



Gendered migrant integration policies in the EU

Are we moving towards delivery of equality,
non-discrimination and inclusion?



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Abstract

In light of the Ukraine crisis, where a majority of the refugees who came to the EU were women and children, policymakers and authorities are concerned about how to implement ‘gender responsive’ and ‘gender sensitive’ or ‘gender aware’ initiatives without reproducing gender stereotypes but instead respond to newcomers’ specific needs.

In this ITFLOWS project report, we draw such lessons from the EU integration and inclusion policies and practices towards third country nationals (thereafter – migrants). We pose three main research questions: 1) to what extent do integration policies and programmes reflect critically on ‘gender’ by challenging intersecting structural hierarchies, or put another way, reproducing stereotypical imaginaries and norms? 2) How can we explain the gendered integration outcomes of migrants in the labour market? 3) What are some promising or interesting practices to address the three key issues identified – the overqualification of migrant women, intersectional discrimination in the labour market, and care responsibilities as a barrier to the labour market participation of women?

We recommend that EU and national policymakers consider the following principles:

- First, policies should be grounded on the ‘do no harm’ principle, as evidence shows that moving from incorrect assumptions or trying to address a wrongly framed problem may produce unintended consequences and lead to the creation of new challenges.
- Second, policies should be ‘needs based’, and gender-responsive needs to be addressed should be identified and articulated by migrant men and women. The FRA EU-MIDIS II Survey presents a very important tool for policymakers to identify what people consider important regarding their access to rights, in particular labour rights.
- Third, the proposed initiatives need to be agency advancing or empowering, as well as participative and inclusive. This is to ensure that migrant representatives, including migrant-women organisations, take the lead and cooperate closely with local authorities, civil society and various service providers, not only in the implementation, but also in the design and monitoring of policy responses.



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Executive summary

This ITFLOWS report aims to elaborate on the three main research questions: to what extent do integration policies and programmes across European countries take into account a gender dimension? Do those policies reflect critically on ‘gender’ by challenging intersecting structural hierarchies, or rather by reproducing stereotypical imaginaries and norms? How can we explain the gendered integration outcomes of migrants in the labour market from an intersectional approach? And, finally, can we identify some promising or interesting practices to address three key issues identified: overqualification of migrant women, intersectional discrimination in the labour market, and care responsibilities as a barrier to the labour market participation of women?

The report provides a critique from an intersectional perspective on the current EU and national policies in the area of migrant integration and inclusion. It builds on scholarship in this area (see Section 2) and the ITFLOWS Gender Action Plan (GAP) (Boland and Tschalaer, 2021). It further assesses some of the concrete practices that could be considered as ‘interesting’ or ‘promising’. It also highlights inclusionary and exclusionary elements of identified interventions, projects and programmes. It aims to identify some of the key criteria and standards that policy makers should consider when implementing ‘gender responsive’ and ‘gender sensitive’ or ‘gender aware’ initiatives without reproducing gender stereotypes, but responding to specific needs.

We caution against treating third-country nationals as a ‘gender-blind’ category and thus ‘by default’ reproducing gender stereotypes about migrant women and men. We also caution against ‘essentialising’ the difference between locals and ‘newcomers’, in particular in the way in which gender-specific barriers affect them both. We also highlight the dangers of framing and treating EU citizens of another race, ethnicity or religion as ‘newcomers’, despite their long-term residence or even the fact of being born in the given EU Member State – so-called ‘persons of migrant background’ or ‘second generation migrants’.

Therefore, we recommend that EU and national policy makers consider the following principles:

First, policies should be grounded on the ‘do no harm’ principle, as evidence shows that moving from incorrect assumptions or trying to address a wrongly framed problem may produce unintended consequences and lead to the creation of new challenges. ‘Gender’ needs to be critically and cautiously reflected in order not to reproduce gender stereotypes or impose other racial or colonial hierarchies in the name of ‘gender equality’, where racialised women are targeted and marginalised.

Second, policies should be ‘needs based’, and gender-responsive needs to be addressed should be identified and articulated by migrant men and women. The FRA EU-MIDIS II Survey presents a very important tool for policy makers to identify what the people themselves consider important for their access to rights, in particular labour rights.

Third, the proposed initiatives need to be agency advancing or empowering. EU and national policies should aim to enhance rights and provide more options or alternatives to individuals. These measures should also be participative and inclusive, in order to ensure that migrant representatives, including migrant-women organisations, take the lead and cooperate closely with local authorities, civil society and various service providers, not only in the implementation, but also in the design and monitoring of policy responses. Here, we propose learning not only from previous actions in ‘migrant integration’ policies, but also from similar Roma inclusion and antigypsyism initiatives, as well as from various initiatives tackling similar challenges outside of the EU.

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List of abbreviations

- ACCMR:** Athens Coordination Centre for Migrants and Refugees
- AMIF:** Asylum, Migration and Integration Fund
- ANPAL:** National Agency for Active Labour Market Policies (Italy)
- BAMF:** Federal Office for Migration and Refugees (Germany)
- BMFSFJ:** Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (Germany)
- CBPs:** Common Basic Principles (on migrant integration)
- CEDAW:** Convention on the Elimination of All Forms of Discrimination against Women
- CIDFF:** Centre d'information sur les droits des femmes et des familles (France)
- CIR:** Republican Integration Contract (France)
- CJEU:** Court of Justice of the European Union
- CoE:** Council of Europe
- DGIMM:** Directorate-General for Immigration and Integration Policies (Italy)
- DG JUST:** Directorate-General for Justice and Consumers
- EaSI:** EU Programme for Employment and Social Innovation
- EASO:** European Asylum Support Office
- EC:** European Commission
- ECA:** European Court of Auditors
- ECRI:** European Commission against Racism and Intolerance (CoE)
- ECtHR:** European Court of Human Rights
- EIGE:** European Institute for Gender Equality
- EMN:** European Migration Network
- ENAR:** European Network Against Racism
- EP:** European Parliament
- ESF:** European Social Fund
- EU:** European Union
- EUAA:** European Union Asylum Agency
- EU-27:** The 27 Member States of the European Union
- Eurostat:** Statistical Office of the European Union
- EWSI:** European Website on Integration

FATIMA: Female Active Training Integration Migrant Accompaniment

FGM: Female Genital Mutilation

FRA: European Union Agency for Fundamental Rights

GAP: Gender Action Plan

GBV: Gender-Based Violence

GCM: United Nations Global Compact for Migration

GEQ: Gender Equality and Quality of Life

ILO: International Labour Organization

IOM: International Organization for Migration

ISTAT: Italian Institute of Statistics

ITFLOWS: IT Tools and Methods for Managing Migration Flows

LFS: Labour Force Survey

LGBTQI+: Lesbian, Gay, Bisexual, Transgender, Queer, Intersexed and ally community

MIPEX: Migrant Integration Policy Index

NAPSI: National Action Plan for Social Inclusion (Spain)

NGO: Non-Governmental Organisation

OECD: Organisation for Economic Co-operation and Development

OHCHR: Office of the United Nations High Commissioner for Human Rights

PES: Public Employment Service

RCM: Roma Civil Monitor

UN: United Nations

UNESCO: United Nations Educational, Scientific and Cultural Organization

UNHCR: United Nations High Commissioner for Refugees

UN Women: United Nations Entity for Gender Equality and the Empowerment of Women

WSS: Wage Structure Survey

1. INTRODUCTION

1.1 Hypothesis and research questions

Our main hypothesis is that the more gender responsive and attuned to individualised migrant-specific needs the socio-economic inclusion policies of EU Member States, the greater the possibility that female third-country nationals (referred to hereinafter as ‘migrant women’) and male third-country nationals (‘migrant men’) will benefit from employment opportunities and be included in the receiving societies in the EU Member States. In this report, we compare migrant integration policies in France, Germany, Greece, Italy, Poland, Spain, Sweden and the Netherlands.

We understand socio-economic inclusion differently from integration, as having a structural rather than a cultural function. For instance, the EU and Member States’ assurance of equal rights to everyone, encouraging newcomers’ participation in local decision making and fighting against all forms of discrimination in the labour market and in society. In line with the academic debate, we are critical of ‘migrant integration’ as a notion, since it comes with assimilationist strategies that essentialise certain cultural differences and promote ethno-centric representations of appropriate ‘ways of life’.²

Migrants’ participation in the labour market and the protection of all migrants’ labour rights benefit receiving societies. Well-thought-out gender equality mainstreaming interventions would need to ‘leave no one behind’, including migrant women. Interventions targeting migrant women should also aim to benefit all women in a similar situation. For instance, local policy makers should think through how to avoid unnecessary competition between locals and newcomers, i.e. for limited places in childcare facilities in state-run/low-cost kindergartens, but devise solutions that benefit both newcomer and local women. And vice versa, for instance if we speak about the gender gap for women in the labour market, then the labour gap for migrant women also needs to be addressed.

In addition, policy makers and local authorities need to engage migrant women and men, especially through women-led organisations and trade unions. This is key to understanding the specific needs of migrant women, and whether existing language or labour market training measures are accessible for women with family responsibilities. Too often, existing policy approaches assume that female migrants are less keen or less likely to follow and successfully complete these programmes without checking the relevance of such intervention or accessibility. Thus, gender stereotypes can reinforce existing exclusionary dynamics.

Carrera (2008) argues that there is great variation in understanding and framing what ‘integration’ is and what it entails, therefore various benchmarking efforts and indicators often miss the important nuances.³ This is even more important to reflect the various sensitivities and complexities surrounding the gender dimension. Certain issues, such as a pay gap, may be quantifiable and cross compared, but ‘women in employment’ for instance tells us little about why migrant women are or are not in employment, or maybe that such employment has been undeclared for various structural reasons related to gender, race, class and migratory background.⁴

In this report we move away from the biased notion of ‘integration’, where emphasis is put on the migrant as the subject who needs to (be) integrate(d) and who bears the primary responsibility for the outcome of this process, irrespective of the structural sexism, racism and xenophobia she faces in the receiving society. Anthias (2013) cautions that integration requirements and diversity promotion ‘involve boundary-making and hierarchy-making processes’, thus they are likely to reproduce ‘cultural

² Anthias, F. (2013), ‘Moving beyond the Janus Face of Integration and Diversity Discourses: Towards an Intersectional Framing’, *The Sociological Review*, 61(2), 323-343, <https://doi.org/10.1111/1467-954X.12001>.

³ Carrera, S. (2008), *Benchmarking Integration in the EU: Analyzing the debate on integration indicators and moving it forward*, Bertelsmann Foundation, Gütersloh, https://www.bertelsmann-stiftung.de/fileadmin/files/BSt/Publikationen/GrauePublikationen/GP_Benchmarking_Integration_in_the_EU.pdf.

⁴ Lutz, H. (ed.) (2008), *Migration and Domestic Work: A European Perspective on a Global Theme*, Hampshire: Ashgate.

subordination’ of integration along ‘colonial hierarchies’, or subordination for instance of migrant women while shifting towards ‘multifaithism’ or enforced ‘secularism’.⁵ She argues that:

current uses of integration and diversity share a culturalisation of social relations (forestalling concerns with structures of inequality) and posit hierarchical difference (signalling good and bad difference), which stigmatises particular social categories, requiring their elimination either through exclusion or assimilation. Difference is hailed and dangerous or deficit diversities are identified.⁶

We further the arguments of Boland and Tschalaer (2021) that there is a need to critically evaluate such European and national concepts of ‘integration’ that often build on colonial legacies, invoking cultural hierarchies, biased on intersecting grounds of race, ethnicity, gender or religion.⁷

This report aims to elaborate on the following key questions: 1. To what extent are EU and Member State integration policies aimed at socio-economic inclusion? 2. To what extent are migrant integration policies and practices used as tools for migration management purposes, i.e. to contain *certain* new arrivals, to securitise *certain* communities and to eliminate *certain* differences?

More fundamentally, we investigate the gender dimension. How do migrant integration and inclusion strategies accommodate or negate ‘engendered’ differences? And for what purpose? We provide some academic evidence on how gender equality arguments tend to be misused in shaping ethno-centric migrant integration policies. Such policies negatively affect the rights of migrant women, in particular Muslim women.

We further elaborate on how these national integration programmes in France, Germany, Greece, Italy, Poland, Spain, Sweden and the Netherlands measure and periodically evaluate ‘success’ in terms of socio-economic inclusion, rather than integration, and the actual impacts and longer-term effectiveness.

1.2 Structure

We address the research questions outlined above by elaborating on the academic literature on differences in framing and treating male and female migrants, and by highlighting the key gender-specific challenges for their inclusion in the labour market and society of EU countries at large (Section 2).

We then look at the development of EU law and policies in the area of migrant integration from the 2004 Common Basic Principles (CBPs) on migrant integration onwards, and ask to what extent these policies can be considered as ‘gender responsive’ or ‘gender sensitive’.

The European Commission's Action Plan on Integration and Inclusion 2021-2027 states that ‘integration [is] both a right and a duty for all’, describing integration and inclusion as a ‘win-win process, benefiting the entire society’.⁸ The action plan includes a specific focus on ‘gender mainstreaming and anti-discrimination’, recognising that a ‘combination of personal characteristics’ may present a specific challenge for migrants. The plan acknowledges the challenges faced by migrant women, and mentions the specific situation of LGBTQI+ people.

While strong language on gender mainstreaming and antidiscrimination can be celebrated, these have not translated into gender-specific policies at the national level, as shown by the European Court of

⁵ Anthias, F. (2013), op. cit.

⁶ Ibid., p. 2.

⁷ Boland, C. and Tschalaer, M. (2021), *ITFLOWS Gender Action Plan*, Universitat Autònoma de Barcelona and Brunel University London, January.

⁸ European Commission (2020), *Action Plan on Integration and Inclusion 2021-2027*, COM(2020) 758 final, Brussels, 24 November, https://ec.europa.eu/home-affairs/system/files_en?file=2020-11/action_plan_on_integration_and_inclusion_2021-2027.pdf.

Auditors (ECA).⁹ This ECA finding deserves broader reflection, since the EU policy objectives often differ from the actual budgeting at Member State level. There is thus complex interplay between the two levels in the area of migration and integration, where policy priorities and political ambitions may differ.

The EU Action Plan on Integration and Inclusion, and inertia at EU Member State level with ‘migrant integration’ policies carry numerous risks:

First, the action plan has been issued as part of a broader package of legislative and non-legislative initiatives – the EU Pact on Migration and Asylum – which is driven by restrictive concerns. As underlined by many commentators, if adopted, proposals tabled under the pact would impinge on numerous human rights guarantees and safeguards available to migrants and people in need of protection, for instance restricting the right to family reunification for beneficiaries of subsidiary protection.¹⁰

Second, evidence gathered across Council of Europe (CoE) Member States, including the EU Member States, highlights the risks attached to various integration measures, which, rather than facilitating access to rights and family life, impose various conditions, contracts, language and ‘our way of life’ courses, that have clear human rights implications.¹¹

Third, not only third-country nationals, but even EU citizens with a migrant background are targeted to be ‘integrated and included’, a measure that has been considered as disenfranchising citizens and mobile EU citizens from their citizenship rights.¹² And since migrant women tend to fall behind according to certain socio-economic indicators,¹³ they may be targeted as ‘not yet integrated’, despite being born in the country. They are thus considered as citizens disenfranchised of their rights due to the intersectionality of racism and sexism, which is institutionalised and reproduced by state institutions, and may be merely reframed as ‘second generation migrants’ whose integration is still pending.¹⁴ Anthias (2013) critiques that such policies and practices towards migrants, and in particular migrant women, are reflective of ‘assimilation’ approaches that lead to ‘the experiences of racialisation and othering.’¹⁵

We further provide a quick overview of how the EU’s own laws also pose specific gender challenges. For instance, mandatory non-working periods for those arriving via the Family Reunification Directive have been noted by the European Union Fundamental Rights Agency (FRA) as unduly impinging on

⁹ European Court of Auditors (2018), *The integration of migrants from outside the EU*, Briefing Paper, May, https://www.eca.europa.eu/Lists/ECADocuments/Briefing_paper_Integration_migrants/Briefing_paper_Integration_migrants_EN.pdf, p. 23.

