



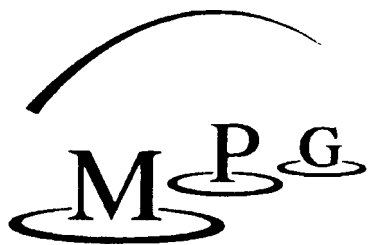
EU and US approaches to the management of immigration

Jan Niessen, Yongmi Schibel and
Raphaële Magoni (eds.)

Denmark

Helle Stenum
MIXeurope





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With the support of the German Marshall Fund of the United States

The Migration Policy Group (MPG) is an independent organisation committed to policy development on mobility, migration, diversity, equality and anti-discrimination by facilitating the exchange between stakeholders from all sectors of society, with the aim of contributing to innovative and effective responses to the challenges posed by migration and diversity.

This report is part of a series of 18 country reports prepared in the framework of the project *EU and US approaches to the management of immigration*, which was carried out by MPG with the support of the German Marshall Fund of the United States and in co-operation with partners in the European Migration Dialogue. Countries included in the project are Austria, Belgium, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Luxembourg, the Netherlands, Poland, Portugal, Spain, Switzerland, and the UK.

Reports on these countries are available from MPG's website individually or jointly, together with EU-US comparative perspectives and European comparative perspectives. See Jan Niessen and Yongmi Schibel, *EU and US approaches to the management of immigration – comparative perspectives*, MPG/Brussels, May 2003.

All papers were presented and discussed at a transatlantic dialogue meeting preceding the official launch of the European Migration Dialogue attended by Commissioner António Vitorino (Brussels May 2003).

Brussels/Copenhagen, May 2003

Preface

The European Union and the United States are areas of immigration, and both are entities of multi-level governance facing the task of managing international migration. However, unlike the United States most European states do not consider immigration as a matter of national interest.

In the US a regulated immigration system aims to enhance the benefits and minimise the drawbacks of immigration. The country's bi-partisan immigration policy receives strong support from a wide variety of stakeholders.

In Europe the emphasis is on immigration restriction and prevention, reflecting the position of most stakeholders that the costs of immigration outweigh its benefits. Immigration is a sensitive and sometimes controversial issue, as is demonstrated in recent elections in a number of European countries.

On both sides of the Atlantic migration ranked high on the agenda throughout the nineties. Changes in the size and direction of migratory movements as a result of global developments, EU enlargement and NAFTA received a great deal of attention. The ways in which migration policies are designed and implemented were reviewed and underwent some important changes.

In 1997, the US Commission on Immigration Reform presented its final report to Congress, proposing important changes in US immigration policies and management.

In Europe the 1997 Amsterdam Treaty empowered the European Union's institutions to act on migration, changing intergovernmental co-operation among member states into the development of joint policies on immigration and immigrant integration. A new debate emerged on the role of immigration to address economic and demographic imbalances.

The events of September 11 did not in themselves have an impact on the foundations of immigration policies' governance structures, or lead to changes in them, other than those already proposed. The events added, however, a range of other issues to the overall policy agenda (issues related to the fight against terrorism became a top priority) and the immigration agenda (where security issues became a priority). This resulted in a stagnation of the further development of immigration policies (the best example probably being the US- Mexico migration agreement) and in a refocusing of attention on countering the victimisation of immigrants and the straining of community relations.

It is against this backdrop that MPG launched the project *EU and US approaches to the management of immigration* in an attempt to identify the main drivers of immigration management in EU and US systems of multi-level governance. Building on an understanding of how migration needs are assessed and translated into policy on the national or state level, the project focused on the way in which national or state governments promote their immigration related interests within the federation (in the case of the United States) and the Union (in the case of the European Union). How successful are the different entities in shaping common policies according to their needs? Do they consider centralisation (which the extension of EU powers suggests), or decentralisation (as the campaigns of some states for a greater say in immigration matters suggest) more useful for realising their immigration-related goals?

The reports on fourteen EU Member States, three candidate countries and one associated state each have four chapters:

- The first chapter reviews the (emerging) debates on migration and pays particular attention to the terms of the debate. It examines whether migration is debated in terms of control, security and restriction, or rather in terms of migration management and the assessment of migration needs. It asks whether the terms of the debate are different for different types of migrants, for instance irregular migrants vs. highly qualified migrants. The chapter analyses whether immigration has been linked with and embedded in larger discussions about social and economic policies for the future. In particular, it looks at the debates around the labour market and demography and considers whether and how immigration has been considered as an option for meeting emerging challenges in these areas.
- The second chapter provides an inventory of stakeholders and an analysis of their activities. It gives a detailed account of who is responsible for which area of migration management in the different government departments. It also covers the activities of the various non-governmental organisations active in this field. The central question is which groups (within government, employers, trade unions, NGOs, academics and other experts) assess national migration needs, which instruments and mechanisms they use to make these assessments, and how they assert influence in the political decision-making process to translate these assessments into policies.
- The third chapter provides an analysis of migration management in the areas covered by three of the most important Directives proposed by the European Commission (on admission for employment, family reunification¹, and long-term residents). Rapporteurs compare the national legal framework with the proposed European measures, and assess the degree of convergence between the two. The chapter addresses each of the substantive points dealt with in the Commission's proposals and sets out the corresponding national provisions, if such provisions exist under the current system. Recent and impending changes of national law are also examined, with a view to assessing whether immigration management rules are moving closer to or further away from the proposed European legislation.
- The fourth chapter offers concluding remarks and evaluations by the rapporteurs. It addresses the Commission proposal for an Open Method of Co-ordination and considers whether such a mechanism would fit well with existing policy-making structures. Where appropriate, the chapter looks more closely at the proposed Guidelines and evaluates the degree to which they are already tackled in national policy. The impact of the European Employment Strategy on immigration management is also assessed. The fourth chapter also gives the rapporteurs an opportunity to make recommendations and to suggest alternative benchmarks for future debates and policy developments.

¹ Reports were drafted before the definition of a common approach to family reunification, which Member States agreed to at the Justice and Home Affairs Council of 27/28 February 2003. Rapporteurs base their comments on the text of draft Directive COM (2002) 225, published on 2 May 2002.

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Chapter 1: the terms of the policy debates

1.1. Terms and concepts

In Denmark migration is almost solely discussed in terms of control, security, restrictions, and as a threat to the state-financed, tax-based social welfare system. For instance, the extension of the number of EU-member states has recently raised a political discussion about workers coming from Eastern Europe, undermining the social welfare system and leading to wage dumping.

