming" the concerns of the latter into social, economic and cultural policies, which prima facie do not address international protection narrowly construed (Thym 2023, 493). Finally, in adopting or implementing integration laws and policies, public authorities and society may be guided by the constitution, especially clauses on the values and principles of the polity (Volkmann 2017). Even though the constitution is usually silent on issues of refugee integration, it is the pivotal document by which a polity decides about membership or about different varieties of inclusion and exclusion.

3 Shared European legal order and multi-level governance

Admission and integration are thus multifaceted phenomena, involving different (temporal) stages of status determination and integration, as well as a range of public authorities and societal actors. To get to grips with how these actors operate and interact throughout the process, it is important to take into account the supranational (EU), national and local levels of governance.

3.1 EU and its Member States' competences in admission and integration

From a legal point of view, the allocation of competences between the EU and its Member States constitutes a useful starting point. According to Article 78 of the Treaty on the Functioning of the European Union (TFEU), the EU institutions shall adopt measures to establish a "common European asylum system", ranging from standards concerning reception conditions to common procedures and uniform protection statuses. "Status" refers not only to the conditions under which a person acquires or loses refugee status or any other protection status under EU law; it also includes the competence to regulate the content of that status, namely the material rights and entitlements of the status holders. This follows from the Union's commitment, enshrined in Article 78 (1) TFEU, to comply with the Convention relating to the status of refugees, an international treaty that is "both a status and a rights-based instrument" (UNHCR 2010, 3). Apart from declaring who qualifies as a "refugee", the Refugee Convention lays down rights of access to, inter alia, the labour market and to housing (Refugee Convention, Articles 17 et seq). Refugees' entitlements in relation to the domestic population in principle increase with obtaining a more secure legal status (Hathaway 2021), depending on the intensity of the territorial bond between a refugee and the State of asylum (Chetail 2019, 178).

In EU law, this process is reflected in legislation adopted according to the mentioned Treaty legal basis: Article 78 TFEU. In this regard, it is important to recall the constitutional obligation of Member States to implement EU law (Article 4 (3) TEU), granting an appropriate legal status and the associated rights in practice. As we will see, EU legislation confers a significant degree of discretion on Member States, so that the actual legal situation is less hierarchical and uniform than the Treaties suggest.

European Union law thus regulates both the admission of refugees and their systemic integration. By contrast, social integration is, pursuant to Article 79 TFEU, the primary responsibility of the Member States, with a residual competence of the EU to stimulate and support national integration measures, excluding any harmonisation of national laws and regulations. A more limited role for the EU is explicable by the mentioned difficulties of regulating integration through legal means. These apply a fortiori to EU

regulation in view of its greater epistemic distance from national and local societies into which refugees are expected to integrate. Legally, the principle of subsidiarity (Article 5 (3) TEU) calls for restraint on the part of the EU institutions. Subject to these constraints, the EU has adopted various policy measures such as the most recent Action Plan on Integration and Inclusion 2021–2027 (COM/2020/758). Apart from setting out the main principles of integration, the Action Plan encourages the Member States to take specific actions in conformity with EU priorities in multiple sectoral fields, such as education, labour market, health and housing. For example, by recommending Member States to reduce residential segregation and to allow certain applicants for international protection to live autonomously (COM/2020/758 14), the EU does take influence on social integration, despite the mentioned legal and practical obstacles. This example suggests that drawing a hard legal line between EU and national competence might not entirely correspond to practice, characterised by the co-existence of laws and policies, as well as a diverse range of actors.

The question arises how to make sense of the legal and policy complexities. Considering the overlap of EU, international and national jurisdictions in the field of refugee admission and integration, it seems pertinent to resort to theories of legal or constitutional pluralism, conceived of as the idea of a constitutionally relevant connection between self-authorising constitutional sites (Walker 2002). Indeed, conceptualisations of interacting, non-hierarchical legal orders, such as legal compound or "European legal space", have gained momentum in recent years, when increasing politicisation and opposition from Member States rendered the traditional doctrinal stance of EU law primacy less plausible (Avbelj and Komárek 2012).