¹⁰ Brouwer, E., Campesi, G., Carrera, S., Cortinovis, R., Karageorgiou, E., Vedsted-Hansen, J. and Vosyliūtė, L. (2021), *The European Commission’s legislative proposals in the New Pact on Migration and Asylum*, Study requested by the LIBE Committee, European Parliament, September, [https://www.europarl.europa.eu/thinktank/en/document.html?reference=IPOL_STU\(2021\)697130](https://www.europarl.europa.eu/thinktank/en/document.html?reference=IPOL_STU(2021)697130).

¹¹ Carrera, S. and Vankova, Z. (2019), Human rights aspects of immigrant and refugee integration policies: A comparative assessment in selected Council of Europe Member States, Issue Paper published by the Special Representative of the Secretary General on migration and refugees, Council of Europe, <https://rm.coe.int/168093de2c>.

¹² Carrera, S., Schneider, H., Vosyliūtė, L., Smialowski, S., Luk, N. C. and Vankova, Z. (authors), Lorenzo Gabrielli, Vivien Vadasi, Bistra Ivanova, Troels Fage Hedegaard (country experts) (2020), *Member State measures on the inclusion of EU mobile citizens: information and access to rights*, Type B report for the European Commission, DG JUST within the frame of EU-CITIZEN project, April, https://ec.europa.eu/info/sites/default/files/eu-citizen_-_type_b_report_-_study_on_inclusion_of_mobile_eu_citizens.pdf.

¹³ Grubanov-Boskovic, S., Tintori, G. and Biagi, F. (2020), *Gaps in the EU Labour Market Participation Rates: an intersectional assessment of the role of gender and migrant status*, EUR 30406 EN, Publications Office of the European Union, Luxembourg, ISBN 978-92-76-23421-0 (online), 978-92-76-23422-7 (print), doi:10.2760/045701 (online), 10.2760/391659 (print), JRC121425.

¹⁴ Christou, A. and Kofman, E. (2022), ‘Engendering Integration and Inclusion’, *Gender and Migration*, Springer, Cham, pp. 95-115, https://link.springer.com/chapter/10.1007/978-3-030-91971-9_6.

¹⁵ Anthias, F. (2013), op. cit.

the right to work, and as having adverse ‘gendered’ effects that disproportionately impact migrant women or, in certain instances, migrant men.¹⁶

Moreover, some of the restrictions on the rights of migrant women are structurally embedded within the EU’s sectorial legal migration directives laying out different applicable residence and entry conditions for third-country nationals depending on perceived level of skills. For instance, for those arriving under the EU’s Blue Card or Seasonal Workers Directive have a different set of rights when it comes to prospects of security of residence, change of employer or sector, bringing family members or moving to another Member State.¹⁷

After the EU-wide overview, we focus on the gender-specific socio-economic inclusion challenges faced by migrant women, particularly in the area of employment, in eight selected EU Member States: France, Germany, Greece, Italy, Poland, Spain, Sweden and the Netherlands,. We approach this question by scrutinising EU-wide statistics reports produced by the EU institutions and agencies, as well as regional and international human rights bodies, and relevant academic research containing an intersectional analysis (see Methodology).

We attempt to capture the dynamics of intersectional discrimination faced by migrant women while searching for employment and once employed. We highlight three key issues emerging from the literature review for a deeper investigation: 1) overqualification of female third-country nationals; 2) their discrimination in employment; and 3) challenges stemming from the legacy of gendered care responsibilities, which are often also unresolved for national women.

We investigate the reasons for the statistically significant overqualification of migrant women or female third-country nationals in comparison with female EU mobile citizens residing in another EU Member State and male third-country nationals (‘migrant men’).¹⁸ We further question the role of national integration programmes, contracts and courses, and ask to what extent these measures provide solutions to the identified problems or rather reproduce existing gender stereotypes. For instance, Christou and Kofman (2022) are critical of stereotypical representations of gender in integration discourses:

In terms of integration, women are supposedly reluctant to ‘integrate’ and ‘become one of us’, while men’s patriarchal culture, especially if Muslim, holds women back and is dangerous for contemporary values of gender and sexual equality [...]. In effect, in gendering, racialising and classing certain categories, it is the ‘migrant with poor prospects’ (Bonjour and Duyvendak, 2018) who must be forced to integrate.¹⁹

We then move to investigate various gender-responsive, gender-sensitive or at least gender-aware initiatives, projects and programmes, which feature some promising inclusionary elements. We review emerging standards to break through the intersectional and institutionalised modes of oppression of migrant women and men, who are targeted by various ‘goodwill’ programmes and projects. To work as they are intended and to empower migrant women, they need to be needs-based, agency advancing and participative and, most importantly, do not unduly infringe on other fundamental rights, according to the ‘do no harm’ principle.

¹⁶ European Union Agency for Fundamental Rights (2019), *Second European Union Minorities and Discrimination Survey: Migrant women – selected findings*, Luxembourg: Publications Office of the European Union, https://fra.europa.eu/sites/default/files/fra_uploads/fra-2019-eu-midis-ii-migrant-women_en.pdf.

¹⁷ Carrera, S., Vankova, Z., Vosyliūtė, L., Laurensyeva, N., Fernandes, M., Dennison J. and Guerin, J. (2019), *Cost of Non-Europe in the Area of Legal Migration*, Research Paper for the European Parliament’s Committee on Civil Liberties, Justice and Home Affairs, CEPS Liberty and Security series, March, <https://www.ceps.eu/publications/cost-non-europe-area-legal-migration>. Also: Boland, C. and Tschalaer, M. (2021), op. cit.

¹⁸ Ibid. Also: Grubanov-Boskovic, S. et al. (2020), op. cit.

¹⁹ Christou, A. and Kofman, E. (2022), op. cit.

1.3 Methodology

1.3.1 Data-gathering methods

1.3.1.1 Desk research

This study is based on qualitative and quantitative analysis. We mainly conducted desk research, entailing the academic literature review of feminist, migration and integration scholarship (see Section 2). When discussing the policies and practices at EU and national level (France, Germany, Greece, Italy, Poland, Spain, Sweden and the Netherlands) we reviewed relevant studies produced by EU agencies such as FRA and the European Institute for Gender Equality (EIGE), and regional and international human rights bodies such as the European Commission against Racism and Intolerance (ECRI), the International Labour Organization (ILO), the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), and others (see also subsequent paragraph on statistical evidence).

In addition, we built on the evidence gathered by the ITFLOWS project, as well as other EU-funded projects. For instance we have quoted RESPOND, FeMiPol and ReSOMA project findings, and studies commissioned by the European Parliament and the European Migration Network (EMN).

We gained some insights from the two ITFLOWS Users Board surveys.²⁰ In addition, we asked Eurocities to provide us with promising ‘gender-sensitive or gender-relevant’ practices that have been identified by local authorities.²¹ We also consulted the European Website on Integration (EWSI) launched by the European Commission.

1.3.1.2 Statistical evidence

In 2019, FRA published a study on selected findings on migrant women is particularly illuminating. It sets the right approach and evidence base for any further EU-led intervention. This publication is based on the FRA EU MIDIS II survey in 2017, for which 16 149 migrants and EU citizens with migrant background (naturalised citizens or citizens with parents who were third-country nationals) were interviewed across 19 EU Member States. The survey was representative in terms of ethnicities within the EU Member States, and also ensured the overall equal participation of male and female interviewees, although we noted a lack of representation of migrant women in Greece. The FRA survey included not only third-country nationals, but also EU citizens who are considered ‘second generation migrants’ – a concept that we are critical of in this report since it disenfranchises ‘racialised’ and ‘minoritised’ communities from their EU citizenship rights.

In addition, we combined the EU MIDIS II survey analysis with the findings of other studies on ‘gendered’ or ‘engendered’ migrant integration outcomes. These studies mainly refer to migrant women. For instance, we built on the findings of the European Commission’s Joint Research Centre study, which included the gender angle.²² The ITFLOWS project also has produced a study analysing gender aspects across the EU.²³ The joint study by the EU and the Organisation for Economic Co-operation and Development (OECD) on migrant integration indicators provided us with gender-desegregated statistics.²⁴ Similarly, we relied on the overview provided by the ILO on the issue of the

²⁰ ITFLOWS (2021), ITFLOWS First Users Board post-workshop survey, 25 January; and ITFLOWS (2021), ITFLOWS Second Users Board survey, 17 February.

²¹ Eurocities (2022), email communication with the authors, 24 April.

²² Grubanov-Boskovic, S. et al. (2020), op. cit.

²³ Boland, C., Morente, D., Heidland, T. and Krüger, F. (2021), Overview report on relevant socio-economic situation in EU Member States: Dataset on economic situation as input in EMT and for other WPs, Universitat Autònoma de Barcelona and Kiel Institute for the World Economy, November.

²⁴ OECD/EU (2018), *Settling in 2018: Indicators of Immigrant Integration*, OECD Publishing, Paris/European Union, Brussels, <https://doi.org/10.1787/9789264307216-en>.

migrant pay gap.²⁵ In addition, we referred to CEPS econometric analysis based on the Labour Force Survey of Eurofound and Eurostat.²⁶ We also consulted national databases when defining the national gender-desegregated findings on migrant integration.

1.3.2 Intersectional analysis

The ITFLOWS project's Gender Action Plan (GAP) takes a concrete and critical understanding of what gender dimension is and how it needs to be analysed from an intersectional perspective.²⁷ For instance, the GAP suggests that 'the consideration of gender aspects and their intersection with other aspects such as age, religion, class and culture will enable ITFLOWS partners to adopt a more effective human rights approach'.²⁸

Moreover, the ITFLOWS project expressly strives to achieve 'gender justice', which is understood as a 'transformative process towards more equal gender relations that recognises and respects contextual differences, while addressing multidimensional and intersecting forms of gendered disadvantage'.²⁹ Therefore our analysis on migrant integration and inclusion policies and outcomes takes an intersectionality lens.

We hope that this ITFLOWS report will inform the EU and national policy makers, local authorities and civil society about the risks coming from the (un)intentional reproduction of sexist and racial stereotypes. We further propose that policy makers and practitioners consider gender-responsive and gender-sensitive approaches that aim for access to socio-economic rights for all migrant women and men. We call on these actors to shift the focus from 'migrants in need of integration' to the effective delivery of public services, including access to justice, in line with the principles of equality and non-discrimination or usage of migrant's languages to raise awareness about their rights.

In this report we often refer to the over-simplified binary gender categories of 'migrant women' and 'migrant men'. We acknowledge, where possible, that gender identity, expression and sexuality are fluid and co-constructing elements that entail a more nuanced understanding of 'gender'. We further interrogate how 'gender' intersects with the other prohibited grounds of discrimination, such as class, race, religion, age, disability and others. While 'nationality' is not a prohibited ground, differences of treatment experienced by third-country nationals may still be disproportionate, unjustified and, therefore, not in line with human rights standards.

Inevitably the lenses used by researchers 'foreground some things, and background others'.³⁰ To capture the intersecting and layered forms of identity shaping the lived experience of migrants, a research lens emphasising intersectionality is necessary. Intersectionality acknowledges a person's range of social identities (e.g. gender, race and sexuality) as a whole, rather than considering them as separate aspects, illuminating how identifiers and biases work together. Thus, an intersectional approach is particularly important when confronted with integration policies, which are too often assumed to be gender neutral.

The intersection of gender and migration status influences the ability and ways in which migrant women can participate in labour markets in their destination countries. This intersection was referred to by Boyd in 1984 as a form of double disadvantage resulting from 'combined negative impact of sex and birthplace', the 'migration-gender gap', which was later defined as the 'difference between native men and non-native women [...] with the same education level'.³¹ Thus, adopting an intersectional approach

²⁵ Amo-Agyei, S. (2020), *Migrant Pay Gap: Understanding Wage Differences Between Migrants and Nationals*, International Labour Office.

²⁶ Carrera, S. et al. (2019), *Cost of Non-Europe in the Area of Legal Migration*, op. cit.

²⁷ Boland, C. and Tschalaer, M. (2021), op. cit.

²⁸ Ibid, p. 10.

²⁹ Ibid, p. 10.

³⁰ Spike Peterson, V. and Sisson Runyan, A. (1999), *Global Gender Issues*, Boulder, CO: West View Press, 2nd ed., p.21.

³¹ Grubanov-Boskovic, S. et al. (2020), op. cit.

will enable us to see how the ‘gender gap’ interacts with the ‘migrant gap’ and subsequently influences the labour market participation, overqualification and social protection of female migrants.

Undertaking an analysis using an intersectional lens is significant, not only for the purpose of deciphering the differences between migrant women and native women, but also to reveal other influential identity markers such as marital status, race, country of origin, sexuality, education level and parenthood. Ultimately, intersectionality is an essential policy approach to dispel harmful preconceptions and account for the complex labour market landscape that migrant women face.

1.4 Relevance to the current context: people fleeing war in Ukraine and elsewhere

Since it was difficult to capture gender mainstreaming in the overall strategies, we opted to explore and learn from specific projects and programme practices that have, or take into account, the gender dimension. We also looked into projects that are migrant agency advancing, and that respond to the wider needs in society, benefiting everyone in a similar situation and thus reducing competition for limited resources or creating the feeling of unfairness.

Although this report focuses on third-country nationals, we believe it could be of particular importance when thinking about the future socio-economic inclusion of and equal access to rights for refugee women and men fleeing the wars and other indiscriminate violence. At the moment in the EU there is a lot more political willingness to respond to needs of people fleeing war crimes perpetrated by Putin’s regime in Ukraine. Due to the obligatory military conscription of all adult men, approximately 90% of all people fleeing Ukraine, according to the UN, are women and children.³²

Among the men fleeing Ukraine, many are retired or with disabilities. UN Women and other UN/EU agencies, such as FRA and the European Asylum Agency (EUAA or former EASO), have paid immediate attention to the gender-related risks of human trafficking, gender-based violence and abuses that women and girls fleeing Ukraine may face on arrival.³³

The UN Global Compact for Migration (GCM) is also instructive on what ‘gender responsive’ means. It states that while women face particular risks and challenges, the institutions should avoid their portrayal as mere victims.³⁴ The analysis of gender-related migrant integration challenges and the related recommendations included in this report may thus be relevant when considering how to support the inclusion of Ukrainian and other refugee women in EU Member States.

In contrast to other categories of third-country nationals applying for international protection, nationals from Ukraine are given temporary protection status, together with a set of socio-economic rights including equal access to employment and other areas of life. However, third-country nationals fleeing Ukraine or even Ukrainian nationals, for instance of Roma minority or migrant background have faced numerous barriers in accessing such rights on paper and in practice in the EU Member States.³⁵

At the same time, it is important to keep in mind specific human rights considerations/standards applicable to all people fleeing war and their legal status as ‘refugees’ or persons in need of ‘subsidiary protection’ despite their country of origin. For instance, ‘integration-related’ elements that are specific

³² United Nations High Commissioner for Refugees (UNHCR) (2022), *UNHCR and Partners Call for Urgent Support for Refugees from Ukraine and Their Hosts*, UNHCR Briefing, 26 April, <https://www.unhcr.org/news/briefing/2022/4/6267ac074/unhcr-partners-call-urgent-support-refugees-ukraine-hosts.html>.

³³ See for instance: UN Women (2022), *In Focus: War in Ukraine Is a Crisis for Women and Girls*, UN Women, Headquarters, <https://www.unwomen.org/en/news-stories/in-focus/2022/03/in-focus-war-in-ukraine-is-a-crisis-for-women-and-girls>.

³⁴ UN General Assembly (2018), *Global Compact for Safe, Orderly and Regular Migration*, A/CONF.231/3, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N18/244/47/PDF/N1824447.pdf?OpenElement>.

³⁵ Carrera, S., Ineli Ciger, M., Vosyliūtė L. and Brumat, L. (2022), *The EU grants temporary protection for people fleeing war in Ukraine: Time to rethink unequal solidarity in EU asylum policy*, CEPS Policy Insights, No 2022-09, March, <https://www.ceps.eu/ceps-publications/eu-grants-temporary-protection-for-people-fleeing-war-in-ukraine/>.

to asylum seekers under EU law oblige EU Member States to deliver adequate reception conditions and respect the *non-refoulement* principle.