The general approach to immigration is illustrated below:

"It is the people from the poor countries, those from third world countries, from non-Western countries who are the problem. They have a low productivity, low degree of education, bad language skills, and they arrive in a country with the world's highest minimum wage, which they have difficulties deserving and with the world's highest social security, which for most of them makes it bad business to go to work. And then it has to end up wrong, and it does end up wrong."²

The words used for identifying the ethnic minority population have gone through an interesting development over the past 20 years, becoming more and more specific in pointing out the minority, the distance between (majority) society and the minority, and the minority's attachment to countries outside Europe and North America. There are several competing terms for labelling human beings with ethnic minority background in Denmark, with "foreigner/alien" as the present official choice. This development is closely linked to the understanding of the migrant and immigration in Denmark. It reflects as well as produces the main categories for migration policies, which work within a larger discourse on protecting the nation and its native citizens (and their possibilities for future welfare) from immigration – and immigrants. The following excerpt from a government statement illustrates this point:

"A successful policy of integration implies a consequent and fair policy on foreigners/aliens. It is therefore the aim of the government to have a policy on foreigners/aliens, which the people understands and which can secure order/peace, necessary for successful integration of foreigners/aliens already living in this country or of those who are settling here. Such an alien-policy can be secured through limiting immigration and through extensive protection against aliens being a burden on the Danish social system. Furthermore aliens with no rights to residence must leave the country immediately – if necessary by force if they will not leave voluntarily. And at last it is the opinion of the government that one has to earn the right to become Danish National"³

The question about terms used for different types of immigrants is difficult to answer for at least two reasons: Firstly not many immigrants are given residence permits for reasons of employment, and those who receive them typically belong to a small, well-educated cosmopolitan elite, so small in number that no specific term for this kind of immigrant has been launched officially. Legally Denmark is closed for immigration based on the 1973 stop of immigration.

Secondly there are different and competing terms for identifying the ethnic minority population, which sometimes conflict. In the official recent terminology, published by

² Minister of Refugee, Immigration and Integration Affairs, Bertel Haarder 29.10.02,

³ Regeringens integrations- og udlændingepolitik – status marts 2003 (Integration- and Alien policy of the Danish Government, March 2003)

the Ministry for Refugees, Immigration and Integration⁴ the terms are defined in the following way:

'Immigrants' and 'refugees' are the legal definitions of foreigners. These definitions are also the ones that are used in Denmark's Integration Act. This book however employs the typical statistical terms of foreigners, which include 'immigrants' and 'descendants'. The remainder of the population, which is neither of these two categories, is therefore considered as 'Danes'.

An immigrant is a person born outside of the country whose parents (or one of the parents if there is insufficient information on the other) are either foreign citizens (both of them) or both where born outside of Denmark themselves. If there is insufficient information about both of the parents and the individual was born outside of Denmark, then that person is considered an immigrant. For statistical purposes this term includes both refugees and non-refugees alike.

A descendant is a person born in Denmark by parents whom neither of which is Danish citizens born in Denmark. If information about the individual's parents is insufficient and the individual is a foreign citizen then the individual is also considered to be a descendant.

The term 'foreigner'/alien (Danish:udlænding) has been made official, so that a person can be a Danish citizen, who has never been outside Denmark, born and raised by parents who immigrated to Denmark as small children – and still be a number in official statistics on “foreigners/aliens”.

1.2. Focus on the welfare state

Immigration is linked with discussions about social and economic policies of the future. Most often, this link is made in a negative forecast which links an increase in immigration with threats towards the welfare society and heavier burdens regarding social welfare expenditures. In the policy debates “integration” and “immigration” are set up as opposites and as two different choices regarding survival of the welfare state in Denmark, dealing with the aging population etc.

Think tank on integration

A central medium in this policy debate is the so-called “think tank on integration”, which was established by the government in 2000 and has since delivered three significant reports on the situation on integration in Denmark. The members of the think tank panel have changed since 2000, but among the five members there have been business executives, executive from a municipality, a member of parliament and professors.

The first report⁵ (31.08.01) deals with integration in Denmark. It lists seven criteria for successful integration and concludes that these criteria are not fulfilled in Denmark. The assessment is primarily based on the fact that, compared with the majority population, immigrants from third countries are significantly less educated, employed and self-supporting.

⁴ Statistical Yearbook of Foreigners in Denmark 2002

⁵ The integration of foreigners in Danish society: the think tank on integration in Denmark, Copenhagen: The Ministry of The Interior, 2001.

The second report⁶ is about demographic prognoses regarding immigrants. The purpose of this report is to predict the development in the number of immigrants, descendents and “Danes” for the next 20 years and the composition in the population regarding age, sex and country of origin. Demographic developments will, as it is said in the report, “have consequences regarding the labour market, the educational system, day care institutions, care for the elderly and the burden of social support throughout the country, regionally and locally”. The forecast shows an expected doubling in the number of immigrants and descendents from less developed third countries and stresses that this perspective will be more significant because of the existing segregation and unchanged pattern in choice of spouse in marriage (family unification). The report and forecast were criticized by academics⁷ specialized in demography for using an unreliable model, which promoted a certain political image of immigrants pouring through national borders.

The third report⁸ from the think tank on integration (31.01.02) is about the economic consequences of “demographic development and the integration of foreigners”. The conclusions state that there are great economic potentials in improving integration on the labour market, and that an increase in immigration will not automatically reduce the increasing need for support due to demographic developments. The report proposes new suggestions for a policy of integration. Specifically, it promotes a stronger focus on “effective incentives for foreigners to learn Danish and get a job”.

The Government’s policy proposals and statements are often linked with these reports.

Since 1973, immigration to Denmark has primarily taken place through asylum and family reunion. Concern about unemployment and the concept of immigrants as an economic burden are linked to the admission discussion and used as arguments for strict immigration legislation. On the other hand, culturally coloured arguments are also used as arguments for legislative restrictions and reducing immigration.

Forced and arranged marriages are emphasized most often as an argument for preventing young people from less developed third countries to be unified with spouses in Denmark. Forced marriages have never been the subject of government-sponsored research examining its extent, definitions, possibilities for prevention etc. although forced marriages have been the official reason for several new laws. In spite of the fact that legislation in Denmark has made it extremely difficult to obtain family unification, this kind of immigration is attacked in public debates as ‘unhealthy’ for Denmark. An interview¹⁰ with the minister for Refugees, Immigration and Integration, Bertel Haarder, is a recent example:

“Are the many family unifications the reason why Denmark is doing so badly in international surveys on the educational standard in primary school?”