For the purposes of this book, legal pluralism has the added value of helping us to explain how interaction takes place across laws and legal orders. To be precise, of particular importance are theoretical insights of interaction at the level of legal instruments and norms, for instance, where a "shared norm" in a piece of EU legislation is implemented or applied by Member States according to the conditions contained in EU law (Burchardt 2019). That makes it possible to better understand the relationship between admission and integration across legal orders, compared to a strict separation between EU competence on admission and retained national competence on integration. It is thus our ambition to study the relationship between admission and integration as it manifests itself in concrete EU laws and policies, and the implementation in certain Member States.

3.2 Admission and integration in a multi-level governance

As noted by Caponio (2022), the admission, reception and integration of asylum seekers and refugees is inherently multi-level, as it brings together a wide range of actors at different levels. The concept of multi-level governance, which comes from political science, refers to the dispersal of authority

across international, regional, national and sub-national levels of governance (Panizzon and van Riemsdijk 2019; Scholten et al. 2018).

The notion of multi-level governance makes reference to political processes that emerge as part of the reconfiguration of relationships between states and other levels of government (both supranational and sub-national). It has three key features (Caponio 2022, 6): "(1) different levels of government are simultaneously involved; (2) non-governmental actors at different territorial scales are also involved and (3) relationships defy existing hierarchies and take the form of collaborative, non-hierarchical networks".

Multi-level governance thus encompasses a plethora of power-sharing arrangements and power-shifts, including those that easily miss the lawyer's attention because of their non-legal form. The concept has a twofold meaning. On the one hand, the concept of multi-level governance is rooted in federalism and refers to only a limited number of jurisdictions with a clear-cut division of competences. On the other hand, it denotes task-specific, territorially overlapping jurisdictions whose governance arrangements tend to be adaptable to changing circumstances (Panizzon and Van Riemsdijk 2019, 1231).

Apart from dealing with the actions of public authorities, multi-level governance research includes private actors. This is relevant for our purposes in view of the significant role of civil society in the integration of refugees. The local level further points to the demand for self-rule, one of the main logics of multi-level governance alongside the competing functionalist logic to address transnational issues at the most comprehensive level (Hooghe and Marks 2021). Finally, the literature has developed useful analytical tools such as the concepts of "decoupling", referring to the formulation of (partially) autonomous policies at lower levels of governance, and "blurring", the risk of diluting accountability as a result of shifts to more heterarchical governance (Panizzon and Van Riemsdijk 2019, 1233–1234).

4 Connecting admission and integration in the shared European legal and policy order

The foregoing considerations have already hinted at the relationship between admission and integration. One of the central aims of this book is to make this relationship more explicit and to develop a combined concept. The following sub-sections analyse two dominant conceptualisations, before outlining our preferred conceptual lens of the admission–integration nexus (Section 5).

4.1 When humanitarian admission by law precedes integration

Based on the current laws of the EU, admission and integration are separate steps in the governance of forced migration, loosely connected through the vague goal of fulfilling legal humanitarian obligations. This becomes clear when we return to the aforementioned common European asylum system, which, according to Article 78 TFEU, has a clear protection purpose. Hence,

once an application for international protection has been lodged, the applicant has a right to a "dignified" (Directive 2013/33/EU, Recital (11))[5] standard of living, which may be lower than the full protection of the welfare State to which nationals of the destination State are entitled. At this stage, facilities like housing are mainly directed at the efficient processing of the application for international protection, rather than at (early) integration. For that purpose, it is, for instance, permissible to restrict the applicant's right to move freely within the territory of the destination Member State (Directive 2013/33/EU, Art. 7(2)).[6] Rights not directly connected to the procedure for international protection, such as the right of access to the labour market, are subject to a significant degree of national discretion, too. For example, access to the labour market for asylum seekers is subject to a waiting period. Under EU law, the new Reception Conditions Directive, adopted in 2024, stipulates a maximum waiting period for labour market access of six months for asylum seekers (Directive (EU) 2024/1346, Art. 17). This a recent amendment reflecting the fact that in practice, this waiting period of six months was the average across the Member States (Federico and Baglioni 2021, 6; Pasetti and Conte 2021; Solano 2021).