The report underlines the relevance of the well-documented issue of discrimination of women depending on their country of origin, ethnicity and religion. Some of the women fleeing Ukraine are of other ethnicities or belong to racialised communities that already have faced intersectional discrimination – for instance Crimean Tatars, Roma and Jewish minorities. Similarly, there is a difference of treatment not only merely based on gender and administrative category of migratory status, but also based on various other intersecting identities. Often this ‘difference’ amounts to illegal discrimination and follows the patterns of structural racism.³⁶

In light of the ITFLOWS GAP, we aim to advance the call for an understanding of ‘inclusion’ as agency advancing and empowering, when it is based on equal and non-discriminatory access to rights.³⁷ We thus argue that processes of ‘integration’ need to be scrutinised, and that the intersectionality of gender with ethnicity, nationality, religion and the nation state’s approach to the protection of particular subjects should be considered. We also call for gender equality mainstreaming by removing gender-specific obstacles faced by migrant women and men, as well as the deepening of the culture of gender equality, anti-racism, non-discrimination and respect for fundamental rights within the ‘majority society’ in the EU and its Member States.

³⁶ Carrera, S. et al. (2019), Cost of Non-Europe in the Area of Legal Migration, op. cit.

³⁷ Boland, C. and Tschalaer, M. (2021), op. cit.

2. LITERATURE REVIEW: ‘FEMINISATION OF MIGRATION’ AND ‘GENDER-BLIND’ INTEGRATION STRATEGIES

International migration trends show that nowadays women migrate to and within Europe at a near to equal rate to men. Migration research has traditionally centred on the experience of the male migrant, only recognising women as secondary reunification migrants.³⁸ However, female migrants now enter Europe on an increasingly diverse set of grounds and with varying rights – as asylum seekers, labour migrants or for the purpose of family reunification.³⁹ Some of them arrive irregularly in the EU, while others fall into irregularity, often due to gendered barriers or the informality of the labour market that comprises ‘traditionally female’ professions such as domestic work, care work or hospitality.⁴⁰ We further discuss how the EU’s ‘crisis-led’ policies have further narrowed regular, safe and legal pathways into the EU, thus leaving many migrant women vulnerable to abuse on the move and once in the country of destination (see Section 3).⁴¹

The ‘feminisation of migration’ has paved the way for an alternative and gendered perspective of the migratory experience, illuminating new aspects pertaining to the integration experience of female migrants in Europe and elsewhere.⁴² As put by Anthias (2013): ‘Migration patterns, migration discourse, migrant experiences, migrant positions and their expectation and strategies are all gendered’.⁴³

Moreover, migration flows are increasingly complex, not only due to feminisation and racialisation, but also because of their new transnational dynamics and historical legacies. Shifting away from a static view of migration as a move between two locations, and towards a transnational orientation, enables us to capture more fluid migration flows and migrants’ enduring ties to their country of origin.⁴⁴

Policy making on integration is often conducted by actors holding different goals, such as the management of migration flows or a response to labour market needs. Additionally, such actors often operate on a so-called ‘gender-neutral’ basis.⁴⁵ In reality, a gender-neutral approach, in many cases an unquestioned assumption of EU Members States’ integration policies, bring about different outcomes for male and female migrants.⁴⁶

A neutral approach largely overlooks the specific needs and typically disproportionate outcomes for female migrants, necessitating the need for overlapping lenses and an intersectional approach (see Section 3 on gender dimension in the EU’s policies on migrant integration and legal migration acquis). In addition to misleading approaches on ‘gender neutrality’, since the majority of policy makers in the area of justice and home affairs tend to be male or operate within masculine structures, male bias persists. This is reflected in policies and practices founded on the assumption that ‘the paradigmatic and desired

³⁸ Boyd, M. and Grieco, E. (2003), *Women and Migration: Incorporating Gender into International Migration Theory*, Migration Policy Institute, <http://www.migrationpolicy.org/article/women-and-migration-incorporating-gender-international-migration-theory>.

³⁹ Kontos, M. (ed.) (2009), *Integration of Female Immigrants in Labour Market and Society: A Comparative Analysis*, FeMiPol Project Report, September, https://cordis.europa.eu/docs/results/22/22666/122436611-6_en.pdf.

⁴⁰ Lutz, H. (ed.) (2008), op. cit.

⁴¹ Carrera, S. et al. (2019), Cost of Non-Europe in the Area of Legal Migration, op. cit.

⁴² Boyd, M. and Grieco, E. (2003), op. cit.; Zimmerman, C., Kiss, L. and Hossain, M. (2011), ‘Migration and Health: A Framework for 21st Century Policy-Making’, *PLoS Medicine*, 8(5), DOI: p.e1001034, p. 2.

⁴³ Anthias, F., Kontos, M. and Morokvasic-Müller, M. (eds) (2012), *Paradoxes of integration: Female migrants in Europe* (Vol. 4), Springer Science & Business Media.

⁴⁴ Ibid.

⁴⁵ Kofman, E. (2014), ‘Towards a Gendered Evaluation of (Highly) Skilled Immigration Policies in Europe’, *International Migration*, 52(3), pp. 116-128, <https://doi.org/10.1111/imig.12121>.

⁴⁶ Kofman, E., Saharso, S. and Vacchelli, E. (2015), ‘Gendered Perspectives on Integration Discourses and Measures’, *International Migration*, 53(4), pp. 77-89, <https://doi.org/10.1111/imig.12102>.

international migrant is a young, economically motivated, possibly highly skilled male’,⁴⁷ in turn ignoring the diverse and varied make-up of modern migration streams, and again failing to recognise gender-specific needs.

The recognition that gender matters in migration has produced new and alternative literature in the field. Many scholars and policy makers have attempted to make sense of integration – a key policy objective among EU Member States – resulting in a varied landscape of what this crucial process entails.⁴⁸

Ager and Strang (2008) suggest four key domains of ‘integration’: 1) achievement and access across the sectors of employment, housing, education and health; 2) assumptions and practice regarding citizenship and rights; 3) processes of social connection within and between groups in the community; and 4) structural barriers to such connection related to language, culture and the local environment.⁴⁹ With specific regard to gender, achievement in the sector of employment is interlinked with the analysis of structural barriers related to ‘language, culture and the local environment’.⁵⁰

However, this conceptualisation of ‘integration’ needs to be further scrutinised, as it lacks an intersectional perspective, to account not only for gender, but also class, race, religion and neo-colonial legacies. For instance, while language barriers can pose real and important obstacles to communicating and understanding one’s rights, or safety rules at work, ‘way of life’ courses look more like a potential Pandora’s box targeting only the racialised communities among all third-country nationals, as if they have different ‘way of life’ or monolithic attitudes towards gender equality.⁵¹

For instance, Anthias, Kontos and Morokvasic-Müller (2013) critically engage with the idea of integration, describing it as a ‘highly normative’ concept that can be used as an ‘instrument of power and domination’.⁵² From this description, they attempt to reframe the concept of integration, moving away from contemporary connotations of integration towards an intersectional understanding. Furthermore, they critique conceptualisations of integration closely tied to assimilation because it ‘assumes the ability to integrate where there are exclusionary mechanisms at work on the basis of competencies that cannot be accessed by all and alongside the continuing interiorisation and subordination of culturally identified groups (including racialisation, discrimination, and xenophobia)’. The critique raised by Anthias et al. bears particular significance for migrant women who face interlocking ‘exclusionary mechanisms’.

Indeed, a growing volume of literature has been exploring the characteristics of the female migration experience, including overqualification, intersectional labour market discrimination and childcare responsibilities.⁵³ These characteristics heavily impact female migrants’ access to the labour market, typically positioning them in a disadvantaged position. In turn, labour market inclusion is heavily interlinked with effective delivery of equality and social capital gained by migrants. In the following part, we further discuss the existing literature on the three selected key issues in more detail, namely overqualification, gender bias and discrimination, as well as care responsibilities.

2.1 Overqualification

The recognition of skills trends among migrant women and men are increasingly granted attention under a gendered lens. Usually, migrant women such as ‘domestic workers’ are portrayed as ‘low skilled’ without recognition of the variety of skills that one needs to master, since it is perceived as a ‘natural’ extension of women’s role in the home, in turn assuming no professional skills are required for cooking,

⁴⁷ Anthias, F. et al. (eds) (2012), op. cit.

⁴⁸ Kontos, M. (ed.) (2009), op. cit.

⁴⁹ Ager, A. and Strang, A. (2008), ‘Understanding Integration: A Conceptual Framework’, *Journal of Refugee Studies*, Vol. 21, Issue 2, June, pp. 166-191, <https://doi.org/10.1093/jrs/fen016>.

⁵⁰ Ibid.

⁵¹ Anthias, F. (2013), op. cit.

⁵² Anthias, F. et al. (eds) (2012), op. cit.

⁵³ Ibid.

cleaning, gardening, child-rearing, taking care of the sick, etc.⁵⁴ Thus, migrant women are not ‘low skilled’ but rather ‘low income’, as historically demonstrated by the ‘feminisation of poverty’ theory.

The ‘feminisation of poverty’ theory is coined by Peterson (1987), who illustrates how salaries among professions turned predominantly female have decreased and lost their prestige, such as teachers or doctors.⁵⁵ This theory holds today, as within the EU migration debate ‘low paid’ professions are assumed to be directly linked to the level of skills required, thus ignoring the gendered influence on how skills tend to be evaluated in a society.⁵⁶ Although many migrant women end up working in the domestic work sector, their actual educational attainment and skills may vary greatly. This is not the only profession where ‘overqualification’ happens.

The significant work undertaken in the ‘Special Issue on Highly Skilled Migrant Women’ by Grimaldi, Crivellaro and Bolzani (2022) has advanced the research on this underinvested issue, consolidating perspectives from a range of disciplines.⁵⁷ For instance, the authors stress that this topic needs to be addressed from an intersectional standpoint, highlighting interlocking forces of oppression that shape labour market experiences for migrant women and limit them from undertaking employment according to their qualifications. This has further repercussions on the ‘engendered’ integration and socio-economic inclusion programmes that migrant women are subjected to.⁵⁸

Further academic literature on this topic includes female migrants’ experiences in typically male-dominated sectors of the labour market.⁵⁹ Grigorleit-Richter (2017) examines female migrants in Germany’s STEM sector, a high-skilled domain dominated by males.⁶⁰ Based on qualitative interviews, this study outlines how highly skilled migrant women face dual discrimination on account of their gender and migration status, through a process of ‘othering’,⁶¹ in turn simultaneously ‘impact[ing] their professional identity and slow[ing] down the transferral of their cultural capital’.⁶²

Moreover, the effects of the under-utilisation of migrant women’s professional skills have been explored extensively by Iredale (2005), who has convincingly argued for not only gender-neutral but ‘gender-sensitive’ immigration policies.⁶³

However, similar challenges are not only witnessed among third-country nationals. Female mobile EU citizens are also disproportionately overqualified when moving from one EU Member State to another using their free movement and residence rights. For instance, Passerini, Lyon, Capussotti and Laliotou (2010) address the experiences of women who migrate from Eastern European EU Member States (including prior access to the EU) to the West, specifically from Bulgaria or Hungary to Italy or the Netherlands.⁶⁴ The authors compare the Italian and Dutch labour markets, noting structural differences and overqualification.

⁵⁴ Lutz, H. (ed.) (2008), op. cit.

⁵⁵ Peterson, J. (1987), ‘The Feminization of Poverty’, *Journal of Economics Issues*, vol. 21, no 1, pp. 329-338.

⁵⁶ Carrera, S. et al. (2019), Cost of Non-Europe in the Area of Legal Migration, op. cit.

⁵⁷ Grimaldi, R., Crivellaro, F. and Bolzani, D. (2022), ‘Highly Skilled Migrant Women: Achievements and Contributions in Knowledge-Based Economies’, *Administrative Sciences*, 12:7, DOI: 10.3390/admsci12010007.

⁵⁸ Christou, A. and Kofman, E. (2022), op. cit.

⁵⁹ Kontos, M. (ed.) (2009), op. cit.; Kofman, E. and Raghuram, P. (2013), *Gendered Migrations and Global Social Reproduction*, Palgrave Macmillan.

⁶⁰ Grigorleit-Richter, G. (2017), ‘Highly skilled and highly mobile? Examining gendered and ethnicised labour market conditions for migrant women in STEM-professions in Germany’, *Journal of Ethnic and Migration Studies*, 43(16), pp. 2738-2755.

⁶¹ Ibid.

⁶² Ibid.

⁶³ Iredale, R. (2005), ‘Gender, immigration policies and accreditation: Valuing the skills of professional women migrants’, *Geoforum*, 36(2), pp. 155-166.

⁶⁴ Passerini, L., Lyon, D., Capussotti, E. and Laliotou, I. (eds) (2010), *Women Migrants from East to West: Gender, Mobility and Belonging in Contemporary Europe*, 1st ed., Berghahn Books, <http://www.jstor.org/stable/j.ctt1btbx95>.

Moreover, Passerini et al. (2010) highlight the ways in which employment and work play a role beyond an economic one, as it also functions to provide a ‘sense of place in the receiving country’ and is strongly ‘connected to [newcomer women’s] sense of self-worth’.⁶⁵ However, their research also reveals the constraints of professional identities available as they are ‘marked both as women and as migrants’ even though they are EU citizens.⁶⁶ The authors demonstrate how the professional possibilities of these mobile female EU citizens with higher qualifications are shaped by a lack of qualification recognition, language proficiency or ultimately their status as ‘migrant women’, rather than EU citizens.⁶⁷

2.2 Gender stereotypes intersecting with other grounds

Several studies highlight how characteristics such as gender, age or country of origin interact and influence labour market participation and career prospects, such as occupation and salary.

Korteweg and Triadafilopoulos (2013) tackle gender stereotypes permeating immigrant integration policy by exploring the case study of the Netherlands and the Dutch parliamentary debates surrounding the integration plan of women and girls from ethnic minorities.⁶⁸ Guided by a feminist intersectional lens, Korteweg and Triadafilopoulos critique the racialised depiction of migrant women, in particular the presentation of migrant women as ‘low skilled, submissive and disenfranchised’.⁶⁹ They argue that this results in heightened racism and xenophobia, inflaming representations that stigmatise migrant women.⁷⁰ In turn, migrant women, especially Muslim ones, are denied agency, and are more likely to experience stereotyping and discrimination by hiring managers and future employers.

Similarly, Anthias (2013) argues that policy makers need to dig deeper and undo essentialised binary framings of ‘us v them’ and replace these with an ‘intersectional approach that considers the complex and irreducible nature of belonging and social hierarchy’.⁷¹

Although, this is a subject for another ITFLOWS report on the integration of refugees and asylum seekers, we would like to provide an example of ‘heteronormative’ biases on the examination of asylum claims. LGBTQI+ asylum processes reveal a narrowly constructed homosexual-heterosexual binary, typically exclusionary to certain LGBTQI+ individuals, who are racialised or who otherwise do not fit the public imaginary. Duggan (1994) coined the term ‘homonormativity’ to encompass the white, Western, male standard of homosexuality. Thus, individuals who apply for asylum on the grounds of sexual orientation are often required to match this conception of homosexuality in order to gain asylum.⁷²

Other research demonstrates how mobility and motivations to move can be ‘gendered’ and intersect with marital status. Among heterosexual married couples, migrant married men increased their earnings following their move to another country, while women often increased their subjective wellbeing.⁷³ These findings show that maybe the measurement of money can also be more reflective of male

⁶⁵ Ibid., p. 123.

⁶⁶ Ibid.

⁶⁷ Ibid.

⁶⁸ Korteweg, A.C. and Triadafilopoulos, T. (2013), ‘Gender, Religion, and Ethnicity: Intersections and Boundaries in Immigrant Integration Policy Making’, *Social Politics: International Studies in Gender, State & Society*, Vol. 20, Issue 1, Spring 2013, pp. 109-136, <https://doi.org/10.1093/sp/jxs027>.