⁶ Population Development 2001 - 2021. Possible Developments: the think tank on integration in Denmark, Copenhagen: The Ministry of Refugee, Immigration and Integration Affairs, 2002

⁷ e.g. Hans Oluf Hansen, University of Copenhagen

⁸ Indvandring, integration og samfundsøkonomi : tænketanken om udfordringer for integrationsindsatsen i Danmark, København : Ministeriet for Flygtninge, Indvandrere og Integration , 2002 .)

⁹ e.g. IntegrationsStatus April 2002 : fokus: Indvandringen i et historisk perspektiv - Aktiveringsindsatsen - Jobsøgning og rekruttering , København : CATINÉT Research, 2002 .

¹⁰ Politiken (newspaper)23.February 2003

Yes, and this allegation is now being proved in a study¹¹. Many of the children who have problems in school come from homes where they do not speak Danish. And this problem is carried on into the next generation because of the massive family unification.

But that's the way it is in other countries?

I doubt that the problem is as big in other countries, because we have a particularly large number of immigrants coming from third world countries with a very traditional family structure. We have a lot of immigrants who have difficulties in coping and because of that they stay dependent on the Danish welfare system. That is why the problem with family unification is so big in Denmark. We have such a high level of welfare that it is possible to send home money, and that is another reason why many immigrants marry someone from their country of origin¹²."

Generally immigration is not considered as a solution, with the possible exception of certain skills lacking on the labour market. Mostly, immigration is associated with problems, threats etc. Not many organisations have dared to speak out publicly on the need or desire to increase immigration. One of the rare exceptions was a statement by the National Labour Union (LO) on the occasion of the publication of one of the think tank reports. The Union argued that immigration is "necessary for welfare" because of the demographic development which - according to the calculations - will decrease the ratio of employed to retired persons from 4 to 1 to 2 to 1.¹³ In contrast, the major employers' organisation DA focuses almost solely on integration within the borders of Denmark.

Certain changes in legislation can be seen as an attempt to tighten legal possibilities for immigration on the one hand and reduce social welfare rights, from which many immigrants benefit, on the other. For instance, the legislation on integration of refugees reduces social benefits for refugees by up to 50% compared to Danish citizens for a period of 7 years, as well as reducing social benefit for married couples both on social welfare (statistics show that married couples in this category very often have an immigrant background). According to the government, these changes send important signals in two directions: to potential new immigrants (family members and asylum seekers) they send a message of self-support; and to the public they send a promise that the government will protect Danes against the "immigration"-flow and sustain the welfare system.

As the minister of Refugees, Immigration and Integration affairs expressed it:
"The crucial mechanism of integration is the sound of cash boxes snapped shut"¹⁴

11 According to the newspaper a new study shows that in one municipality – Ishøj – 97% of the marriages of young people with a Turkish background result in family unification

12 Rules on family unification in Denmark are explained later on, but generally speaking one has to be able to support one's spouse for 7 years before earning the right to any social security.

13 LO: Udspil, LO's Nyhedsbrev 4/2002

14 The newspaper Jyllandsposten, 17.11 2002)

Chapter 2: The stakeholders

2.1. Ministry for Refugees, Immigrants and Integration

When the present government was established in November 2001, one of the new administrative constructions was creating a new ministry for Refugees, Immigration and Integration Affairs, based on the idea of gathering all issues concerning refugees and immigrants in one ministry. In this process, other ministries transferred tasks to the new ministry. The reason for restructuring was said to be a strengthening of efforts related to one of the key election topics, as identified by politicians and voters: "Foreigners" integration into the Danish society.

The ministry handles legislative proposals and negotiations in the EU concerning immigration in the light of the Danish opt-out. The ministry does not promote a discussion or policy process on immigration as such, nor do the other ministries. An exception might be co-operation within the European Union and especially during the Danish presidency. In one instance, the Ministry for Refugees, Immigration and Integration published a press release in spite of the opt-out regarding the status of third country nationals. It stated that the Danish Presidency was "pleased that integration of third country nationals is now on the agenda of the ministers responsible for asylum and migration."¹⁵ And it continues with a (hidden) reference to the proposed directive: "It is important that third country nationals with a legal stay in European Countries participate in all aspects of the economic, social, cultural and civil life of the Member States. This is important not only to avoid social exclusion, discrimination and xenophobia, but also to ensure these new citizens' active contribution in the labour market and to the society as such." This statement was unusual in that the government normally says very little about rights for immigrants and preventing discrimination and xenophobia.

The think tank mentioned earlier is an example of establishing a smaller group of researchers, business executives and executives from public administration who produce arguments and documents used very frequently in the political debates.

Although the division of labour set out above is the overall principle, other ministries still have tasks and responsibilities that include integration. The Ministry of Labour, the Ministry of Social Affairs and the Ministry of Justice work together with the Ministry for Refugees, Immigrants and Integration on certain issues.

2.2. Social partners

With regard to the labour market dimension of integration and immigration, debates follow the well-known tripartite structure (state, employers and employees). An example are the negotiations in spring 2002 between the government, the national Labour Union, the Danish Employers Association and the national association of municipalities on the integration of newcomers (refugees and persons reunited with family) and long time immigrant residents into the labour market.¹⁶

Demographic changes are briefly mentioned in the Conclusions, as is the necessity for the integration of "foreigners", but the main emphasis is placed upon the unsatisfactory participation of immigrants in the labour market. In a new

¹⁵ Ministry of Refugee, Immigration and Integration Affairs: Press Release 16.10.02: Integration of third country nationals

¹⁶ Fælles konklusionspapir fra teknikerdrøftelserne af regeringens integrationsudspil "På vej mod en ny integrationspolitik" maj 2002

development, asylum seekers are taken into consideration regarding jobs and labour market attachment. The Conclusions recommend, among other things, to facilitate immigrants' entry into the labour market through lower wages and specially designed courses of language training for newcomers. Some of the conclusions have been realised through agreements, while others have resulted in legislative adjustments.

As noted above, the National Labour Union has discussed immigration in public, but the employers' organisation and the national association of municipalities have not made any visible announcements according to immigration policy.

2.3. NGO's and civil society

When the government launches a proposal for new legislation, NGO's are, in principle, part of a consultation procedure. In reality, over the past years NGO's have often received documents very late, without being given sufficient time to analyse them. Within the last year and a half, the current government has also reduced or withdrawn its financial support for a series of NGO's and institutions working on ethnic minority issues. Such cuts have affected, for instance, the Board for Ethnic Equality, the Centre for Multicultural Housing Issues, the Danish Refugee Council, the Danish Association for International Cooperation, the Danish Consultation Centre on race discrimination, and the Centre for bi-lingual knowledge. Moreover, some minority organisations have been shut down because of administrative and financial complications (e.g. The Association for Immigrants and a high profile organisation working with victims of forced marriages - *The Bridge*). NGO's are only consulted on very specific matters and it would be a fair judgement to say that NGO's working on ethnic minority issues related to immigration do not have significant influence or channels of influence. Moreover, the NGO's have spent a lot of time restructuring and adjusting to new conditions. One of those institutions is the Institute of Human Rights. It is currently waiting for a clarification of the implementation of the EU equal treatment directive, which is crucial for organizing of their work.