Integration becomes an issue in its own right only once a protection status has been awarded, yet the purpose of humanitarian *admission* remains predominant. That is due, in the first place, to a fundamental difference between BIPs and economic migrants. In contrast to the latter, the former cannot "earn" a better, that is, a stronger status with more rights, by fulfilling certain integration requirements, at least not until they are eligible for long-term residence status under EU law (Council Directive 2003/109/EC).[7] Instead, their legal status and the associated rights are determined by the humanitarian protection rationale of the EU asylum acquis. Hence, considering that all categories of beneficiaries of international protection are confronted with a risk of serious harm, the rights granted are similar in principle when it comes to protection needs in terms of, inter alia, access to the labour market, education, healthcare and accommodation. In the second place, it remains unclear to what extent, if at all, these rights are supposed to promote the integration of BIPs. For the applicable EU legislation confines itself to stipulating that

> beneficiaries of international protection shall have access to integration measures provided or facilitated by the Member State which take into account their specific needs and are considered appropriate by the competent authorities, in particular language courses, civic orientation, integration programmes and vocational training.
>
> (Regulation (EU) 2024/1347, Art. 35(1))

According to the cited clause, integration appears to be wholly at the discretion of Member States, covering a limited number of issues like language courses and social orientation programmes. Significantly, the new Qualifications Regulation establishes an obligation for the beneficiaries of international

protection to "participate in integration measures where participation is made compulsory in the Member State that granted them international protection" (Regulation (EU) 2014/1347, Art. 35 (2)).

The strong emphasis of international and EU law on the protection of refugees has implications for public discourses and policies. Indeed, insisting on humanitarian admission by guaranteeing, at least, a right of access to a status determination procedure and a whole range of related rights, the law conveys an image of refugees as outside, vulnerable claim-makers against established communities (Hassouri 2021). That is part of the global rights discourse within the frame of liberal constitutionalism, conceptualising rights as trumps against public interests formulated at lower levels of governance (Loughlin 2022).

As these rights mainly concern admission, integration is thus a residual policy field *after* the almost unavoidable act of admission has taken place. There is thus a logical temporal sequence of admission and integration. However, that does not necessarily mean a continuation of the discourse because there is no shared language of integration across levels of governance, unlike the common vocabulary of rights framed by international and EU law. As a result, humanitarian admission not only precedes but also tends to predominate over integration as far as discourses and policies in between several layers of governance are concerned. This is also reflected in policy sciences where the analysis of policies for BIPs has been often conceptualised as and focused on admission (Pasetti and Conte 2021; Solano and Huddleston 2021).

4.2 When admission is used to (dis)integrate the "(un)deserving" refugees

A different conceptualisation of admission and integration arises when considerations other than legal ones inform the interpretation of the mentioned humanitarian purpose. Recent years have witnessed discourses and policies distinguishing between refugees – and more in general migrants – that "deserve" the protection of destination communities and those that do not. Prominent examples are policies of externalisation, which fall within our broad concept of admission because they aim to deter "irregular" migrants in order to admit "real" refugees (see above). The literature has, for instance, developed the concept of "humanitarian border", which reveals the framing of border governance such as the interception of boat migrants shifting from a securitarian into a humanitarian light (Moreno-Lax 2018). Such policies are part of a broader discourse on "othering", depicting refugees and other categories of migrants as outsiders to established communities (Jesse 2020). Being thus confronted with the unsettling unknown, destination societies react by means of social categorisations that function as coping strategies (Verkuyten 2018). These may then be translated into legal instruments, specifically into different legal statuses. Known in the literature as "civic stratification", a differentiated system of rights and obligations gives destination countries a legal means of control (Morris 2003, 79). Rights are thus a tool of governance, used to steer

and monitor those who are "worth it" and to exclude those who are not. In their comparative analysis on migrants, refugees and asylum seekers' integration in the labour market of seven EU countries, Federico and Baglioni (2021) clearly illustrate that there is a hierarchy of rights and some legal categories of migrants have access to fewer rights compared to others. For example,