⁶⁹ Ibid.

⁷⁰ Ibid.

⁷¹ Anthias, F. (2013), op. cit.

⁷² Duggan, L. (1994), ‘Queering the State’, *Social Text*, 39, pp. 1-14, <https://doi.org/10.2307/466361>.

⁷³ Preston, K. and Grimes, A. (2019), ‘Migration, gender, wages and wellbeing: Who gains and in which ways?’, *Social Indicators Research*, 144(3), pp. 1415-1452.

motivations than female. In addition, this ‘subjective increase in wellbeing’ runs contrary to the popular narrative of migrant women as potential victims.⁷⁴

Intersectional and gender stereotypes require that generic gender mainstreaming efforts manage to reach out to those women and men with multiple and intersecting identities and grounds. This issue has been an uphill battle, including within institutions, such as when the United Nations (UN) was tasked with delivering on gender mainstreaming.⁷⁵ Thus, similarly, it is and can be expected that within the EU, those framing the gender or ‘socio-economic’ inclusion policies will need to reflect their bias and positionalities on this issue so as not to bring back the more nuanced understandings of ‘social hierarchies’ that tend to be (sub)consciously perpetuated and hinder delivery of equality.⁷⁶

2.3 Family and childcare responsibilities

On the topic of care work, in particular childcare responsibilities in relation to migrants, literature has largely focused on the role of migrants as caregivers, playing a crucial part in outsourced care work in their destination countries. Literature was initially developed on the issue of migrants’ own care responsibilities in destination countries, named the ‘global care chains’.⁷⁷ More recently, literature has begun to address the unique challenges faced by female migrants attempting to reconcile care responsibilities with paid work.⁷⁸

Santero and Naldini (2020) point to further discrepancies between migrants’ and natives’ resources in relation to care responsibilities, noting the lack of usual support and kinship network.⁷⁹ Even when migrants replace traditional family networks with a ‘fictive kinship after migration’, this source is often unable to offer support due to own work and care demands. Santero and Naldini also highlight the risks of ‘lack of a regular contract, long or atypical working hours and low pay’ impacting migrants’ access to maternity and paternity leave, as well as migrant mothers returning to work after childbirth. This study also includes examples of migration positively impacting the gendered division of care responsibilities, pointing to examples of increased male participation in childcare, resulting from contextual factors such as different family models and access to more social resources than in the origin country.

Ultimately, as argued by Kilkey and Palenga-Möllenbeck (2016), the resources for care responsibilities at migrants’ disposal can be benefited or obstructed by ‘structural factors, such as migration policies, employment situation, and eligibility for and access to public support for parents’.⁸⁰

Building on the aforementioned intersectional underpinnings, Nieuwboer and van’t Rood (2016) critically approach the linguistic integration of migrants, examining language courses for migrants in Europe intended to increase their labour market participation.⁸¹ Nieuwboer and van’t Rood argue that

⁷⁴ Vosyliūtė, L. (2012), *Migrant Domestic Workers in the European Union: Potential Human Rights Avenues for Empowerment*, Central European University, Legal Studies Department. http://www.etd.ceu.hu/2012/vosyliute_lina.pdf.

⁷⁵ Charlesworth, H. (2005), ‘Not Waving but Drowning: Gender Mainstreaming and Human Rights in the United Nations’, *Harvard Human Rights Journal*, Vol. 18, <https://harvardhrj.com/wp-content/uploads/sites/14/2020/06/18HHRJ1-Charlesworth.pdf>.

⁷⁶ Anthias, F. (2013), op. cit.

⁷⁷ Orozco, A.P. (2007), *Global care chains*, Gender, Migration and Development Series, Working Paper, 2, United Nations International Research and Training Institute for the Advancement of Women (UN-INSTRAW), <https://trainingcentre.unwomen.org/instraw-library/2009-R-MIG-GLO-GLO-EN.pdf>.

⁷⁸ Lutz, H. and Palenga-Möllenbeck, E. (2012), ‘Care workers, care drain, and care chains: Reflections on care, migration, and citizenship’, *Social Politics*, 19(1), pp. 15-37.

⁷⁹ Santero, A. and Naldini, M. (2020), ‘Migrant parents in Italy: gendered narratives on work/family balance’, *Journal of Family Studies*, 26(1), pp. 126-141.

⁸⁰ Kilkey, M. and Palenga-Möllenbeck, E. (eds) (2016), *Family life in an age of migration and mobility, Global perspectives through the life course*, London: Palgrave.

⁸¹ Nieuwboer, C. and van't Rood, R. (2016), ‘Learning language that matters: A pedagogical method to support migrant mothers without formal education experience in their social integration in Western countries’, *International Journal of Intercultural Relations*, Vol. 51, pp. 29-40, ISSN 0147-1767, <https://doi.org/10.1016/j.ijintrel.2016.01.002>.

these courses are not suitable for all migrant populations, placing a special focus on female migrants with limited education.⁸² To address this challenge, they argue for the provision of childcare arrangements and transport coverage to successfully engage migrant women in language courses. They propose coverage of family communication and parenting within education projects, reflecting gender-sensitive education. This argument acknowledges the full range of identity markers of migrant women, including parenting or childcare responsibilities.⁸³ The lack of childcare support or the inadequate provision of transportation, are also among the barriers related to migrant women's inclusion in the labour market.

For female migrants who are parents or carers, the lack of adequate childcare and/or care-sharing presents a particular obstacle in accessing the labour market and maintaining a balance between work and private life.⁸⁴ Female migrants with children are thus susceptible to the so-called 'motherhood penalty', described in the study conducted by the European Commission's Joint Research Centre as the 'negative relationship between having children and a range of women's labour market outcomes'.⁸⁵ Also referred to as the 'child penalty', it has been cited by several studies, where it has also been linked to a 'wage penalty'.⁸⁶

For instance, in 2020 the ILO warned about the widening 'migrant pay gap' following the COVID-19 pandemic. The study concluded that migrant women experienced a 'double wage penalty':

The pay gap between male nationals and migrant women in high-income countries is estimated at nearly 21% per hour. This is higher than the gender pay gap (16%) in those countries.⁸⁷

The motherhood penalty can unfold both in anticipation of motherhood, for instance by discriminatory employment practices towards reproductive age women, or with the motherhood, where working arrangements fail to meet the demands of childcare responsibilities. Although this 'penalty' applies to migrants as well as those who hold citizenship, it does not always result in the same outcomes. As the cross-country comparative research finds, migrant women are more likely to be impacted, and subsequently hindered from labour market participation by childcare responsibilities in numerous but concrete ways.⁸⁸ They are further exemplified in the country-specific findings in Section 4 of this study. But, first we will analyse the gender dimension within the EU's integration and legal migration policies.

In Section 3, we elaborate on the extent to which EU migrant integration and inclusion policies are successful in dealing with the three key issues identified: overqualification, 2) gender bias and discrimination, and 3) care responsibilities. Finally, we explore what the realities are, as well as policies and some promising initiatives at the national level highlighting these issues (Section 4).

⁸² Ibid.

⁸³ Ibid.

⁸⁴ Preston, K. and Grimes, A. (2019), op. cit.

⁸⁵ Grubanov-Boskovic, S. et al. (2020), op. cit.

⁸⁶ Andersen, S.H. (2018), 'Paternity Leave and the Motherhood Penalty: New Causal Evidence', *Journal of Marriage and Family*, 80 (5): 1125-1143.

⁸⁷ Amo-Agyei, S. (2020), op. cit.

⁸⁸ Kontos, M. (ed.) (2009), op. cit.

3. GENDER DIMENSION IN EU POLICIES ON MIGRANT INTEGRATION AND LEGAL MIGRATION ACQUIS

This section provides a quick overview of EU acquis in the area of migrant integration in the EU from an intersectional approach. The policy area was launched with the Common Basic Principles (CBPs) on migrant integration in the EU in 2004.⁸⁹ Since then, it has been developed by the European Commission and the EU Member States. The New EU Migration and Asylum Pact also produced a new Action Plan for Integration and Inclusion for the period 2021 to 2027.

We further discuss the inclusionary and exclusionary elements mentioned in this key EU policy document guiding Member States' efforts in the area of 'inclusion and integration' for a seven-year period. We start by assessing the objectives related to the 'gender dimension'. We further assess some of the exclusionary aspects, and even potential misuses of 'gender-specific' objectives and narratives. Finally, we contrast the EU's 'integration and inclusion' policies to the gaps left within the EU's current legal migration directives that are likely to disproportionately affect migrant women.

The gender dimension was already explicitly mentioned in 2004, as it was asserted that the CBPs on migrant integration aimed to:

serve to be complementary and in full synergy with existing legislative frameworks, including the international instruments on Human Rights, Community instruments containing integration provisions, EU objectives on gender equality and non-discrimination and other EU policies.

The CBPs started the narrative about integration as a 'two-way process', where both newcomers and locals should step closer towards each other (first principle). Nevertheless, critical literature observes that pressure to integrate has been mounting at the migrants' end and not so much on the locals. For instance, Anthias (2013) asserts how the EU's definition of integration has been constructed and functioning to serve cultural, colonial, racial and gendered hierarchies.⁹⁰ Christou and Kofman (2022) highlight how in this context gender is further played as a card, while 'engendering' inclusion and integration policies.⁹¹

The second CBP requires the respect for the basic EU values. It states that:

Everybody resident in the EU must adapt and adhere closely to the basic values of the European Union as well as to Member State laws. The provisions and values enshrined in European Treaties serve as both baseline and compass, as they are common to the Member States.

Today, this is applied and requested equally from 'both sides of the street' (see Subsection 3.1.1.). However, the majority of EU initiatives working on migrant integration have gone towards one side. We highlight the fact that despite 'gender equality' having been strengthened as an aim on its own, numerous exclusionary and rights-restricting elements introduced with the New EU Migration and Asylum Pact have been also undercutting the rights of migrant women.⁹² See further discussion in Subsection 3.1.2.

The CBPs, the new EU Action Plan for Integration and Inclusion and various EU-funded initiatives speak about two-way processes, but the political narratives and even political structures are built to impose 'one-way traffic'. And, indeed, gender equality has at times been (mis)used as an 'obligatory direction', but only for those who are refugees, migrants or racialised EU citizens. Somewhat anecdotal, the fiercest opponents of migration as an impediment to 'our European way of life', such as Kachinsky

⁸⁹ Justice and Home Affairs Council (2004), *Common Basic Principles for Immigrant Integration Policy in the European Union*, Annex to 14615/04 (Presse 321), 2618th Council Meeting, Brussels, 19 November, pp. 19-24.

⁹⁰ Anthias, F. (2013), op. cit.

⁹¹ Christou, A., and Kofman, E. (2022), op. cit.

⁹² Brouwer, E. et al. (2021), op. cit.

and Orbán, seem not to be integrated in the EU values, where gender equality and rule of law prevails (see Subsection 3.1.3. on EU narratives on integration: gender equality as a tool to impose cultural superiority).

The EU's strong language on gender equality has also been used in CBPs and subsequent migrant integration plans and policies as a distinction between 'us' and 'them'.⁹³ But, the academic evidence finds that quite often EU or Member State policies internalise, perpetuate and re-create gendered stereotypes.⁹⁴ And when migrant women's integration outcomes are below those of migrant men or local women, the focus is often misplaced on 'a migrant background, culture or religion' to serve as the easy explanation. The focus rarely shifts to explore deeper intersectional discrimination and obstacles posed by the EU and national migration and integration policies.

In March 2020, the Commission introduced a gender strategy to address the issue of gender and its intersections in 'all stages of policy design in all EU policy areas, internal and external', thus acknowledging the shortcomings of gender-neutral EU policy.⁹⁵

Therefore, 'gender equality' needs to be respected not only by migrants and those with a migrant background, who the President of the Commission called 'to be integrated' in her State of the Union address,⁹⁶ but also by EU citizens. Do the EU citizens and in particular those representing them – politicians and public officials respecting gender equality among other CBPs? How about those responsible for migrant integration at the Ministries of Interior, and the first contacts with the state authorities – local administrations issuing residence cards, migration departments and even border officials and police?⁹⁷ Does the EU's motto of 'Unity in Diversity' apply to migrant women and men?

3.1 New EU Action Plan on Integration and Inclusion: inclusionary elements and gender dimension

The newly elected European Commission launched the Migration and Asylum Pact in September 2020. In November 2020, the Commission approved the 'EU Action Plan on Integration and Inclusion 2021-2027'.⁹⁸ This action plan was presented as a 'comprehensive framework to tackle challenges regarding integration and migration'.

The action plan reiterates the CBP 2 principle, adapting to the narrative of 'the European way of life', claiming that it is 'inclusive' and based on the EU's fundamental values 'enshrined in the EU Treaties, and in the Charter of Fundamental Rights of the European Union' such as equality and non-discrimination:

It means giving equal opportunities to all to enjoy their rights and participate in community and social life, regardless of the background and in line with the European Pillar of Social Rights.⁹⁹

The New EU Action Plan on Integration and Inclusion 2021-2027 no longer uses the term 'migrant integration', since it now encompasses both newcomers and EU citizens. This may look on the surface as a positive step, finally engaging 'both sides of the street', but a deeper analysis shows that only those of migrant background are targeted. See further discussion on exclusionary elements in Subsection 3.1.2.

Compared to the 2016 Action Plan, the Commission has made certain modifications by providing for increased coordination, funding and monitoring. The Commission has acknowledged that stronger

⁹³ Ibid.

⁹⁴ Christou, A. and Kofman, E. (2022), op. cit.

⁹⁵ European Commission (2020), *A Union of Equality: Gender Equality Strategy 2020-2025*, Brussels, 5.3.2020 COM(2020) 152 final.

⁹⁶ European Commission (2020), *State of the Union Address by President von der Leyen at the European Parliament Plenary*, Speech, 16 September, <https://ec.europa.eu/commission/presscorner/home/en>.

⁹⁷ Ibid.

⁹⁸ European Commission (2020), *Action Plan on Integration and Inclusion 2021-2027*, op. cit.

⁹⁹ Ibid.

action is required in the field of integration and inclusion at local level, highlighting especially the situations that migrant women are more likely to encounter.

Furthermore, the New EU Action Plan calls to involve migrants themselves in the various decision-making processes. For instance, in 2020 the Commission has set up an Expert Group on the views of migrants, which is expected to consult the Commission on various issues that refugees, migrants and EU citizens of migrant background encounter.¹⁰⁰

In addition, the action plan calls to involve the host society more efficiently. Since the action plan was drafted during the COVID-19 pandemic, the Commission has accentuated the importance of increasing access to healthcare services for migrants.

3.1.1 Gender dimension

The EU Action Plan on Integration and Inclusion 2021-2027 contains strong language on gender equality. The ‘mainstreaming of gender and anti-discrimination’ policies is one of five key principles, which also include ‘Inclusion for all’, ‘Targeted support where needed’, ‘Support at all stages of the integration process’ and ‘Multistakeholder partnerships’. The action plan mentions gender at least 14 times, women 15, men 2 and LGBTQI 6 times. It highlights the intersectional and multiple discrimination experienced by migrant women:

In particular, migrant women and girls face additional obstacles to integration compared to migrant men and boys, often having to overcome structural barriers linked to their being both a migrant and female, including facing stereotypes.¹⁰¹

The action plan further highlights and illustrates the challenges faced by migrant women. For instance, among the working age population (age group: 20-64) ‘40.7% of migrant women in 2019, compared to 21.1% among native women’ are more likely to be overqualified for their jobs.¹⁰²

Moreover, among young people (18-24 years old), those ‘born outside the EU were much more likely (21%) than natives (12.5%) to be ‘neither in employment nor in education and training’ in 2019, especially migrant girls and young women (25.9%)’.¹⁰³

In addition, women are predominantly seen as ‘victims of trafficking in human beings or gender-based violence’ and thus need special healthcare and other assistance.¹⁰⁴ While this responds to actual realities, such framing may still end up portraying migrant women as primarily vulnerable and victims, in contradiction to the GCM call for ‘gender-responsive policies’ and for empowerment, which sees them having the potential to be changemakers rather than mere victims. The GCM thus puts the policies, not migrant women and their skills, under scrutiny.