The "Organisation for Integration of New Danes into the Labour Market" was established by an association of human resources executives from the private sector, with the purpose of integrating "new Danes" into the labour market. The organisation is working primarily with diversity management and is said to have closer contact with the government than other NGO's. The board includes civil servants from the Ministry for Refugees, Immigration and Integration Affairs, the Ministry of Finance, the national association of municipalities and regional authorities, employers and employee's organisations and four representatives from larger private companies.

The Council of Ethnic Minorities was established through the Integration Act and consists of representatives from local "integration councils" all over Denmark. (appr.65). The role of the "integration councils" locally is to give advice to the local government on integration issues. At the national level, the role of the Council of Ethnic Minorities is to give advice to the Minister for Refugees, Immigration and Integration Affairs. However, experience so far shows that the Council has little influence. It is often critical towards the tightening of legislation on immigration and integration.

2.4 Research

The Rockwool Foundation Research Unit

A research institution whose conclusions are very often linked with government policy is the Rockwool Foundation research unit. The unit is a private research institution financed by the Rockwool Foundation. It has published a number of reports¹⁷ in the last three to four years regarding integration and immigration in Denmark, focusing especially on the labour market. An example is the report 'Unsuccessful Integration' (2000), which analyses the educational background of immigrants, integration on the labour market, immigrants and the social system, the health system and immigrants, crime, economic effects of immigration, ethnic relations and immigrants in the mass medias. The policy conclusions generally reinforce the direction taken in political debates in Denmark, namely that immigrants are a burden for society as measured by various parameters – economical, social, educational etc.

Other contributions

The new Academy for Migration Studies in Denmark (AMID), which is a consortium of researchers representing three institutions of higher education and two research institutions, has been given a grant of 20 million Dkr by the Danish Research Agency to establish a new centre for migration studies in the period from 2001 – 2006. The Academy has, for instance, drawn up a mapping study of integration research in Denmark since 1980 for the ministry of Integration¹⁸. Other, less publicized contributions¹⁹ include perspectives on immigration.

Integration and immigration has generally had low priority as an area for research, and the existing research has very much focused on immigrants' deficiencies (with regard to education, integration, jobs, knowledge of "Danish" culture etc.) and on immigrants as predefined problems. "Integration" is primarily defined as a process taking place within the national borders of Denmark and research considering immigration as a positive and necessary element for the future is practically non-existing.

Research on integration/immigration very often focuses on ethnic minority participation in the labour market and very often offers conclusions similar to the Government's description of the situation²⁰:

"The low number of immigrants from less developed countries engaged in active employment can be due to various reasons such as a weaker tradition of labour

¹⁷ David Coleman; Eskil Wadensjö :Indvandringen til Danmark : internationale og nationale perspektiver, Rockwool Fonden. Forskningsenheden, København : Spektrum , 1999 .

Gunnar Viby Mogensen; Poul Christian Matthiessen: Mislykket integration? : indvandrernes møde med arbejdsmarkedet og velfærdssamfundet, Rockwool Fonden. Forskningsenheden, København : Spektrum , 2000

Eskil Wadensjö and Helena Orrje: Immigration and the public sector in Denmark, Aarhus : Aarhus University Press. The Rockwool Foundation Research Unit , 2002 .

¹⁸Integrationsministeriet: Integrationsforskningen i Danmark 1980-2002, 2002

¹⁹ e.g. Pedersen, Peder J. :Arbejdsmarkedsintegration, arbejdsmarketspolitik og overførselsindkomster - forskningsmæssig viden om immigration fra mindre udviklede lande siden 1980 : Aalborg : Akademiet for Migrationsstudiet i Danmark , 2002, SFI: Etniske minoriteter i velfærdssamfundet : temanummer , 2000

²⁰ Finansministeriet: Finansredegørelse 2002

market attachment in the country of origin, differences in family structures, age profile, the short period of residence in Denmark, skills in language and education and possible institutional barriers related to the level of unemployment support and minimum wages.”

But some researchers are also focussing on subjects as discrimination, citizenship and the role of society and the ethnic majority related to integration/immigration.²¹

Other researchers²² tend to conclude that Denmark has welcomed the wrong kind of immigrants: people from less developed countries who chose Denmark because of its social security system and who therefore do not want to contribute to the Danish welfare system through working and paying taxes. They argue that at the end of the day, this is an effect of the welfare system and the idea of equal rights to social security. In other words, “the Nordic welfare system prevents integration”. This kind of argument is often used in the debates and has in fact led to the institutionalised discrimination of refugees, who since 1st of July 2002 have been granted social security at a significantly lower level than social security for Danish citizens. The reason given is to motivate these persons to seek work.

Among other contributors, Hans Kornø Rasmussen has written a popular non-academic book called “Them and us - the multiethnic Denmark”²³, which among other issues takes up the discussion about the link between the demographic development and immigration, integration policy, discrimination, international experiences, Danish identity, values etc. The book attracted a lot of attention when it was published and it is one of the few catalysts for a public debate on immigration in a larger perspective. Several analysis and consultancy groups are also working on integration in various ways²⁴. Finally, other researchers and institutions (e.g. the Danish National Institute of Social Research which is also part of AMID) have made valuable contributions to the discussion on integration, but only a few relate their research directly to the policy debates on immigration.

²¹ E.g. Lise Togeby, Morten Ejrnæs, Bülent Diken, Jan Hjarnø

²² E.g. Mehmet Necef , conference November 2002, Ministry for Refugees, Immigrants and Integration, Det multikulturelle Norden - en politisk krigszone? : tema Nordisk Råd (udg.); Nordisk Ministerråd (udg København : Nordisk Råd, 2001

²³ Hans Kornø Rasmussen: Dem og os- det multi-etniske Danmark (København : Tiderne Skifter , 2000 .)

²⁴ e.g. IntegrationsStatus April 2002 : fokus: Indvandringen i et historisk perspektiv - Aktiveringsindsatsen - Jobsøgning og rekruttering , København : CATINÉT Research, 2002 .