> a refugee is entitled to a much broader set of rights than an asylum seeker; while an asylum seeker is endowed with a smaller pattern of rights and benefits to a migrant benefiting from a complementary (compared to Geneva [Convention] 1951) form of protection status.
>
> (Federico and Baglioni 2021, 1)

In contrast to the first conceptualisation that collapses integration into a broad notion of humanitarian protection (see previous sub-section), the present view thus sees refugees not only as vulnerable but also, at least potentially, as economically useful, culturally amenable to integration/assimilation, etc. Hence, integration becomes more autonomous in relation to admission, determining or at least informing the latter to a significant degree. This may go so far as turning admission into a mere instrument to promote integration at the expense of its humanitarian purpose. For migrants in general, policymakers adopt more restrictive admission policies to select migrants with greater integration potential, for example, based on a point-based system considering several factors (age, education, skills, etc.) (Helbling et al. 2024). One can distinguish several situations.

The first situation is when integration conditions regulate whether a recognised refugee is "rewarded" with a regular legal status, making his or her legal residence no longer dependent on the persistence of the threat that had given rise to the conferral of refugee status. After all, EU law regulates the conferral (and withdrawal) of long-term residence status for the benefit of third-country nationals who have resided in a Member State for at least five years (Council Directive 2003/109/EC, Art. 4 (1)). However, Member States have discretion to only grant long-term residence status subject to compliance with integration conditions, in accordance with national law (Council Directive 2003/109/EC, Art. 5 (2)). Member States typically require refugees and other applicants to be economically self-sufficient. This entails the risk of putting too great an emphasis on their own capabilities, neglecting the humanitarian purpose of their initial admission and the insight that refugees, perhaps more than other migrants, can fully exploit their potential only when the institutions of the destination society accommodate their needs without discrimination or other forms of exclusion.

Second, and related to the foregoing, an idea of integration may gain hold that undermines the humanitarian purpose of admission policies *during* a status determination procedure. For instance, recent policies at EU and national level open certain integration facilities, such as access to the labour market, to persons whose application for international protection is pending

or has been rejected but who cannot be deported (Hinger 2020). That is problematic insofar as only persons with a reasonable prospect to remain are eligible, determined on the basis of nationality as opposed to an individual assessment (Hinger 2020, 25).

Third, whereas the previous situations are typically informed by economic considerations, destination societies may also feel responsible for certain refugees because of a shared history or other cultural aspects. In that case, a particular idea of belonging likely informs admission policies to be distinguished from the legally defined humanitarian purpose under the first conceptualisation. The humanitarian purpose is rather universal than particular, oriented at protecting refugees from the most serious human rights infringements. To illustrate, displaced persons from Ukraine have benefitted from more generous admission and, to a certain extent, integration policies than, for instance, Syrian asylum seekers (Council Implementing Decision (EU) 2022/382). This unequal treatment is in part due to the imagination of the Ukrainian national as "one of us", supplementing a rights-based discourse on refugees generally with an ethical value-based discourse in respect of a certain group of refugees (Bosse 2022; De Coninck 2023). However, this does not necessarily mean that admission and integration policies are in a fruitful relationship. As the example of Ukrainian refugees demonstrates, admission laws and policies may even undermine integration if they do not offer a sufficiently secure prospect of durable residence. The point of concern is not per se formal but de facto access to rights when, for instance, employers are reluctant to invest in people whose legal status is precarious (Adviesraad Migratie 2023, 12–17). But that is rather an unintended effect of ineffective policies. In principle, the aim is further (a certain idea of) integration through admission, even if that goes against the protection rationale of the latter.

5 Towards a holistic approach: early integration while upholding the humanitarian purpose

In previous sections, we have demonstrated that common conceptualisations treat admission and integration as two completely separated areas by overemphasising either humanitarian admission – so that refugees are rather seen as vulnerable burdens than as active members of a society, – or refugee integration into a certain, reified idea of society, liable to partially neglect the humanitarian purpose of international protection, as well as the potential of refugees to co-shape society together with the destination community.