Interestingly, the action plan asserts that ‘Migrant women face additional challenges as they tend to have lower proficiency in the host country language, weaker social networks, and greater responsibilities for childcare and family.’¹⁰⁵ This finding can be contrasted with the FRA EU MIDIS II survey conclusion, after interviewing 16 149 migrant men and women, where more migrant women considered themselves to have a ‘sufficient level of language proficiency’ compared to migrant men:¹⁰⁶

¹⁰⁰ European Commission (2020), *Integration of Migrants: Commission Launches a Public Consultation and Call for an Expert Group on the Views of Migrants*, July 17, https://home-affairs.ec.europa.eu/news/integration-migrants-commission-launches-public-consultation-and-call-expert-group-views-migrants-2020-07-17_en.

¹⁰¹ *Ibid.*, p. 6.

¹⁰² *Ibid.*, p. 6, based on Eurostat; EU-LFS statistics in Grubanov-Boskovic, S. et al. (2020), *op. cit.*

¹⁰³ European Commission (2020), *Action Plan on Integration and Inclusion 2021-2027*, *op. cit.*, p. 5

¹⁰⁴ *Ibid.*, p. 14.

¹⁰⁵ *Ibid.*, p. 13.

¹⁰⁶ European Union Agency for Fundamental Rights (2019), *Second European Union Minorities and Discrimination Survey: Migrant women – selected findings*, *op. cit.*

EU-MIDIS II finds that on average, 78% of women and 74% of men respondents indicated having sufficient proficiency in the national language(s) of their country of residence in terms of speaking, reading and writing.

The FRA report highlighted that in certain countries of destination, certain categories of women are more proficient ('good to mother tongue') than men, for instance women of Sub-Saharan origin in Finland (women 69% v men 52%), as well as in Sweden (women 70% v men 55%). Also, more women than men of North African origin were proficient in French in France (women 88% v men 76%). Nevertheless, men of Asian origin are more proficient than women in the Netherlands (men 80% v women 65%), Italy (men 49% v women 29%) and the United Kingdom (men 82% v women 71%). Thus, the broad statement about women lacking local language skills needs to be much more nuanced. The structural reasons behind the language proficiency need to be analysed and addressed better.

Some aspects of the new EU Action Plan on Migration and Inclusion also build on the more empowering image of women as 'entrepreneurs' rather than 'victims'. For instance, the action plan aims to:

Provide support for inclusive entrepreneurship under InvestEU for both women and men, including migrant entrepreneurs, and foster inclusive mentoring schemes.

EU-funded projects under the Asylum, Migration and Integration Fund (AMIF) include some interesting examples of projects aiming at improving gender equality, rights-based approaches, mentorships and the promotion of migrant women's entrepreneurship.

Nevertheless, challenges remain in translating these EU-wide policy objectives and initiatives into practical and sustainable programmes. For instance, in 2018 a European Court of Auditors (ECA) briefing paper found that only four EU Member States (based on the responses of European Integration Network respondents) had specific policies addressing women, while 16 of them had policies 'where the target group [migrant women] is included'.¹⁰⁷

3.1.2 Local inclusion and multistakeholder partnerships: integration at local level

The New EU Action Plan on Integration and Inclusion aims to maximise the positions of the local authorities and institutions. The action plan recognises that integration happens at the local level, for instance in schools, offices, social/leisure clubs and the neighbourhood more generally. These institutions provide opportunities for migrants where they can interact with the local community.

The action plan encourages the launch of intercultural dialogue and programmes, as both the migrant and local citizen can benefit from these meetings, and cultural and/or religious barriers can be removed from both sides. 'It helps combat xenophobia, exclusion, radicalisation and "us v them" narratives while building mutual respect and fostering migrants' sense of belonging'.¹⁰⁸

The implementation of the action plan is partly covered by the relevant EU funds. Through the European Regional Development Fund, European Social Fund (ESF) Plus, Asylum and Migration Fund and InvestEU, the EU is urging Member States to utilise these resources thoroughly for adequate and affordable housing for migrants. Alongside fighting discrimination in the housing market, the action plan also aims to reduce residential segregation. Nevertheless, it is usually central governments and not local authorities who decide how such funds need to be spent.

Since migrant integration and access to rights remain the subject of various political divides at national and local level, the very meaning of such funds can be squashed. For instance, Westerby (2018) notes how AMIF funding for 2014-2020 was curtailed by the central government in Bulgaria, where 'the suspension of the national integration policy has resulted in the slow overall implementation of [AMIF] National Programme capacity[...]'.¹⁰⁹ In other countries, like Hungary and Slovakia, the EU funding in

¹⁰⁷ European Court of Auditors (2018), *The integration of migrants from outside the EU*, op. cit.

¹⁰⁸ European Commission (2020), *Action Plan on Integration and Inclusion 2021-2027*, op. cit.

¹⁰⁹ Westerby, R. (2018), *Follow the money: assessing the use of EU Asylum, Migration and Integration Fund (AMIF) funding at the national level*. Brussels: UNHCR, ECRE, p. 28

the period 2014-2020 remained ‘the sole available source of funding in this area’.¹¹⁰ In these countries, the central governments have imposed various restrictions on who can access these funds. Thus, Westerby (2018) recommended to strengthen the partnership principle and in particular to:

[S]ystematically include representation from a specified range of partners (international organisations, civil society organisations, local authorities, migrant organisations and academic institutions).¹¹¹

In Poland, Greece and Italy we see that although central government positions towards migration are rather negative, the local authorities are setting up certain projects and initiatives under the umbrella of Eurocities as to come up with context-specific, needs-based and gender-sensitive solutions.¹¹²

Additionally, the action plan wants to fight discrimination in the housing market, as mentioned earlier, and focus on reducing residential segregation. The action plan aims to use the funding more deeply by distributing it evenly among the national, regional and local levels. It states, that:

Local and regional authorities play a crucial role in the integration process but often lack resources to put in place integration measures or have difficulties in accessing EU funding. In the context of the new Multiannual Financial Framework 2021-2027, the Commission proposed that their access to EU funding should be facilitated through better information and increased involvement in the preparation, implementation and revision of the relevant national programmes managed under shared management.¹¹³

Also, civil society organisations, educational institutions, employers and socio-economic partners, social economy organisations, churches, religious and other philosophical communities, youth and students’ organisations, diaspora organisations and migrants themselves play a key role ‘in achieving a truly effective and comprehensive integration policy’.¹¹⁴

The Expert Group on the views of migrants set up in 2020 by the Commission is a welcome step.¹¹⁵ It could further follow the example of EU Roma equality, inclusion, and participation policy developments.¹¹⁶ For instance, governments are obliged to include Roma civil society in disbursing the EU funding and in shaping national policies.¹¹⁷

In addition, Roma civil society along with academia actively tracks implementation of Roma-related EU policies via the Roma Civil Monitor (RCM) project.¹¹⁸ It stands for ‘*Preparatory action – Roma Civil Monitoring: Strengthening capacity and involvement of Roma and pro-Roma civil society in policy monitoring and review*’, which has been initiated by the European Parliament and funded by the European Commission’s Directorate-General Justice and Consumers (DG JUST). The RCM project will run from 2021 until 2025. Similar migrant-led and, particularly, migrant-women-led monitoring projects could strengthen the implementation of migrant integration and inclusion policies.

¹¹⁰ Ibid.

¹¹¹ Ibid.

¹¹² Eurocities (2021), *10 ways to make integration gender-sensitive*, 28 June, <https://eurocities.eu/latest/10-ways-to-make-integration-gender-sensitive/>.

¹¹³ European Commission (2020), *Action Plan on Integration and Inclusion 2021-2027*, op. cit.

¹¹⁴ Ibid.

¹¹⁵ European Commission (2020), *Integration of Migrants: Commission Launches a Public Consultation and Call for an Expert Group on the Views of Migrants*, op. cit.

¹¹⁶ European Commission (2020), *A Union of Equality: EU Roma strategic framework for equality, inclusion and participation*, COM/2020/620 final, Brussels, 7 October, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020DC0620&qid=1615293880380>.

¹¹⁷ Carrera, S., Rostas, I. and Vosyliūtė, L. (2017), *Combating Institutional Anti-Gypsyism: Responses and promising practices in the EU and selected Member States*, CEPS, Brussels, 19 May, <https://www.ceps.eu/publications/combating-institutional-anti-gypsyism-responses-and-promising-practices-eu-and-selected>.

¹¹⁸ Roma Civil Monitoring – Project V2. 10 Jan. 2023, <https://romacivilmonitoring.eu/>.

However, from the perspective of being gender responsive and agency advancing, the strategy as a whole contains numerous deficits and lessons not learned that are discussed in Subsection 3.1.2. The Subsection 3.2. shows how progressive elements to advance gender equality also risk to be overshadowed by the overall agenda within the EU's Migration and Asylum Pact, which aims to contain migrants and asylum seekers by restricting their rights.¹¹⁹

3.2 The New EU Asylum and Migration Pact: exclusionary elements that are likely to backfire

The New EU Action Plan on Integration and Inclusion was said to learn from and build on the previous phases and experiences, but the question remains – to which extent does it do this?

3.2.1 Socio-economic exclusion of undocumented

First, the action plan does not include all migrants irrespective of their status, but targets only those with legal status and – quite controversially – so-called ‘second-generation migrants’, who are in fact EU citizens. This creates a rather dubious distinction among the citizens against the spirit of equal treatment and the non-discrimination agenda.

President of the Commission, Ursula von der Leyen, announced the plan in her State of the Union address in September 2020 with an accompanying message:

We will make sure that people who have the right to stay are integrated and made to feel welcome. They have a future to build – and skills, energy and talent.¹²⁰

Such an introduction highlights the exclusionary nature of what is supposed to be an inclusion, equality and non-discrimination tool, thus highlighting its political function to ignore the basic rights of those who fall undocumented, sometimes because of obvious gaps within the EU's sectorial migration schemes that assign different rights.¹²¹

For instance, the 2019 FRA study was very critical about the ‘labour market protection periods’ under the Family Reunification Directive, which precludes migrant women and men from actually undertaking jobs up to a year from their arrival.¹²² This looks at odds with the EU's action plan calling for the increased participation of migrant women.

Thus, the lack of coherence within and among different directives and policies should be resolved by consistently applying the Better Regulation Guidelines. The Commission should also take a self-critical view as to which of its policy initiatives and legislation do not stand firm and conform to declared EU values, but rather allow for or facilitate structural barriers for migrant women and men.

3.2.2 Sectorial and gendered nature of legal migration acquis

The ‘first entry’ conditions laid down in current EU legal migration directives are based on a sectorial and worker-by-worker approach. Accordingly, the level of rights and socio-economic inclusion applicable depends on the EU migration status/category, i.e. ‘highly qualified’ Blue Card third-country nationals having more opportunities to integrate (and less pressure to do so) unlike ‘third-country nationals’ under seasonal work, intra-corporate transferee or other schemes.

The Single Residence Permit Directive has only the limited effect of giving equal rights to all third-country nationals and equal rights to national and third-country workers. Structural inequalities in rights

¹¹⁹ Brouwer, E., et al. (2021), The European Commission's legislative proposals in the New Pact on Migration and Asylum, op.cit.

¹²⁰ European Commission (2020), State of the Union Address by President von der Leyen, op. cit.

¹²¹ Carrera, S. et al. (2019), Cost of Non-Europe in the Area of Legal Migration, op. cit.

¹²² European Union Agency for Fundamental Rights (2019), Second European Union Minorities and Discrimination Survey: Migrant women – selected findings, op. cit.

and dependencies on the employer thus increase the possibility of discrimination in hosting societies and labour exploitation. Furthermore, the EU Blue Card Directive exempts applicants from integration abroad requirements as a condition for entry. This does not apply to non-highly qualified workers and their families, who are subject to integration conditions in light of the Family Reunification Directive.

Finally, while some initiatives target basic service providers and local authorities to build capacity to include migrants and to teach them local languages. However, such initiatives rarely target the key competences among the local authorities responsible for registration and integration of migrants. For instance, are they fully aligned with the EU value of ‘Unity in Diversity’, knowledge of the migrants’ languages or even English as *lingua franca*? Are they embracing gender equality and intersectionality?

The Subsection 3.3. further explores, how at times, the gender dimension in the context of migrant integration and inclusion is misused for other political aims.

3.3 EU narratives on migrant integration: gender equality, religion and cultural superiority

The new 2019-2024 European Commission included the appointment of a Vice-President ‘to defend our European way of life’. This Vice-president title raised controversy at the European Parliament. Afterwards, the word ‘defend’ was changed to ‘promote’, as it was seen as xenophobic and disenfranchising towards ethnic minorities, migrants and asylum seekers.¹²³

Numerous questions were raised by MEPs, civil society and media, such as what precisely is this ‘European way of life’? Who is ‘us’ and who is ‘them’? Who needs to be ‘defended’, and what needs to be ‘promoted’? In this context, gender equality seemed to be exploited as an argument on how Europeans - ‘we’ are different to ‘them’ – migrants and those with migrant background.

The EU narrative was found to be lacking genuine interest in gender equality and not reflecting the realities identified by the abovementioned FRA survey, which has shown that majority of migrants are embracing the gender equality.¹²⁴

[T]he majority of migrant women and men have positive views on gender equality issues: considering that both husband and wife should contribute to household income, that having a job is the best way for a woman to be an independent person, and that men should take as much responsibility as women for the home and children.¹²⁵

The power asymmetries seem to imply that being ‘European’ has become an excuse for not respecting the agreed EU values, treaties and even international law, with a vague public imaginary of the ‘other’ – be it refugee, migrant or Roma. For instance, hate speech used by high-level political figures towards migrants and refugees too often goes unpunished. There are low numbers of prosecutions for hate speech and hate crime. But, most importantly, the EU has not come up with effective Rule of Law mechanism, when laws, policies and practices of the EU institutions and national governments or local authorities fall completely outside the EU values, such as those initiated by Hungary and Poland.¹²⁶

According to the CBP 2, such values include the following:

¹²³ Herszenhorn, D.M. and De La Baume, M. (2019), ‘Outrage over “Protecting Our European Way of Life” Job Title’, *POLITICO*, 11 September, <https://www.politico.eu/article/outrage-over-protecting-our-european-way-of-life-job-title/>.

¹²⁴ European Union Agency for Fundamental Rights (2019), Second European Union Minorities and Discrimination Survey: Migrant women – selected findings, op. cit.

¹²⁵ European Union Agency for Fundamental Rights (2019), Second European Union Minorities and Discrimination Survey: Migrant women – selected findings, op. cit., p. 53.

¹²⁶ Vosyliūtė, L. and Luk, N. Chun (2020), *Protecting Civil Society Space: Strengthening freedom of association, NGOs and human rights defenders in Europe*, Study for the European Parliament’s Committee on Civil Liberties, Justice and Home Affairs, October, [https://www.europarl.europa.eu/RegData/etudes/STUD/2020/659660/IPOL_STU\(2020\)659660_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2020/659660/IPOL_STU(2020)659660_EN.pdf).

Respect for the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law.... [R]espect for the provisions of the Charter of Fundamental Rights of the Union, which enshrine the concepts of dignity, freedom, equality and non-discrimination, solidarity, citizen's rights, and justice.

One could question the extent to which high-level politicians such as Viktor Orbán or Jaroslaw Kaczynski have themselves adopted the abovementioned EU values, that are supposed to be passed on to refugees and other migrants. For instance, Polish and Hungarian governments called for gender equality to be excluded from the EU Social Pillar.¹²⁷ While the CBP(2) further argued that:

Views and opinions that are not compatible with such basic [EU] values might hinder the successful integration of immigrants into their new host society and might adversely influence the society as a whole.

Thus, EU policy makers need better mechanisms to oversee how the EU values, such as gender equality are kept up. It follows, that one of the main challenges to migrant integration stems from various anti-migrant policies and narratives.