Chapter 3: European legislative proposals

The opt-out is a basic premise of migration management in Denmark, but it is also an element in the general debate on the EU. The opt-out comes up regularly in the political debate, especially in discussions on when to go through with another referendum on this question. On the one hand the government (and most of the opposition) would very much like to have the opt-outs removed. On the other hand, concerning migration issues the opt-out is clearly used to assure especially the Dansk Folkeparti that EU decisions on, for instance, family reunion will not affect Denmark.

It appears that the government is making quite an effort to influence the negotiations on the directives in any case – not least because the tradition in general in Denmark is to implement EU directives, opt-outs or not. However, in the debate on migration management and on the rights of immigrants a EU perspective related to the proposed directives is almost non-existent.

3.1. Admission for economic purposes

Since 1973, Danish legislation on migration has been based on the “immigration-stop”, which only allows for the granting of residence permits in exceptional cases. In other words, not being a burden on the social welfare system is sometimes required for a permit of residence, but is not a ticket to immigration in Denmark.

Residence and work permits for third country nationals are regulated by the Aliens Act²⁵, which covers all categories of foreigners. Admission for economic purposes is not a major aspect of this legislation. The main part of the Aliens Act comprises regulations designed to prevent immigration or making it very difficult to immigrate. It also includes possible control measures and sanctions to be used against asylum seekers, criminals and rejected foreigners.

3.1.1. Conditions for granting residence and work permits

Nationals of a non-Nordic country that is not a member of the EC or the EEA must meet a number of requirements to obtain a residence and work permit in Denmark. These requirements are specified by the Minister for Refugees, Immigration and Integration.

The Danish Immigration Service may grant a residence and work permit to a foreign national if essential employment or business considerations make it appropriate. Aliens applying for a residence and work permit on the basis of a regular type of job, such as school teachers, specialists or chefs, can normally only obtain a residence and work permit if there is no qualified manpower available within Denmark. The Danish Immigration Service decides whether the requirements for residence and work permit are fulfilled. The Immigration Service may consult relevant trade organisations or trade councils. The applicant’s salary and conditions of appointment must correspond to Danish conditions.

Aliens who apply for a residence and work permit for work outside the regular labour market (e.g. researchers or artists) may obtain a residence and work permit if there

²⁵ Udlændingeloven 17/07/2002, i.e. described at www.inm.dk, www.denmark.dk, www.workindenmark.dk

are special reasons why the applicant should carry out this work. Work outside the regular labour market can be characterised as such if there are special reasons for the work to be done by the specific person. The question of available manpower does not apply to jobs in this category. The Danish Immigration Service may choose to consult the relevant trade organisations. The applicant's salary and conditions of appointment must correspond to Danish conditions.

The applicant must always submit information about a specific job offer, such as information about salary and conditions of appointment, along with his/her application for a residence and work permit. If the Danish Immigration Service finds that the job falls within the regular labour market, the Service will normally ask the local labour market council for an opinion. The Immigration Service has no obligation to follow the recommendations of the council, but is free to decide whether the applicant meets the requirements for a residence and work permit. The Immigration Service may also choose to consult a relevant organisation.

It is possible for the employer to apply for a work permit, if the Immigration Service has the possibility to check the identity of the worker. As a general rule, third country nationals should have a residence and work permit before arriving in Denmark and are not allowed to start working in Denmark before having a work permit for the job in question. Applying for a residence and work permit from Denmark is only possible under certain circumstances, and only if the applicant is on a legal visit to the country.

3.1.2. The job-card scheme

Foreigners with special qualifications, obtaining employment in areas with a shortage of Danish labour, have easier access to residence and work permits in Denmark. Currently, foreign IT specialists, engineers, mathematicians, statisticians, physicists, biophysicists, chemists, pharmacists, biologists, geologists, radiographers, doctors and nurses have particularly good chances of obtaining permits. On the web site of the Danish Immigration Service a 'positive list' can be found, containing more detailed descriptions of the employment areas included in the job-card scheme.

In these cases, the Danish Immigration Service will not have to consult the relevant trade union, but immediately issue the permit, given that the applicant has been offered employment and that wage and employment conditions meet with ordinary Danish requirements. According to the Immigration Service, the processing time will not exceed 30 days in uncomplicated cases. However, for doctors and nurses the applicant must have a Danish authorisation from the National Board of Health.

When the new legislation was announced in July 2002 the Minister stated that 5000 jobs would be available for specialised foreigners in the Danish Labour Market²⁶. The government described the granting of the first 185 permits through the job card scheme (second half year of 2002) as a success.

3.1.3. Duration of the permit

A residence and work permit is usually valid for 1 year. If the basis of the permit still exists, the person may apply for extension. Some professional groups, including researchers, lecturers, technical specialists and high-level officials, may be given a residence and work permit for up to 3 years at a time, and may be eligible for a 4-year extension. Residence and work permits for specialists, including IT specialists,

²⁶ Press Release Ministry of Refugees, Immigration and Integration, 10/07/2002

are normally valid for 3 years, and may be extended for another 4 years. The applicant must be employed the whole time. After staying in Denmark for 7 years on the same grounds, it is possible to obtain a permanent residence and work permit if certain requirements are fulfilled.

3.1.4. Self-employment

If a third country national wants to apply for a residence and work permit as a self-employed business owner in Denmark, there are a number of requirements:

- For the company in question to be established in Denmark specific business interests must be present.
- The applicant must participate actively in the running of the company
- The applicant must have a valid passport or other valid travel documents
- The permit is only valid for working at the place referred to in the permit.

There are no specific economic requirements. The applicant is required to submit annual accounts or a budget certified by an accountant, documentation of the applicant's share of the company, and a business plan. The applicant is also required to submit a description of the business concept and of the perspectives, including the expected number of employees. The applicant also has to submit information on co-operation with Danish companies, including the nature and duration of the co-operation, list of business relations etc., which may attest to the interest taken by Danish companies in the establishment of the company. Personal information on educational background and work experience is also taken into account.

The residence permit is issued for the duration of the period applied for and for a maximum of 1 year. The residence and work permit may be extended by 1 year at the time, if the conditions on which the permit was based are still fulfilled. Revised balance sheets and income tax returns must be submitted, as well as information about the applicant, grounds for application, basis for staying in Denmark, information about passport, information about spouse, children and about applicant's parents, references in Denmark, information about education, training and employment record. The reason for requiring information about the applicant's parents is unclear to this reader.

3.1.5. Economic needs tests and ceilings

Residence and work permits are given only in response to special labour market needs. On 1 July 2002, however, the regulations were changed in order to make procedures and rules concerning specific groups of employers more flexible and to comply with the need for qualifications in certain areas. Residence and work permits are given only if salary and working conditions do not conflict with labour market laws and regulations. Personal capital or property are not relevant for the application.