In view of these conceptual limitations, admission and integration should, therefore, rather complement each other as part of a holistic approach. Before outlining such an approach, some caveats are worth considering with a view to avoiding pitfalls similar to those of the said conceptualisations.

In the first place, holistic or comprehensive approaches are no guarantee for policy coherence, as the field of asylum and migration management has shown in recent years. Despite the EU's ambition to govern on all dimensions

of a common, multi-dimensional challenge (EUCO 1/23, 19), practice has revealed a predominant concern for containment policies against what has been framed as "irregular migration", compared to the rather neglected (sub-)field of regular humanitarian admission. The New Pact on Migration and Asylum has been criticised for the same reason, as will be emphasised by Ambrosini in his conclusions to this volume. From a theoretical point of view, this criticism ties in with the mentioned problem of "blurring" responsibilities across several layers of governance (see *infra* Section 2.3.; Dura 2018).

In the second place, there is the risk of holistic approaches entailing an increase in technocratic management and a loss of freedom (Frissen 2023). In our context, one should thus be cautious about accepting a reduced room for social integration, where public authorities interfere with the interaction between society and refugees, as this can produce a rather deterministic definition of integration and turn integration into assimilation.

Having said this, we proceed from a humanitarian legal approach – as set by international standards – acknowledging the capabilities of each individual based on both human ratio and on membership in social structures. This then informs the laws and policies of admission and integration. The support one gets from community membership entails an obligation to contribute to the well-being of the community, which is broader than the pursuit of individual happiness. It is the moral obligation of destination societies to help refugees regain their personal autonomy (Betts and Collier 2018, ch. 4), so that they will be capable of contributing to communal well-being also in the destination society. A humanitarian legal approach entails a clear relationship of admission and integration; humanitarian admission is a legal obligation to promote refugees' well-being in the sense of both protecting their human dignity and restoring their autonomy as members of society. Unlike the second conceptualisation, admission is thus not a mere instrument of integration. This makes it also different from the first conceptualisation with its strong emphasis on legal obligations and rights discourse. According to our holistic view, rights of refugees are not trumps against the public interest but an integral part thereof. Likewise, integration is not reified but amenable to reconciling the interests of refugees and destination societies at several levels of governance.

The foregoing theoretical reflections are best translated into laws and policies that are aimed at early integration while upholding the protection rationale of refugee admission. Hence, it is crucial that the right of access to a status determination procedure and decent material reception conditions are upheld universally, with respect to all persons asking for international protection and no matter the place where an application is lodged. In addition, early integration is meant to support asylum seekers in acquiring transferable knowledge and skills, for these strengthen their personal autonomy even if they must return to their country of origin at some point, or if they are transferred to another state during or after the status determination procedure (Betts and Collier 2018, chs. 6, 7). After all, upholding certain fundamental rights rooted in equal human dignity does not preclude legitimate differentiation of

refugees in other respects (Miller 2019), including the mentioned considerations such as any special relationships that might exist between destination societies and refugees from certain countries. Likewise, circumstances in the destination state may also be considered, such as the socio-economic situation. These aspects may thus legitimise responsibility-sharing arrangements when it turns out that more durable integration is better realised in another State. At the same time, as durable integration affects the refugee being who is entitled to make his or her own life choices, transfers at that stage require his or her consent. In general, the more secure and durable the residence of a refugee becomes, the greater the weight of the moral obligation to respect the refugee as a free and equal member of society – the so-called "social membership argument" (Miller 2016, ch. 7). Thus, considering different situations of refuge against the background of present and future domestic conditions, law- and policymakers are responsible for developing visions for both short-term and long-term admission and integration. What is more, these should be integrated into internal and external policies alike.