For instance, in-depth research in France has shown how the headscarf ban with a pretext of Muslim women's empowerment has led to their socio-economic exclusion.¹²⁸ Similarly, other identity markers such as sexual orientation or gender expression must be acknowledged. For example, Muslim refugees are often looked at with suspicion during their asylum procedure, as their religion and sexual orientation seems to be mutually exclusive for those assessing their claims for international protection.¹²⁹

In a number of the EU Member States politicians have exploited dangerous and unfounded narratives conflating migration with terrorism.¹³⁰ For instance, Helbling and Meierrieks (2022) after analysing empiric research on migration and terrorism nexus concluded that:

(1) there is little evidence that more migration unconditionally leads to more terrorist activity, especially in Western countries, (2) terrorism has electoral and political (but sometimes short-lived) ramifications, for example, as terrorism promotes anti-immigrant resentment and (3) the effectiveness of stricter migration policies in deterring terrorism is rather limited, while terrorist attacks lead to more restrictive migration policies.

Thus, migration does not correlate with increase in terrorism, but 'anti-terrorist' narratives often get exploited to restrict migration and halt migrant integration by far-right politicians.

Such narratives portray 'male Muslim migrants' as potential risks and also ignore reality of increased terrorism risks perpetrated by various far right and neo-Nazi groups. For instance, since 2017, the Police in the UK have stopped 32 terrorist plots, and while 18 were labeled as 'Islamist', 12 were instigated by far-right extremists, a share that was seen as increasing.¹³¹ However, depending on the country, far-right group extremist attacks, may be not even recorded or watered down as merely 'extreme right violence', 'hate crime', or even - violation of 'public order' and 'hooliganism'.¹³² Bjørge and Ravndal aserted that:

¹²⁷ Baczynska, G. (2021), 'Poland, Hungary Block "Gender Equality" from EU Social Summit', *Reuters*, 7 May. [www.reuters.com, https://www.reuters.com/world/europe/poland-hungary-push-against-gender-equality-eu-social-summit-2021-05-07/](https://www.reuters.com/world/europe/poland-hungary-push-against-gender-equality-eu-social-summit-2021-05-07/).

¹²⁸ Abdelgadir, A. and Fouka, V. (2020), 'Political secularism and Muslim integration in the West: Assessing the effects of the French headscarf ban', *American Political Science Review*, 114(3), pp. 707-723.

¹²⁹ Tschalaer, M. (2019), 'Between queer liberalisms and Muslim masculinities: LGBTQI+ Muslim asylum assessment in Germany', *Ethnic and Racial Studies*, 43(7), pp. 1-18.

¹³⁰ Helbling, M. and Meierrieks, D. (2022), 'Terrorism and migration: An overview', in *British Journal of Political Science*, 52(2), 977-996.

¹³¹ Dodd, V. (2022), 'Terrorism in the UK: The Rising Threat of Far-Right Extremists', *The Guardian*, 16 May, <https://www.theguardian.com/uk-news/2022/may/16/terrorism-in-the-uk-the-rising-threat-of-far-right-extremists>.

¹³² Bjørge, T. and Ravndal, J. A. (2019), 'Extreme-right violence and terrorism: Concepts, patterns, and responses', ICCT Policy Brief, September, <https://www.jstor.org/stable/pdf/resrep19624.pdf>.

Although jihadi terrorism is considered the most severe terrorist threat facing Europe, there may have been a tendency to underestimate the terrorist threat from the extreme right—at times with severe consequences.¹³³

The Bjørgo and Ravndal also showcased how police when faced with the right wing extremism ‘lacked the imagination to understand that series of violence and murder might have an extreme-right motivation.’

Not to mention the very intentional episodes of violence by border guards and deployed ‘border hunters’ called to keep the migrants and refugees out. Gozdziaik and Marton (2018) discuss such episodes in Hungary and Poland in response of 2015 ‘migration crisis’.¹³⁴

Again, CBP 1 on ‘the two way process’ gets rigged. As if local majorities and politicians stand above EU law, and dismiss or fail to implement agreements or conventions that require proactive understanding, education and implementation of the EU values.

Roma equality, inclusion and participation policies have learned the lesson. Although they started with a similar premise that the socio-economic integration of Roma people would resolve their marginalisation, the legacy of centuries of antigypsyism and various subtle and obviously violent mechanisms of coercion, dehumanisation and racism has been exposed as a result.¹³⁵

For instance, rarely do projects or project funding schemes start by asking what makes the migrants themselves feel included? Are there any differences between what inclusion means for migrant men and what it means for migrant women? More often than not, such projects start with stereotypical assumptions of what migrants – in particular migrant women – are and what they should want.

The EU policy makers should also more carefully assess the premise that the hosting society is already integrated and respects the founding EU values. It is wrongly assumed, that newcomers – or those who look like them – are lacking in respect for the EU values like gender equality.

Examples above, call for more effective processes to address racialised, hate-based and extremist narratives as falling outside of the European law. It is also paramount that respect and mainstreaming of gender equality would not become an optional EU value for the EU governments and those tasked to implement the EU migrant integration and inclusion policies.

¹³³ Ibid.

¹³⁴ Gozdziaik, E. M. and Márton, P. (2018), ‘Where the wild things are: Fear of Islam and the anti-refugee rhetoric in Hungary and in Poland’, *Central and Eastern European Migration Review*, 7(2), 125-151.

¹³⁵ Carrera, S., Rostas, I. and Vosyliūtė, L. (2017), *Combating Institutional Anti-Gypsyism: Responses and promising practices in the EU and selected Member States*, op. cit.

4. COUNTRY CASE STUDIES: INTEGRATION AND GENDER IN PRACTICE

This section provides a review of existing evidence on key gender-related issues for the integration of migrants and asylum seekers in the ITFLOWS case countries: France, Germany, Greece, Italy, Poland, Spain, Sweden and the Netherlands. It specifically considers to what extent the legal and policy framework in place in the selected countries adopts a gender-sensitive approach when designing and implementing integration policies, with a focus on the labour market inclusion of migrant women. The review includes a non-exhaustive list of promising practices implemented by national and local authorities to address the most relevant challenges affecting migrant women's participation in the labour market, including intersectional discrimination, overqualification and childcare responsibilities.

4.1 France

4.1.1 Background: integration policy and law

In France, the integration of migrants and refugees is predominantly managed through the mainstreaming of newcomers into the national legal framework. This means that they are treated equally to any other French citizen in terms of access to social protection rights. Due to this common law (*droit commun*) approach, the establishment of specific measures targeting migrant and refugee populations has traditionally not been at the core of policy debates in France.

The Law of 7 March 2016, relating to the rights of foreigners in France, reformed the reception and integration system for foreigners entering France for the first time and wishing to settle there permanently. It created a personalised 'Republican Integration Process' centred on the one-year 'Republican Integration Contract' (CIR).¹³⁶ The signing of a CIR marks the foreigner's commitment to engage in a process of 'republican integration', which lasts one year (with the possibility of extension for another year). The CIR is signed by all foreign newcomers, including refugees and beneficiaries of subsidiary protection, admitted for the first time to stay in France and who wish to settle there permanently.¹³⁷

Within the framework of the CIR, foreigners are required to participate in civic training, focusing on five themes: 1) the portrait of France; 2) health; 3) employment; 4) parenthood; and 5) housing. The CIR also prescribes up to 200 hours of language training to reach A1 level of the Common European Reference Framework for Languages. Within the last three months of the prescribed civic and linguistic training, the foreigner is invited to an end-of-contract interview, during which a training report is conducted and new information is provided on the offer of local services that can facilitate the rest of the integration process and in particular his/her professional integration.¹³⁸

The integration measures foreseen by the CIR have been widely criticised by civil society actors. Criticism has pointed to the content of the civic course and its detachment from the experience of everyday life in France.¹³⁹ Concerns regarding the language training include the argument that the required A1 level is considered too low to enable labour market inclusion; heterogeneous class

¹³⁶ See French Republic, Republican Integration Contract (CIR), https://www.ofii.fr/wp-content/uploads/2020/07/cir_contrat_en.pdf.

¹³⁷ EWSI, *La gouvernance de l'intégration des migrants en France*, European Commission, https://ec.europa.eu/migrant-integration/country-governance/la-gouvernance-de-lintegration-des-migrants-en-france_fr#ecl-inpage-4952.

¹³⁸ Point de contact français du REM (2021), *L'intégration des femmes migrantes en France: politiques et mesures*, National report, November, p.15, <https://www.immigration.interieur.gouv.fr/Info-ressources/Actualites/Focus/L-integration-des-femmes-migrantes-politiques-et-mesures>.

¹³⁹ Radziemski, L. (2021), 'Want to stay long term in France? First come the classes on how to be French', *The Washington Post*, 13 August, https://www.washingtonpost.com/world/europe/france-integration-separatism/2021/08/12/4a19b3f6-f609-11eb-9738-8395ec2a44e7_story.html.

populations that do not consider the different language levels of participants; and a lack of targeted support for illiterate individuals.¹⁴⁰

If the design and management of integration policy is mainly a prerogative of national authorities, in particular of the Ministry of Interior,¹⁴¹ municipalities play a key role in the implementation of integration measures at the local level, in particular on aspects such as registration in schools and applications for social housing and for financial aid.¹⁴²

France's integration policies were described and analysed by ECRI in its fifth report on the country published in 2016. ECRI report noted several improvements compared to the previous monitoring cycle. The report underlined in particular how the government had made efforts to reinforce integration through employment with the establishment of a vocational skills assessment system that enables migrants to make the most of their qualifications and skills.¹⁴³

While welcoming significant improvements, the report identified several persisting concerns about the design of integration policies in France. Notably, ECRI underlined how, despite previous recommendations, French integration policies did not contain adequate provisions concerning their evaluation. In particular, the report stated that existing evidence on the results of previously implemented programmes had not been assessed at all, while in several cases no comprehensive statistics, e.g. with a breakdown according to target group, were available. ECRI argued that this made it difficult to establish the extent to which integration policies had been able to address the needs of vulnerable groups.

Concerning the integration of migrants into the labour market, ECRI noted how the emphasis on language learning – on which the integration process in France is based – hampered integration through employment. This is because the assessment of qualifications and assistance in finding a job take place at a later stage. Furthermore, the language course is not believed to be sufficiently adapted to the actual daily situations of people looking for a job.¹⁴⁴

Civil society organisations have also stressed the need to promote the labour market integration of migrants by ensuring that they can all benefit from recognition of their foreign diplomas, qualifications and/or skills, and by facilitating access to the professions that are prohibited to them. They further recommend enhancing work-related language training within the framework of publicly funded language courses.¹⁴⁵

4.1.2 Key issues for the inclusion of migrant women in the labour market

The 2019 national report drafted by France within the framework of the national-level review process of the Beijing Declaration and Platform for Action stated that the wage income gap with respect to gender in the country was 24%, 18.5% in full-time equivalent and 9% for equal positions and skills. In addition, women are more exposed to unskilled employment.¹⁴⁶ The government took action to address

¹⁴⁰ Fine, S. (2019), *The integration of Refugees in France*, In-depth analysis requested by the EMPL Committee of the European Parliament, August, p. 15, [https://www.europarl.europa.eu/RegData/etudes/STUD/2019/638397/IPOL_STU\(2019\)638397\(ANN01\)_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2019/638397/IPOL_STU(2019)638397(ANN01)_EN.pdf).

¹⁴¹ Escafré-Dublet, A. (2014), *Mainstreaming Immigrant Integration Policy in France: Education, Employment, and Social Cohesion Initiatives*, Migration Policy Institute Europe, August, <https://www.migrationpolicy.org/sites/default/files/publications/Mainstreaming-France-FINAL.pdf>.

¹⁴² Point de contact français du REM (2021), *L'intégration des femmes migrantes en France: politiques et mesures*, op. cit., p.15.

¹⁴³ ECRI (2015), *Report on France, (fifth monitoring cycle)*, adopted 8 December 2015, published 1 March 2016, paras 55-56, <https://www.refworld.org/docid/584e8a714.html>.

¹⁴⁴ *Ibid.*, para. 65.

¹⁴⁵ Migrant Integration Policy Index (MIPEX) (2019), France: Key findings, <https://www.mipex.eu/france>.

¹⁴⁶ French Republic, *Rapport de mise en œuvre par la France de la Plateforme d'action de Pékin (Pékin + 25) à la Commission économique des Nations Unies pour l'Europe*, p. 5, <https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/CSW/64/National-reviews/France.pdf>.

this issue through Law No 2018-771 of 5 September 2018 on the freedom to choose one's professional future, which includes the obligation for all employers to calculate and publish the Gender Equality Index and to take corrective actions to eliminate the pay gap.¹⁴⁷

A 2020 Note of the CoE on 'Migrant women in France' stressed the risk of discrimination in the labour market faced by migrant women. Migrant women's exposure to occupational downgrading is the consequence of different kinds of discrimination that affect female immigrants. The note also stated that women are systematically more subject to professional downgrading than men. Migrant women also face more difficulties in finding a job: in 2017, 21% of migrant women were unemployed compared to 8.5% of French women. The situation is compounded by the barriers to obtaining recognition of degrees acquired in their countries of origin. In addition, available data show that migrant women are also over-represented in care occupations.¹⁴⁸

ECRI's fifth report identified the integration of migrant women as an outstanding issue, especially from the point of view of wearing a headscarf. Already in its fourth report ECRI recommended that the French authorities carry out an information and awareness-raising campaign vis-à-vis public service employees and the majority population, so as to prevent unlawful and discriminatory requests that Muslim women wearing the headscarf either remove it or refrain from entering a public place. ECRI also stressed how this issue was linked to discrimination in the field of employment, as shown by several cases of dismissal in which wearing a headscarf was a factor.¹⁴⁹

4.1.3 Promising practices to foster the inclusion of migrant women

In France, the financing of measures for the integration of migrant women is carried out within the framework of actions supporting the integration of third-country nationals in general. At the national level, each year, the DGEF (*Direction Générale des Étrangers en France*) launches a call for projects to select national or interregional actions.

Based on evidence showing that beneficiaries of existing schemes were predominantly male workers, innovative projects have recently been launched to integrate the needs of newcomer women (e.g. staggered hours, setting up a mode of childcare, training in digital professions, mobility assistance and mentoring).

In 2020, four projects were selected specifically targeting migrant women. The projects focused on employment support and access to rights (on aspects such as female genital mutilation (FGM), early marriage and violence against women). In 2021, six projects targeting migrant women were selected, focusing on access to vocational training, access to rights and learning of French. Some of these projects include a childcare solution.¹⁵⁰

The French government has financially supported many regional projects to promote the professional integration of migrant women. These projects, like the actions carried out by the associations *Universités & Réfugiés* in Ile-de-France, *Centre d'information sur les droits des femmes et des familles (CIDFF)* in Haute-Savoie, and *Retravailler* in Moselle, include an evaluation of the skills acquired, a process to validate the acquired experience or the comparability of the foreign diploma via ENIC NARIC, a job discovery component through immersion in the professional environment, language training for professional purposes and, in some cases, the possibility for an employee to obtain sponsorship. Another project has focused on giving migrant women the possibility to discover jobs often taken by men (such

¹⁴⁷ Ibid., p. 6.

¹⁴⁸ Council of Europe (2020), *Migrant women in France*, May, DGCS/BAEI/LV, <https://rm.coe.int/migrant-women-in-france-note-coe-eng-june-2020-1-/16809f1557>.

¹⁴⁹ ECRI (2015), Report on France (fifth monitoring cycle), op. cit., para. 73.

¹⁵⁰ Point de contact français du REM (2021), *L'intégration des femmes migrantes en France: politiques et mesures*, op. cit., p. 65.

as welding, industrial production and machining), including 10 days of training and 10 days of internship in partner companies.¹⁵¹

Other promising examples of projects implemented in the French context are described briefly below.