Researchers and lecturers can stay in Denmark for up to 3 months without a residence or work permit if they have been invited to research or lecture. In order to obtain a residence and work permit for a longer period of time, the applicant must have the offer of a position at a university or another institution of higher education and must demonstrate the professional and academic qualifications required. Moreover, there must be special reasons in terms of research or lecturing for the permit to be granted, and the applicant must be able to support him-/herself during the stay. Such a residence and work permit is given for a maximum of 3 years. After that, the permit can be extended for a maximum of 4 years. The permit cannot exceed the contract period.

Except for the “positive list“, there are no particular rules for special categories of employees. Some categories of Aliens do not need a residence permit (as described above) and some are allowed residence as part of a cultural exchange (au pair, students, trainees etc.)

Build into the procedures for granting the residence and work permit is an assessment of whether immigration would conflict with the domestic labour market. The number of residence and work permits – also through the job-card scheme – is very low. However, there is no fixed number used as a ceiling.

3.1.6. Policy and practice – irregular migration

Immigration in any form is not very popular in Denmark. Generally, the government’s policy aims to prevent foreigners/aliens from residing in Denmark and to protect Denmark from intruders. The regulations make it very difficult to obtain a residence permit on any grounds. Illegal immigrants are barely tolerated and mostly expelled at once. However, it seems that Denmark has gone from a situation with a very small number of illegal working immigrants to hosting a growing group of illegal immigrants, who are low skilled, low paid and living in difficult conditions. There is little information on this, although the labour unions have for some time organised control-raids in order to identify cheap illegal labour, and are reporting a growing number of illegal immigrants. Illegal work concerns especially people from Eastern Europe, who are brought in or who come to work in construction, and also asylum seekers who are working illegally in low skilled and low paid jobs.

3.2. Family reunion

The Family reunification area is heavily regulated in Danish law. The legislation was developed and tightened several times during the last years, often in the context of a heated public debate on forced and arranged marriages, setbacks in the integration process, Danish culture and values threatened by immigrants coming from non-Western countries.

3.2.1. Definition of family members

Under the rules on family reunification as described in the Danish Aliens Act²⁷, aliens with relatives in Denmark do not have the right but the opportunity to obtain a residence permit in Denmark. Residence permits can be granted to:

- Spouses, cohabiting companions, and registered partners
- Children under 18 years of age.

However, a number of requirements must be met, both with regard to the spouses/partners themselves, and to their marriage/ partnership. There are also a number of specific requirements for the individual already resident in Denmark.

3.2.2. Requirements

Numerous requirements have been implemented during the recent changes in the Aliens Act.

Both spouses or registered partners must be over 24 years of age. The age of majority in Denmark is 18 years. The spouses or registered partners must be living

²⁷ The Danish Aliens Act 2002, Udlændingestyrelsen, www.udlst.dk

together at the same address in Denmark when the residence permit is granted. The individual resident in Denmark must be a Danish citizen or a citizen of one of the other Nordic countries, or be a refugee or have protection status in Denmark, or have had a permanent (unlimited) residence permit in Denmark for at least 3 years.

The person residing in Denmark also has to

- have an accommodation of reasonable size at his or her disposal. This is called the **housing requirement**.
- provide documentation proving that he or she has an income that is sufficient to support the alien spouse or registered partner. This is called the **support requirement**.
- provide an economic guarantee of 50.000 Dkr. to cover any future public expenses to support the spouse/partner.
- not have received public financial assistance for a period of one year prior to submission of the application for the residence permit, nor during the time it may take for the permit to be issued. For this purpose, public assistance is defined as any economic aid paid out under the terms of the Danish Integration Act or under the terms of the Act on an active social policy.

Under the **housing requirement**, the individual already resident in Denmark must be able to document that he or she has a personal accommodation of reasonable size at his or her disposal. This means that the individual living in Denmark must have a place to live that he or she owns, rents, or cooperatively owns. If the property is a rental, the lease period must be permanent, or extend at least 3 years beyond the date on which the residence permit application is submitted. A sub-let on a property does not fulfil the housing requirement. The residence must be of reasonable size. In other words, once the family reunification is completed:

- There must be no more than 2 people living in each room, or
- The total residential area must be at least 20 sq. metres per person.

Under the **support requirement**, the individual already living in Denmark must document that he or she earns enough to support the spouse or cohabiting companion applying for a residence permit. The income earned by the Danish resident must be above the amount that the spouses or partners would be entitled to under welfare assistance. This amount is regulated annually. In its evaluation of the Danish resident's ability to fulfil the support requirement, the following sources of income are primarily considered:

- Wage or salary income.
- Positive income earned from an independent business.
- Public and private pension income.
- Sick leave or maternity leave benefits, in certain cases.

Welfare assistance paid out under the Act on active social policy, or unemployment benefits as defined by Law on unemployment assistance are not considered sources of income.

There is a so-called **attachment requirement**, requiring as a precondition for family reunification that the spouses/ partners' or cohabiting companions' overall attachment to Denmark is greater than their overall attachment to another country. The following circumstances are considered:

- How long both the individual already resident in Denmark and the applicant have lived in Denmark.

- Whether one or both have ties to other individuals in Denmark: for example, family members.
- Whether one or both have custody of or visiting rights to minors in Denmark.
- Whether one or both have completed an education, or have a permanent connection to the labour market in Denmark.
- The Danish language proficiency of both parties.
- The extent of both parties' ties to another country, including whether they both, or either of them have made extended visits to that country.
- Whether the applicant has children or other family members in another country.

3.2.3. Special requirements for cohabiting companions

Cohabiting companions who are neither married nor legally registered as partners must demonstrate that the relationship has been a regular, long-term one. Couples must usually be able to document that their relationship has lasted at least 1½-2 years at a shared address.

3.2.4. Pro-forma marriages

Spouses, registered partners and cohabiting companions will not be granted residence permits on grounds of family reunification if there are indications that the marriage or specific relationship was established with the main purpose of obtaining a residence permit.

The following circumstances are considered, among other things:

- Whether the parties have ever lived together in a shared residence.
- Whether the parties can communicate in the same language.
- Whether there is a large age difference between the parties.
- How well the parties knew each other before entering into marriage.
- Previous marriages.
- If an individual living in Denmark has been married to an alien previously, and then become divorced from this former spouse a short time after he or she was granted a permanent residence permit, the Danish Immigration Service will take this marital history into account when making its decision.

3.2.5. Forced marriages

A forced marriage is defined as a marriage entered into against the wishes of one or both spouses.