6 Conclusions and outlines of the book's chapters

While they normally refer to different phases of the migratory process, admission and integration are inherently interconnected. Certain legal statuses conferred in admission procedures are, in part, connected to the integration prospects of the persons concerned, and the success or failure to integrate has potential repercussions for residence rights, although BIPs are in that respect better protected than other immigrants. At the same time, beyond rights of access to housing, education and work, the notion of integration is broader than the scope of legal rules and procedures (Garcés-Mascareñas and Penninx 2016). Integration also refers to social processes between the destination societies and BIPs, in the sense that admission and integration policies affect the identities of BIPs and receiving societies alike. In this regard, a challenge arises from the fragmentation of responsibilities for admission and integration across different levels of governance. While the EU has harmonised admission policies in relation to BIPs, its competence in the field of integration is limited to supporting and coordinating the policies of the Member States.

The book aims to elucidate the interconnection of admission and integration policies in the EU and its Member States. In the first part, the book studies how admission and integration relate to one another from a broader conceptual point of view and in respect of certain EU-wide policies. After this introduction, the Sebastian Meyer in Chapter 2 examines the constitutional dimension of admission and integration in the shared legal order of the European Union. As the EU legal system was essentially set up to safeguard mutual non-interference between the Member States, so the author argues, the EU prioritises the regulation of admission into the common legal and geographical area. By contrast, integration is in principle a matter for the distinct Member States and their societies. The chapter goes on to reconstruct

humanitarian admission into a richer idea of well-being, which combines admission and integration.

The other contributions in the first part concentrate on specific policies. Carmine Conte, in Chapter 3, examines the right to family reunification both as a safe and regular channel for admission and as a crucial element to promote integration in host societies. Using indicators measuring national integration policies, Conte analyses the legal and policy framework in a selected number of Member States. In view of existing gaps and barriers, the author makes concrete recommendations for legal and policy reform. Salvatore Fabio Nicolosi and Luca Béres, in Chapter 4, discuss the long-term consequences of temporary protection, which has become a topical issue since the EU granted this form of protection to individuals fleeing the armed conflict in Ukraine. The authors argue that while the Temporary Protection Directive (2001/55/EC) allows humanitarian admission, it also presents obstacles to long-term solutions and integration efforts. The case of Hungary is considered to illustrate the systematic and country-specific challenges that arise from the minimum set of rights and the temporary nature of the Directive, such as limited access to employment and education, and a precarious legal and social status. The chapter concludes with suggestions that could shift the current temporary protection to more durable solutions, leading to a more stable legal and social status suitable for both integration and, at a later stage, sustainable returns to Ukraine.

In the second part, the book examines the interconnection between admission and integration across EU, national and local levels of governance. The approach is therefore multidisciplinary, crossing the boundaries of legal doctrine to also understand the policies and practices of admitting and integrating BIPs. The chapter by Valentina Faggiani compares the Spanish and Italian systems of admission and reception of refugees. In respect of Spain, it demonstrates that access to procedures for international protection has been limited, whereas a recent reform of the reception system is promising with a view to the integration prospects of asylum seekers and refugees alike. By contrast, the Italian reception system excludes asylum seekers from important integration facilities. This aligns with how admission is regulated, insofar as "special" permits of limited duration are awarded mainly on humanitarian grounds, whereas a refugee's social integration into Italian society gets less weight following a recent legislative reform. Anna Doliwa-Klepacka examines the reception and integration of refugees in Poland. Her chapter reveals a contrast between the general system of international protection and the special regime for the benefit of Ukrainian refugees. While, in both cases, Poland complies with international and European legal obligations on humanitarian admission, integration policies only received more attention after the large-scale arrival of Ukrainian refugees. This can be explained, according to Doliwa-Klepacka, by the close geographical and cultural ties between Poland and Ukraine.

Paul Minderhoud, in Chapter 7, analyses the relation between admission in general and the labour market specifically as crucial elements influencing integration in the Netherlands. The analysis shows that state-funded integration trajectories started, until recently, only after an asylum seeker has been

recognised as a refugee. However, this does not necessarily mean that asylum seekers should get easy access to the labour market, as the specific example of Ukrainian refugees demonstrates. According to Minderhoud, generous admission to the labour market should be accompanied by integration policies, such as language courses and recognition of skills and diplomas. Integration policies in the Netherlands are further analysed in the contribution by José Muller-Dugic, Pascal Beckers, Lilas Fahham and Lennert Werner. The authors present the findings of their empirical research on the interrelationship between mental health problems experienced by refugees and their labour market integration. They show that reception conditions may cause or exacerbate mental health problems, which will decrease the chances of finding a job. The authors therefore recommend policymakers to promote refugees' mental health already at the stage of initial reception, and to integrate healthcare and labour market services.