4.1.3.1 *AGIR, programme d'accompagnement vers l'emploi et le logement des réfugiés*

The Directorate-General for Foreigners in France, in cooperation with a range of national authorities, will launch the AGIR programme in 2022.¹⁵² The project offers each beneficiary of international protection the possibility of benefiting from comprehensive individualised support, in particular towards housing and employment. It is based on three pillars:

- a) comprehensive support for beneficiaries through the appointment of social referents in the area of employment, training and access to rights, and housing;
- b) coordination of all local integration actors specialised in the integration of refugees, to whom the beneficiaries of protection can be referred;
- c) the creation of local partnerships to guarantee effective access to rights, such as the reservation of social housing.

4.1.3.2 *#TF4WOMEN FRANCE*

The fourth edition of the #TF4Women Fellowship in France was launched in September 2021. This programme targets women with refugee status or benefiting from subsidiary protection. It consists of a free six-month programme that provides one-to-one mentoring from tech and digital experts, as well as online training and networking activities. It aims to establish a link between refugee women and businesses looking to grow through diversity and by building an international team. Beneficiaries will be involved in activities such as discovering the world of new technologies and its job offers; developing their technical and digital skills; developing online job search skills; meeting employees of the sector; and improving their language knowledge.¹⁵³

4.1.3.3 *Insertion Femmes Etrangères*

Professionals from the CIDFF receive newcomer women to inform them about their rights and facilitate their autonomy, through the provision of legal services and collective workshops, or by conducting individual interviews on professional integration. The national project is carried out by the CIDFF with the support of the Department of Integration and Access to Nationality. Project actions in the area of social and professional integration include: supporting newcomer women through collective workshops (broadening of professional choices, enhancement of skills and experience); individual interviews with CIDFF employment counsellors; and raising awareness among employment professionals about the specific obstacles encountered by newcomer women.¹⁵⁴

4.1.3.4 *Example of promising practices implemented by NGOs*

Programmes run by the Forum Réfugiés-Cosi offer projects specifically dedicated to migrant women. One of these projects, carried out within the framework of the programme ACCELAIR in partnership with CIDFF, focuses on:

¹⁵¹ Ibid.

¹⁵² EWSI (2021), *France: AGIR, programme d'accompagnement vers l'emploi et le logement des réfugiés*, 15 December, https://ec.europa.eu/migrant-integration/news/france-agir-programme-daccompagnement-vers-lemploi-et-le-logement-des-refugies_fr.

¹⁵³ See #TF4WOMEN FRANCE website: <https://techfugees.com/fr/inclusion/france/>.

¹⁵⁴ See IFE, Insertion Femmes Etrangères: <https://fncidff.info/qui-sommes-nous/nos-actions/actions-en-cours/ife-insertion-femmes-etrangeres/>.

- a) informing migrant women of their rights in France;
- b) improving their language level;
- c) allowing a first level of collective support to facilitate entry into full-time training;
- d) acting collectively on the obstacles penalising female workers (organisation of living time, mother-child separation and parenthood, self-confidence, and violence against women);
- e) broadening the professional choices of women;
- f) helping to think about their work-life balance and life choices.¹⁵⁵

4.2 Germany

4.2.1 Background: integration policy and law

The Federal Government of Germany first established a Commissioner for Integration in 1978, recognising that a substantial number of so-called ‘guest workers’ (*Gastarbeiter*) – e.g. migrant workers predominantly from Turkey (but also from Italy, Spain, Yugoslavia, Morocco, Portugal and Tunisia) after World War II – had become permanent residents.

However, it was not until 2005 that Germany carried out its first large-scale reform of its immigration system, which paved the way for the establishment of a structural integration policy.¹⁵⁶ In parallel, in 2007, the Federal Government adopted its Second Action Plan to Combat Violence against Women to address intersectional forms of discrimination and to strengthen women’s protection against violence and harassment. The law extended a set of guarantees to migrant women and women with disabilities.¹⁵⁷

The substantial increase in the number of asylum seekers arriving in Germany since 2015 has fostered a reform of migration and asylum policies, and laid the ground for a more proactive and coherent approach to migrant integration.¹⁵⁸

The Integration Act adopted in 2016 was Germany’s first integration legislation at the federal level. The law aims to facilitate the integration of asylum seekers and refugees, and is based on the ‘support and demand’ (*Fördern und Fordern*) approach: refugees are called to prove their integration progress (e.g. in areas such as acquisition of language skills and employment) as a condition for obtaining permanent residence. Access to early integration measures (integration courses) and work opportunities is facilitated for asylum applicants with good prospects of staying.¹⁵⁹

In 2018, the Federal Government revised its National Action Plan on Integration based on a whole-of-government approach involving the Federal Government, the regional states, local authorities and non-governmental actors, including migrant organisations. The process resulted in the identification of 120 measures for successful integration, which fall within the following five phases of immigration and cohabitation: 1) Before migration: managing expectations – providing guidance; 2) Initial integration:

¹⁵⁵ Point de contact français du REM (2021), *L’intégration des femmes migrantes en France: politiques et mesures*, op. cit., p. 44.

¹⁵⁶ European Website on Integration (EWSI), *Governance of migrant integration in Germany*, https://ec.europa.eu/migrant-integration/country-governance/governance-migrant-integration-germany_en.

¹⁵⁷ UN Women (2007), *Second National Action Plan of the Federal Government to Combat Violence against Women*, <https://evaw-global-database.unwomen.org/en/countries/europe/germany/2007/second-national-action-plan-of-the-federal-government-to-combat-violence-against-women>.

¹⁵⁸ Chemin, E.J. and Nagel, A.K. (2020), *Integration Policies, Practices and Experiences: Germany Country Report*, RESPOND Working Paper 2020/51, June, <https://respondmigration.com/wp-blog/refugee-integration-policies-practices-experiences-germany-country-report>.

¹⁵⁹ *Ibid.*, p. 16.

facilitating arrival – communicating values; 3) Integration: providing for participation – encouraging and requiring active involvement; 4) Growing together: managing diversity – ensuring unity; and 5) Cohesion: strengthening cohesion – shaping the future.¹⁶⁰

The field of integration policy and governance in Germany is considered a cross-sectional topic that cuts across the responsibilities of various federal ministries, including the Ministry of the Interior, the Ministry for Economic Affairs, the Ministry of Labour and Social Affairs, the Ministry for Family Affairs, and the Ministry for Economic Cooperation and Development. In addition, the design and implementation of integration policies involves different levels of government: while the policy making and monitoring phases are largely under the responsibility of the Federal Government, the implementation stage is mainly the prerogative of regional states and municipalities. As underlined by researchers, ‘the strong federal structure of Germany fosters an incoherence of migration policies and practice within and across different levels of migration governance (national, regional, municipalities)’.¹⁶¹

In its fifth monitoring report on Germany, based on an assessment conducted by the United Nations Educational, Scientific and Cultural Organization (UNESCO) on language learning in preschools and the system for the recognition of foreign diplomas, ECRI (2019) underlines the challenges faced by many refugees who lack language proficiency and other qualifications to access the labour market. At the same time, the report underlines several positive results achieved by the policies put in place by German authorities to ensure the early integration of asylum seekers and refugees in the labour market. These measures, including vocational training courses in high-demand job sectors, have contributed to an increase in the share of people coming from key refugee-producing countries who have found employment.¹⁶²

4.2.2 Key issues for the inclusion of migrant women in the labour market

Roughly 11.8 million foreigners were living in Germany at the end of 2020, of whom around half were women.¹⁶³ In February 2022, Germany reported almost 1.24 million refugees and 233 000 asylum seekers, making it the biggest host country for refugees in Europe.¹⁶⁴ The characteristics of the population with a refugee background in Germany show that it is predominantly male: in 2017, 73% of adult refugees were male and 27% were female. In addition, only 24% of female refugees were single compared to over half of male refugees. Considerably more refugee women than refugee men lived with their spouses and/or children, while 17% of women versus 2% of men were single parents.¹⁶⁵

Already in 2011, the National Action Plan on Integration acknowledged that women and men experienced the transition from their country of origin to the host country differently and had ‘distinctive histories of immigration’. Accordingly, the plan called for the design of targeted measures to enable women and girls from immigrant families to lead a life in Germany based on self-determination and

¹⁶⁰ See Federal Government of Germany, *National Action Plan on Integration*, <https://www.bundesregierung.de/breg-en/news/aktionsplan-integration-1772728>.

¹⁶¹ Chemin, E.J. and Nagel, A.K. op. cit., p. 13.

¹⁶² ECRI (2019), Report on Germany, sixth monitoring cycle, para. 87.

¹⁶³ Turkish people accounted for the largest group (1.3 million people, 12.4%) of the total foreign population. They were followed by Syrian (787 000, 7.4%) and Polish citizens (774 000, 7.3%). See Statistisches Bundesamt, last accessed 12 May 2022, <https://www.destatis.de/EN/Themes/Society-Environment/Population/Migration-Integration/Tables/foreign-population-laender.html;jsessionid=2A3A826223B4B4F02F8E9782C75289CD.live741>.

¹⁶⁴ UNHCR (2022), *Germany factsheet*, February, <https://www.unhcr.org/asia/623469c12.pdf>.

¹⁶⁵ Brücker, H., Jaschke, P. and Kosyakova, Y. (2019), Integrating Refugees and Asylum Seekers into the German Economy and Society: Empirical Evidence and Policy Objectives, Transatlantic Council on Migration, December, p. 6.

equal rights. Under the plan, the German Federal States (*Länder*) recognised it as their specific responsibility to advocate equality between the sexes and to actively combat conflicting tendencies.¹⁶⁶

The labour market situation for refugees and migrant women in Germany is poorer than that of their male counterparts. Existing evidence shows that it is more difficult for them to find a job and that their range of career choices is narrower than that of young non-immigrant women. In its 2019 report on Germany, ECRI underlined that the unemployment rate of people with a migrant background was still more than twice as high in 2017 as people with a non-migrant background (6.6% v 3.1%). The employment rate (65.1%) also lagged behind the rest of the population (78.4%), with women with a migrant background lagging 12.5 percentage points behind men of this group.¹⁶⁷

Data from a 2015 survey also showed that previous employment in the country of origin differed considerably according to gender, with women having much lower employment rates. Gender gaps are particularly pronounced for applicants from Afghanistan and Syria.¹⁶⁸ Evidence further shows that employment gaps between men and women are strongly connected to women's educational level. Employment rates among university-educated women are similar to those of university-educated men, but gender gaps are large for the less educated. This indicates that low-educated women face additional hurdles to integrate into the German labour market, as they are less likely to have gained work experience in their country of origin.¹⁶⁹

An additional issue is represented by the fact that only a third of refugee women had work experience before fleeing to Germany, compared to over three quarters of refugee men. A study published by the Federal Office for Migration and Refugees (BAMF) in 2017 indicated that 69% of women had neither started nor completed a vocational training or degree course, compared to 58% of men.¹⁷⁰ Women who cannot read and write in their first language face additional hurdles in the process of learning the German language.¹⁷¹ Refugee women face more difficulties in consistently attending German language courses than their male counterparts. One key barrier to participation is family and childcare obligations: mothers constitute two thirds of the female refugee population, and among this group a large share holds the added responsibility of children.¹⁷²

4.2.3 Promising practices to foster the inclusion of migrant women

As part of its gender equality policy strategy to protect and integrate women refugees and their children, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ) has launched a range of measures to improve protection for women and (their) children and to promote the integration of women refugees.

To promote the integration of women and address their needs, special integration courses are provided for women. In order to create a trust-inspiring learning environment, these integration courses are held by female teachers. Additionally, 'low-threshold' courses for women are offered to engage women who

¹⁶⁶ Federal Government of Germany (2011), *National Action Plan on Integration*, Abridged press version, <https://polen.diplo.de/blob/485830/b3bada7b7614c18bb869326b0bef63aa/integration-nap-eng-data.pdf>.

¹⁶⁷ ECRI (2019), Report on Germany, sixth monitoring cycle, para. 87.

¹⁶⁸ Degler, E. and Liebig, T. (2017), *Finding their Way, Labour Market Integration of Refugees in Germany*, OECD Report, International Migration Division, Directorate for Employment, Labour and Social Affairs, March, <https://search.oecd.org/els/mig/Finding-their-Way-Germany.pdf>.

¹⁶⁹ *Ibid.*, p. 23.

¹⁷⁰ Worbs, S. and Baraulina, T. (2017), *Female Refugees in Germany: Language, Education and Employment*, BAMF Brief Analysis, 01/2017, https://www.bamf.de/SharedDocs/Anlagen/EN/Forschung/Kurzanalysen/kurzanalyse7_gefluchtete-frauen.pdf?blob=publicationFile&v=11.

¹⁷¹ Esposito, A. (2022), 'Integrating Refugee Women into Germany', *Harvard International Review*, 24 January, <https://hir.harvard.edu/integrating-refugee-women-into-germany/>.

¹⁷² Brücker, H. et al. (2019), *op. cit.*

have only minimal education qualifications. These courses can serve as a gateway to access regular integration courses.¹⁷³

Several federal programmes have been launched in recent years to promote better reconciliation of family and work for migrants and refugees: ‘*Schwerpunkt-Kitas Sprache und Integration*’ for language and integration support in daycare;¹⁷⁴ ‘*Kita-Einstieg*’ encouraging migrant families to make use of daycare;¹⁷⁵ and ‘*ProKindertagespflege*’ to strengthen child daycare.¹⁷⁶ Under the federal funding programme ‘*KitaPlus*’, childcare facilities with extended opening times are promoted as a means to support parents who, due to their employment situation, are reliant on such services (for example because they work early, late or on night shifts).¹⁷⁷

BAMF started offering childcare assistance to refugee women in March 2017. As indicated above, childcare responsibilities are one of main reasons preventing women from attending language courses; thus, childcare support is key to improving women’s engagement in language courses. In turn, the chance to achieve German proficiency would unlock new opportunities – educational, economic and social – for refugee women and their families.¹⁷⁸

The projects described below represent a non-exhaustive list of promising practices addressing the specific challenges faced by migrant and refugee women when accessing or navigating the labour market in Germany. The selection includes initiatives both developed and supported by the Federal Government, regional states, municipalities and civil society actors. Based on different approaches, they seek to address some of the key challenges impacting women’s participation in the labour market, including intersectional discrimination, childcare responsibilities and overqualification.

4.2.3.1 *Integration through Qualification (IQ)*

Integration through Qualification (IQ) is a federal funding programme that supports women refugees in various ways (qualification recognition advice, training advice, training programmes and projects).¹⁷⁹ In sub-projects that exclusively target refugee women, the IQ programme tests approaches that aim to meet women’s specific needs. The sub-projects provide orientation and training programmes with the aim of empowering refugee women to make their way into the labour market. Advice and counselling services are provided in communal accommodation centres and in refugee reception centres.¹⁸⁰

4.2.3.2 *Competence Centres for Women and Work in North Rhine-Westphalia*

Competence Centres for Women and Work (*Kompetenzzentren Frau und Beruf*) in North Rhine-Westphalia support small and medium-sized enterprises in recruiting women employees, implementing family and life-phase-oriented human resources policy, and promoting women who want to take up management positions. In cooperation with regional industry and business, the centres implement targeted measures for women returning to work, young women academics, migrant women and women with disabilities.¹⁸¹

¹⁷³ Federal Government of Germany (2019), Twenty-fifth Anniversary of the Fourth World Conference on Women and Adoption of the Beijing Declaration and Platform for Action (1995), Report of the Federal Republic of Germany, August, https://unece.org/fileadmin/DAM/Gender/Beijing_20/Germany.pdf.

¹⁷⁴ <https://sprach-kitas.fruhe-chancen.de/programm/ueber-das-programm/>.

¹⁷⁵ <https://kita-einstieg.fruhe-chancen.de/>.

¹⁷⁶ <https://prokindertagespflege.fruhe-chancen.de/>.

¹⁷⁷ <https://kitaplus.fruhe-chancen.de/>.

¹⁷⁸ Weise, H. (2017), ‘Women refugees face difficult path to integration in Germany’, *DW*, 19 September, <https://www.dw.com/en/women-refugees-face-difficult-path-to-integration-in-germany/a-40593611>.

¹⁷⁹ <https://www.netzwerk-iq.de/en/>.