The following factors are considered:

- Circumstances surrounding the marriage commitment, and the spouses' personal contact and relationship prior to the marriage.
- The spouses' respective ages.
- The spouses' contact and relationship with their prospective families-in-law prior to the marriage.
- The couple's financial, professional, educational and other personal conditions.
- Information on any contact that may have been made by either spouse to a crisis or counselling centre.

Account will also be taken of any prior cases of arranged marriages, within the close family of the person residing in Denmark. Likewise, it will influence the decision if the applicant's family has paid any money to the family of the person residing in Denmark. However, the authorities emphasize that a marriage will not automatically be characterized as 'forced' simply because it occurs with the cooperation of the two respective families.

3.2.6. Residence permits for family members of people working in Denmark

The spouse, partner and underage children of an alien working in Denmark holding a residence and work permit will normally get a residence permit if the residence and work permit of their family member may be extended for a minimum of 3 years. Typically the residence and work permits of highly qualified professionals – specialists, lecturers etc. – can be extended for 4 years, and thus provide a basis for residence permits for family members. A requirement is that the family members live together and that the family is able to support itself. If the residence and work permit of the family member cannot be extended for a minimum of 3 years, the spouse or partner and children will only under certain circumstances be granted a residence permit.

3.2.7. Children under 18 years of age

Children who have a parent or parents living in Denmark must be under 18 years of age when the application is submitted.

In addition, the following requirements must be fulfilled:

- After the family reunification, the child must live with the parent/ parents.
- The child's parent in Denmark must have at least partial custody rights over the child.
- The child must not have started his or her own family, for example, via marriage or regular cohabitation.
- Appropriate housing must be available.
- Adequate financial support must be available.

In special circumstances, such as in cases where the child and the parent have not had contact for a long period, the Immigration Service may impose a housing requirement equal to that for family reunion with spouses. Similarly, if there has been very little or no contact between the parent and the child for a long time, and this has been according to their own wishes, the authorities may impose a support requirement demanding that the income earned by the parent residing in Denmark must be above the amount which the parent and child would be entitled to receive as welfare assistance.

3.2.8. Waiting periods

The average time required to process applications for family reunification is about 5 months. For citizens from Somalia, Iraq and Afghanistan it is presently 7 months. The average time required to process applications for *extensions* is about 2 months. According to the authorities, the longer processing time for some nationalities is due to the fact that the Immigration Service cannot rely on the validity of documents, certificates etc. from these countries. The Immigration Service may instead need to obtain the necessary information in other and more time-consuming ways. Longer processing times are also required if additional information needs to be obtained from

the applicant or from a municipality with regard to the housing or support requirements. Likewise, longer processing times are required if DNA-tests or investigations of an applicant's age are necessary.

3.3. Duration and extension of residence permits and rights of permit holders

Residence permits are initially issued for a limited period of time with a possibility for extension provided the conditions for issuing the permit remain valid. Applicants may also have the opportunity, after a number of years, to apply for the conversion of a time-limited permit into a permanent one. When spouses or registered partners are granted family reunification, the first residence permit is granted for a maximum of 1 year. The first extension will also be valid for a maximum of 1 year. Children's residence permits are first granted for 1 year or up to the duration of the parent's residence permit. If the child resides in Denmark, and if the parent residing in Denmark has a permanent residence permit, the child will be granted a residence permit valid until he or she reaches 18 years of age. Extension may be refused if the basis for the residence permit cited in the application or the permit itself is inaccurate or no longer applies.

As a general rule, a residence permit carries with it the right to work in Denmark. The residence permit for family members will, apart from non-equal right to social security, give permit holders equal access to other areas in society: employment, education, etc. Family members on temporary residence permits cannot have more extended rights than the applicant, so autonomous residence permits are not possible since the permit of the applicant and the "preservation" of the family are required.

3.3.2. Termination of residence permits and expulsion

An alien who has previously been granted a residence permit for Denmark according to the rules on family reunification loses the right to reside in Denmark if the permit is revoked or denied extension, or if it lapses.

Fraud is a reason for revocation or refusal of extension, for instance if the applicant has given false information to the authorities. This affects both temporary and permanent residence permits. A temporary residence permit can be revoked or refused extension if the basis for granting the permit was inaccurate or is no longer valid. This may be the case if a foreign national has received a residence permit on the grounds of marriage, and the spouses no longer live together. It may also be the case if housing or support requirements are no longer being met, or if a foreign national no longer possesses a valid passport or other valid travel documents.

The Immigration Service can revoke or refuse to extend a permanent or temporary residence permit if there is an alert in the Schengen Information System (SIS) issued for the purpose of refusing entry of the foreign national. This happens if the alien has been reported due to actions which are considered serious enough to warrant deportation if committed in Denmark, i.e. serious crime. In addition, a residence permit can always be revoked if the alien is regarded as a threat to national security or to public order, safety or health. A residence permit can also be revoked if the holder is a war criminal, or has committed serious non-political crimes outside Denmark. Finally, a residence permit can be revoked if the holder has, outside Denmark, either been convicted of a crime or committed a crime which would warrant deportation if committed in Denmark.

Expulsion is not an administrative matter for the immigration authorities (except for immigrants residing in Denmark for less than 6 months), but a matter for the court of law, and follows the general rules for suspension and appeals.

Personal circumstances are taken into account and a residence permit may not be revoked or denied extension if such a cancellation would be especially traumatic for the individual. Factors considered are the applicant's connection to Danish society; including for how long he or she has resided in Denmark; the applicant's age, health conditions, and other personal circumstances; the applicant's connections to other individuals living in Denmark; if the applicant has little to no connection to his or her country of origin; and whether the applicant will suffer injury or harm in his or her country of origin. If the applicant is no longer cohabiting due to violence on the part of a spouse or partner, this will also influence any decision, in that authorities can, in such cases, opt not to revoke a residence permit.

A residence permit lapses automatically if the alien relinquishes his or her address in Denmark. In this case, the foreign national will not be permitted to enter the country again, regardless of whether the residence permit's expiry date has passed or not. The same rule applies for lengthy stays abroad. A stay of more than 6 consecutive months abroad will lead to an automatic lapse of a residence permit. If the foreign national has lived in Denmark for more than 2 years with a view to gaining a permanent residence permit, the stay abroad must have lasted for more than 12 consecutive months before the residence permit lapses. Special rules apply if the foreign national returns to his or her country of origin, or prior country of residence, in order to take up permanent residence there. If a foreign national travels out of Denmark when his or her residence permit has expired, he or she will not be permitted to enter the country again without a return travel permit or a visa.

A residence permit holder who plans to reside abroad for a period longer than the aforementioned 6 or 12 months, or who plans to relinquish his or her address in Denmark, can apply in advance to prevent the residence permit from lapsing.