Chapter 9, by Tihomir Sabchev and Sara Miellet, examines the engagement of local authorities in refugee sponsorship in Canada, the United Kingdom, Spain and the Netherlands. Refugee sponsorship lies at the nexus of admission and integration insofar as some programmes regulate the safe and orderly arrival of refugees while others concentrate on the successful settlement of newcomers. Based on empirical evidence from the mentioned countries, Sabchev and Miellet argue that local authorities act as catalysers, gatekeepers, pioneers and foot-draggers. Their analysis also shows how public and private actors cooperate in the formal and informal regulation of refugee sponsorship. Hence, as the authors suggest, their contribution will likely influence future debates and research on the impact of sponsorship programmes on the admission and integration of refugees across several levels of governance. A specific aspect of sponsorship programmes is refugees' access to higher education, which is addressed in Chapter 10 by Marco Borraccetti, Daniela Vitiello and Mariateresa Veltri. Describing how certain Italian universities implement a UNHCR-led sponsorship programme, the authors demonstrate the key role of universities as regards the admission, reception and socio-economic integration of refugee students. While the programme has contributed to what the authors call an "integration-through-education" model of humanitarian admission, it is not free from significant weakness, such as uncertainties about legal status, especially after graduation.

In the conclusion, Maurizio Ambrosini reflects on the relationship between the admission and integration of refugees. He introduces the concept of "battleground" that, in his view, better grasps the conflictual dynamics of the multilevel asylum governance. The process of admitting and integrating refugees is thus characterised not only by cooperation between public and private actors but also by political and societal conflict. This concept has, according to Ambrosini, the benefit of better capturing the role of civil society actors, who sometimes collaborate with public authorities while acting in opposition to them on other occasions. In this case, especially when rejected asylum seekers are supported, civil society actors challenge traditional ideas of national citizenship and belonging, producing what the author calls "de-bordering solidarity".

In the face of exclusionary policies like some of the ones put forward by the New Pact on Migration and Asylum, Ambrosini underlines how important this notion of solidarity is for defending humanitarian values.

Notes

1 For terminology and scope, "asylum seekers" or "protection seekers" are persons asking for international protection, whereas "beneficiaries of international protection" or "holders" of, for instance, "refugee status" are persons whose protection needs have been recognised through the recognition of a certain legal status. The term "refugee" will be used where it does not matter to distinguish between the different stages of the admission and integration process. The book neither covers other forced migrants such as environmental refugees, who fall outside the scope of international and EU refugee law, nor does it deal with economic migrants.
2 As part of the New Pact on Migration and Asylum, these instruments have been recently replaced by Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU, [2024] L1348 and Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013, [2024] L1351.
3 With the 2024 reform of EU asylum law, this Directive has been recently replaced by Directive (EU) 2024/1346 of the European Parliament and of the Council of 14 May 2024 laying down standards for the reception of applicants for international protection, [2024] L1346.
4 This Directive has been replaced by Regulation (EU) 2024/1347, amending Council Directive 2003/109/EC and repealing Directive 2011/95/EU of the European Parliament and of the Council 2024 OJ L 1347.
5 Regrettably the new Reception Conditions Directive has rephrased this point of the Recital limiting itself to state as follows: "standard conditions for the reception of applicants sufficient to ensure them an adequate standard of living and comparable living conditions in all Member States should be laid down..."
6 The new Reception Conditions Directive adopted in 2024 codifies in Article 9 (1) a more restrictive approach to free movement.
7 This Directive is also under reform, see European Commission, Proposal for a Directive of the European Parliament and of the Council concerning the status of third-country nationals who are long-term residents (recast), COM/2022/650 final.

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Connecting admission and integration of refugees in the legal and political frameworks and discourses

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