3.3.3. Standstill clause and potential impact of transposition

The purpose of the standstill clause is to prevent member states from undermining conditions nationally. Implementing the adapted directive in Danish legislation will still mean a significant improvement from the point of view of third country nationals because it would mean an end to some of the requirements that exist today, making family reunion impossible in many cases. Furthermore, currently many decisions depend on considerations made by the Immigration Service. If the scope for such considerations were narrowed, this would improve the protection of the law.

3.4. Long-term residence right

3.4.1. Conditions for granting the permit

Third Country nationals can receive time-unlimited (permanent) residence permits once they have lived in Denmark for more than the past 7 consecutive years, and if the following conditions are met:

- The applicant must have completed an introduction programme according to the Integration Law, or another similar programme.
- The applicant must have passed a special Danish language test.

- The applicant must not have received a prison sentence of more than 2 years for serious crimes, including drug offences, human trafficking, murder, assault or rape. If the applicant has been sentenced to probation for lesser crimes, the date for the applicant's eligibility for permanent residence will be postponed.
- The applicant must not have any outstanding public debts.

Conditions linked to health insurance or economic resources other than those linked to public debts are not relevant for the application.

Children are first eligible for permanent residence permits on reaching 18 years of age. Furthermore, it is required that a parent residing in Denmark possesses a permanent residence permit, or that the child has resided legally in Denmark more than 7 years. In addition, the conditions related to crime and public debt must be met.

3.4.2. Protection against expulsion

The protection against expulsion granted to holders of permanent residence status seems to be stronger in the proposed directive than under national law, but this would have to be judged by the concrete implementation.

Under national law, an alien with legal residence for more than 7 years can be expelled due to a sentence under criminal law, if the sentence requires at least 4 years of prison for one count or two years for several counts, or if any penalty for drug related crime is given in cases where there are previous convictions.

When the court of law pronounces a sentence it also considers expulsion. Expulsion can be prevented if the convicted has close relations to Denmark or other reasons similar to those of the proposed directive. In the original remarks to the Aliens Act it was underlined that preventing expulsion related to these crimes were to be exceptions. The Supreme Court has against a background of a large number of cases made several verdicts of principal significance related to the interpretation of the rules concerning expulsion.²⁸ With reference to the European Convention of Human Rights, article 8, the Supreme Court has stated that the demand for proportionality is crucial and that the attachment to Denmark must carry considerable weight in the decisions of expulsion.

3.4.3. Equal treatment

Persons with a permanent residence permit are treated equally with regard to official rules and regulations on the grounds specified in the proposed directive, except concerning public pensions for retired people. It is necessary to have had residence in Denmark for 40 years to earn the right to a full public pension, which means that elderly third country nationals are granted pension related to the number of years in Denmark with 40/40 as a maximum. This means that a growing group of elderly third country nationals are living below the official economic "limit for survival".

²⁸ CIR 9056 af 20/02/2002

Chapter 4: Recommendations and the open method of co-ordination

The Danish opt-out prevents, for the time being, the implementation of any directives or of an open method of co-ordination decided on in this area.

From a principled point of view, the suggested open method seems a relevant and flexible tool for EU-cooperation on migration. But in a Danish government context it is not debated and would likely form another political barrier against general public support for lifting the opt-out clauses. This is also the case with the adoption of directives, since they would result in opening up immigration to Denmark. Public opinion does not have to stay this way, but for now immigration is not an issue discussed, planned for or proposed in Denmark. It is primarily looked upon as something going on elsewhere and as the root of many problems in society.

As described above, much would have to be changed in national legislation on family reunion if Denmark was to implement the proposed directive of family reunion – and in consequence also concerning third country nationals from other EU member states. Currently, a number of Danish nationals/citizens has taken residence in Sweden – especially in Malmö (February 2003; estimated 800 couples) – to be able to live with their spouses who are third country nationals. Family reunion is granted in Sweden according to treaty-based EU legislation on the mobility of labour (e.g. the Carpenter case). The same EU rules are not in force in Denmark and the Government argues that these rights cannot be claimed by Danish citizens, referring to the clause about suspending EU-legislation if using it has the purpose of damaging national legislation.²⁹ These married couples are given a certain amount of attention in the medias and the political opposition. But the attention tends to be most concerned with the fact that the severe rules for family reunion have consequences for Danish nationals who are “ethnic Danes”. Members of government parties are talking about ways of making distinctions between Danish nationals with a Danish family background and Danish nationals with an immigrant background. Again, mobility and migration are not discussed as positive, forward looking political issues, and arguments or proposals to tighten admission dominate the public debate.

Common rules and implementing the proposed directives would, in the Danish situation, bring about progress in individual legal rights and the rule of law. It would strengthen the mobility and possibilities for third country nationals living legally in the EU.

However, support of the idea of immigration and opening up Denmark for a growing number of third country nationals would demand a remarkable shift in attitudes, official ethics and the discourse of media and politicians.

This will be one of the important elements regarding inclusion of third country nationals and ethnic equality inside Denmark, and it will be a crucial element if this country wants to participate in the competition for manpower outside Denmark in the years to come.

²⁹ §20-questions in The Danish Parliament to Minister for Refugees, Immigration and Integration: spm S138 (7/10/2002) (Kamal Qureshi, SF) and spm. Nr S 1770 (31/1/03) (Morten Østergaard, RV)

MiXeuropa is a not-for-profit organisation independent of party politics that strives for a democratic community in Europe free from xenophobia. The focal point of MiXeuropa is to work towards a Europe free from xenophobia, to combat, counteract and prevent xenophobia which manifests itself as a consequence of mechanisms such as stereotyping, stigmatisation, scapegoat marginalisation, discrimination, racism etc., to work with a multiple inclusive framework stretching solidarity across age groups as well as social, ethnic, professional, national and political borders, to work through organising non-violent activities and events in order to draw attention towards the essence of xenophobia and its dangers as well as to make room for change in attitudes and co-experiences across borders.

www.mixeuropa.dk

Helle Stenum is a lecturer in Cultural Studies at the University of Roskilde, and a consultant on issues of ethnic relations. She holds an MA in Social Science and Computer Science, and supplementary university studies in literature, history and minority studies. Helle Stenum was previously e.g. Director of the Department of Ethnic Minorities in the Danish Association for International Cooperation, and Consultant for the Ministry for Social Affairs.

Migration Policy Group
Rue Belliard 205, box 1
B-1040 Brussels
Tel. +32 2 230 5930
Fax. +32 2 280 0925
email: info@migpolgroup.com
www.migpolgroup.com