¹⁸⁰ See, for example, the sub-project ‘Vocational orientation counselling for refugee women’ in the Schleswig-Holstein IQ Network: <https://www.netzwerk-iq.de/en/offers/iq-good-practice/intercultural-opening-and-anti-discrimination/motivation-for-entering-the-labour-market>.

¹⁸¹ <http://www.competentia.nrw.de/kompetenzzentren/index.php>.

4.2.3.3 *‘Strong Careers – Mothers with a Migration Background Start Out’*

The ESF-Federal Government programme ‘Strong Careers – Mothers with a Migration Background Start Out’ targets migrant women and women refugees with children. In cooperation with local job centres or the Federal Employment Agency, some 90 contact points across the country show mothers different ways of returning to work, by delivering coaching, training and language courses. From 2015 to 2022 this federal programme has assisted 9 000 migrant women. According to data provided by government authorities, around two thirds of participants in ‘Strong Careers’ have been able to develop employment paths (jobs, training, work placements and recognition of existing qualifications), and 37% have found jobs subject to statutory social insurance contributions, have become self-employed or are involved in vocational education and training.¹⁸²

4.2.3.4 *Initiative ‘Mama lernt Deutsch’*

‘Mama lernt Deutsch’ is a long-term initiative across various German cities that provides language courses for migrant mothers with limited or no knowledge of the German language. The programme takes place in schools and daycare, facilitating childcare for children all ages to enable mothers’ participation. The focus on migrant mothers is also reflected in the topics covered by the course, which also includes issues related to school, school trips, education, health, etc.

4.2.3.5 *DaMigra*

The Federal Government funds DaMigra, the Association of Migrant Women’s Organisations, which advocates for the rights of women refugees, raising awareness about their needs and, recently, combating intersectional discrimination.¹⁸³ The project ‘Female refugees: Start your own business!’ (*Frauen mit Fluchterfahrung gründen*) ran from 2017 to 2019 in the Rhein-Main region. Funded by the BMFSFJ, the programme provides refugee women with a mentor and access to workshops, networking, financial resources and legal information to enable them to develop a business idea and set up a business in Germany.¹⁸⁴

4.2.3.6 *Bridge project*

In Berlin, as part of the Bridge project, multilingual events are organised for refugee women, where other women can give them quick and clear answers to questions about working in Germany. As women often have to deal with extra domestic work like childcare, these events are organised at locations close to their accommodation. The project also offers courses to prepare women for work in the healthcare or social sector. So far, the courses have been offered to about 40 women per year, more than 24 of whom typically go on to take part in vocational training or find work in the targeted sectors. The Bridge project, which is funded by the European Social Fund (ESF), has supported more than 3 000 refugees in finding employment since 2015. A third of these are women.¹⁸⁵

4.2.3.7 *Leipzig municipality*

In Leipzig, the city has supported migrant women entering the workforce since 2015, and since 2019 through the establishment of a specific committee aimed at improving support in this area. The support provided includes special accommodation, an advice centre exclusively for women, and training in work-related skills. Training for social workers is provided to make sure they are well attuned to the

¹⁸² <https://starkimberuf.de/>.

¹⁸³ <https://www.damigra.de/>.

¹⁸⁴ Government of Germany, Frauen mit Fluchterfahrung gründen ihr eigenes Business, <https://www.frauenmitfluchterfahrungsgruenden.de/>.

¹⁸⁵ <https://ec.europa.eu/esf/main.jsp?catId=46&langId=en&projectId=1857>.

needs of migrant women. The training includes better recognising the work-related skills that these women have and the kind of assistance and advice that are most appropriate for this target group.¹⁸⁶

4.3 Greece

4.3.1 Background: integration policy and law

The Migration and Integration Code (Law 4251/2014), which entered into force in April 2014, is the basic law regulating integration in Greece.¹⁸⁷ The law addresses issues related to residence permits, family reunification and access to the labour market. In addition, the Asylum Law (Law 4375/2016) addresses aspects related to integration; in particular, it provides for the establishment of a Directorate for Social Integration, tasked with making recommendations for the formulation of strategies and policies for the integration of beneficiaries of international protection and migrants.¹⁸⁸

In 2019, the government approved a new National Integration Strategy. The strategy specifies that integration concerns beneficiaries of international protection and migrants, for whom the state is called upon to ensure the conditions necessary for their successful integration into Greek society. The strategy puts forward a set of actions and measures aimed at addressing the specific needs of migrants and refugees in areas such as housing, access to the labour market, health, education, participation in public life and access to accurate information.¹⁸⁹

The strategy assigns a significant role to local communities for the implementation of the integration process. Local governments are designated as the main implementing actors of integration initiatives, and are also assigned a key role in developing integration policies under the supervision of the central government administration. The strategy further recognises cooperation with civil society as an essential component of effective integration, adding that migrants and refugees (through their representatives) are entitled to and must have a say in the process of their integration into Greek society. Accordingly, the strategy envisages the launch of dialogues and an exchange of views to consolidate cooperation between national authorities and civil society.¹⁹⁰

In spite of the reform efforts undertaken over recent years, in particular since the significant increase in the number of asylum seekers arriving in the country from 2015 onwards, several challenges affect integration policies in Greece.¹⁹¹ Key areas of concern include labour market inclusion, education, housing, healthcare and civic participation. Among the most pressing issues identified by research are the incapacity of the public sector to address the specific needs of migrants and refugees, the absence of intercultural approaches in welfare services, the lack of durable funding and the fragmented and project-based nature of adopted interventions.¹⁹²

The legal framework for accessing the labour market in Greece is considered inflexible, over-bureaucratic and putting severe restrictions on the prospects of the inclusion of migrants. Concerning specifically inclusion in the labour market, Law 4636/2019 established a six-month time limit before asylum applicants can access the labour market. Additional obstacles are linked to the economic conditions prevailing in Greece, in particular the high unemployment rate, as well as difficulties in

¹⁸⁶ Eurocities (2021), 10 ways to make integration gender-sensitive, op. cit.

¹⁸⁷ ECRI, *Report on Greece (fifth monitoring cycle)*, adopted 10 December 2014, published 24 February 2015, para. 88.

¹⁸⁸ EWSI, Governance of migrant integration in Greece, https://ec.europa.eu/migrant-integration/country-governance/governance-migrant-integration-greece_en.

¹⁸⁹ Ministry of Migration Policy (2019), National Strategy for Integration, Greece, July, <https://bit.ly/3JmP2BF>.

¹⁹⁰ Ibid.

¹⁹¹ ECRI, *Report on Greece (fifth monitoring cycle)*, op. cit., para. 92.

¹⁹² Papatzani, E., Leivaditi, N., Aggelos, I. and Petracou, E. (2020), *Rudimentary Integration Policies in Greece, Not a priority for Greek government policies*, RESPOND Policy Brief 2020/16, <https://respondmigration.com/policy-briefs/rudimentary-integration-policies-in-greece>.

obtaining the necessary administrative documents and requirements.¹⁹³ Furthermore, no specific procedure considering the special circumstances of asylum seekers and refugees has been established for the validation of skills and recognition of foreign diplomas. Finally, no public integration or strategic plan has been put in place to facilitate access for refugees and asylum seekers, including vulnerable groups, to the labour market.¹⁹⁴

These obstacles, coupled with the economic downturn experienced by Greece in the aftermath of the financial crisis of 2007 to 2008, have seriously hindered access to the formal labour market for migrants and asylum seekers. High unemployment rates in sectors such as construction, transport and retail, with a strong presence of male migrants, as well as private care, domestic work and cleaning sectors, where migrant women are mostly employed, heavily affect the prospect of migrants' inclusion in the labour market. As a consequence, an even higher number of migrants have been pushed into the informal sector, where they are often deprived of basic social rights and face exploitative conditions, vulnerability and precarious income-generating activities.¹⁹⁵

It should be added that the legal framework adopted in Greece following the conclusion of the EU-Turkey Statement in March 2016 has made a strong distinction between the treatment of asylum seekers on the mainland and those held in hotspots on the Greek islands. As documented by many sources, asylum seekers kept on the islands have been exposed to overcrowding, degrading reception conditions and insufficient sanitary conditions for protracted periods of time, with no real prospect of entering the labour market.¹⁹⁶

4.3.2 Key issues for the inclusion of migrant women in the labour market

In terms of gender composition, some migrant groups residing in Greece are almost entirely male (as in the case of Pakistani) or largely so (e.g. Egyptians and Indians), while others are predominantly women (e.g. Ukrainians, Georgians, Russians and Moldovans). The groups characterised by a gender balance are those who migrated within their families or who, after settling permanently in the country, managed to bring their family members from abroad (e.g. Albanians).¹⁹⁷

Gender equality is in principle guaranteed in the 2001 Greek Constitution. Greek legislation has made significant progress in achieving harmonisation with EU acquis, particularly in the areas of employment and social security. The reform of the Code of Migration and Social Integration in 2014 (Law 4251/2014) brought the issue of integration into the foreground. The Immigration Code, however, did not include a proactive and gender-sensitive approach. Recent policy initiatives and programmes have not adequately considered the specific needs of migrant women. The existing policy framework still considers female migrants predominantly as family members or victims of domestic violence and trafficking.¹⁹⁸

¹⁹³ Asylum Information Database (AIDA) (2021), 'Access to the Labour Market: Greece', Last updated 10 June, <https://asylumineurope.org/reports/country/greece/reception-conditions/employment-and-education/access-labour-market/>.

¹⁹⁴ Leivaditi, N., Papatzani, E. Aggelos, I. and Petracou, E. (2020), *Integration Policies, Practices and Experiences: Greece Country Report*, RESPOND Working Paper 2020/53, June, <https://respondmigration.com/wp-blog/refugee-integration-policies-practices-experiences-greece-country-report>; Bontenbal, I. and Lillie, N. (eds) (2019), *Integration of Migrants, Refugees and Asylum Seekers: Policy Barriers and Enablers*, SIRIUS WP3 integrated report, April, p. 325, <https://www.sirius-project.eu/sites/default/files/attachments/WP3%20Integrated%20report%20D3.2.pdf>.

¹⁹⁵ Ibid.

¹⁹⁶ Kapsalis, A., Levanti, S. and Vlassopoulos, I. (n.d.), 'Trapped in Greece: is there any perspective for labour market integration?', in Galgóczi B. (ed.), *Between and between: Integrating refugees into the EU labour market*, ETUI, Brussels, pp. 165-190.

¹⁹⁷ Ministry of Migration Policy (2019), National Strategy for Integration, op. cit.

¹⁹⁸ Anagnostou, D. and Gemi, E. (2015), *Monitoring and Assessing the Integration of Vulnerable Migrants in Greece*, ASSESS Project Report on Integration of Vulnerable Migrants, February, https://www.eliamep.gr/wp-content/uploads/2015/03/ASSESSNatl.Report.Phase2_FINAL.pdf; Bontenbal, I. and Lillie, N. (eds) (2019), op. cit., p. 329.

4.3.2.1 *Inclusion of migrant women in the labour market*

The labour market inclusion of migrant women in Greece poses specific challenges. Research highlights that migrant women have limited opportunities to benefit from policies and specific gender-targeted programmes aimed at labour market integration, vocational training and education, given the ad hoc and fragmented nature of existing policies and programmes.¹⁹⁹

There are significant differences between the sectors in which male and female refugees and asylum seekers are employed. Men are mostly employed in the primary sector and in construction, while women work in household and care services. Furthermore, women are mostly employed in the informal sector – approximately half of them in care services, cleaning services and domestic work – which exacerbates the precariousness of their situation. It should be stressed that women are still treated by the institutional and legal framework as dependent family members rather than active economic actors. This situation, combined with cultural biases in some migrant communities, further hinders women’s access to the labour market.²⁰⁰

Care and domestic housework, sectors in which mostly women are employed, are not covered by collective agreements, but their employment is based on individual contracts with the employee. Consequently, many migrant women face temporary and insecure employment, inadequate working conditions, de-skilling and low wages. Working in the informal sector also limits their access to official social protection schemes, such as healthcare and childcare facilities. Studies have shown that immigrant women are over-represented in professions that are not commensurate with their level of education or professional experience acquired in their countries of origin.²⁰¹

Research further underlines how the main reasons for migrant women’s dissatisfaction related to their job conditions include low wages and poor working conditions, which foster a sense of disappointment and uncertainty about future occupational plans. Moreover, migrant women perceive that discrimination against migrants in general overshadows the specific discrimination they face based on their gender.²⁰²

Although the procedures in Greece for the recognition of professional qualifications acquired outside the EU are in principle the same for immigrants and EU nationals, titles acquired in non-EU countries are often downgraded or not recognised. Therefore, immigrants’ skills and experience, including of migrant women, are not adequately recognised by Greek employers. Additionally, recognition of a university degree does not necessarily enable a migrant woman to find work related to her professional qualifications, as additional licences may be required in order to practise certain jobs. As an example, qualified nurses have to obtain a professional licence in order to practise their profession.²⁰³

Research on Muslim migrant women in the country underlines how gender segregation is perpetuated in the labour market, where women are extremely under-represented in the business sector and paid work. This is partly attributed to women having to carry the main burden of unpaid domestic work, such as childcare and housework. Traditional cultural barriers also hinder their access to employment and business activities. Educational qualification does not guarantee equality in labour market outcomes. While most Muslim migrant women may have the credentials for proper employment, the traditional cultural heritage, which puts on them the burden of household tasks, childcare and caring for ageing parents, limits their access to the labour market.²⁰⁴ This situation is compounded by the lack of targeted policies addressing the specific needs of migrant women in the labour market outlined above.

¹⁹⁹ Ibid., p. 333.

²⁰⁰ Leivaditi, N. et al. (2020), *Integration Policies, Practices and Experiences: Greece Country Report*, op. cit., p. 30.

²⁰¹ Anagnostou, D. and Gemi, E. (2015), op. cit., p. 23.

²⁰² Frangiskou, A., Kandyli, G., Mouriki, A., Sarris, N., Stathopoulou, T., Thanopoulou, M., Tsiganou, J. and Varouxi Ch. (2020), ‘From reception to integration: migrant populations in Greece during and in the aftermath of the crisis’, *Studies – Research Reports*, Μελέτες - Ερευνες ΕΚΚΕ 21, p. 95, <https://www.ekke.gr/services/publication/from-reception-to-integration-migrant-populations-in-greece-during-and-in-the-aftermath-of-the-crisis>.

²⁰³ Anagnostou, D. and Gemi, E. (2015), op. cit., p. 25.

²⁰⁴ Frangiskou, A. et al. (2020), op. cit., p. 105.

4.3.3 Promising practices to foster the inclusion of migrant women

Research on Greek practices and initiatives around employment of migrant women show that these have mostly been developed within the framework of EU funding frameworks, which largely shape national actions, policies and programmes.²⁰⁵

Good practices regarding the employment of migrant women have focused on different types of actions. These include the provision of counselling and support services to migrants, involvement of the local community in the employment of migrants, and the acquisition of professional qualifications (for example in the agricultural sector), promotion, certification and upgrading of qualifications for labour market integration, training, learning the Greek language, and access to work and entrepreneurship through recruitment and support schemes for migrants.

Research shows that a key role in providing services to migrant women is played by non-governmental organisations (NGOs) and civil society organisations implementing programmes and actions for migrants. Despite shortages in funding, these organisations have continued to provide key support to the targeted populations, leveraging on their know-how, expertise and contacts maintained with the targeted migrant populations.²⁰⁶

A critical appraisal of the Greek experience in the area of migrant employment shows that the outcomes of this experience vary. Good practices depend to a large extent on the programme and constraints imposed by their funding frameworks, as the specifications predetermine both the type of actions and the target groups. The programmes implemented generally target socially vulnerable groups, without considering the specific characteristics and needs of migrants. Crucially, these programmes often do not incorporate the gender dimension, nor do they address the specific needs of migrant women. Good practices have remained at a pilot phase as their continuity and the sustainability of the resulting actions are not guaranteed. The lack of continuity of good-practice programmes has a negative impact on the accumulation of know-how by the stakeholders involved, as well as on the further exploitation of the experiences gained.²⁰⁷

Below are some examples of projects carried out by local authorities and civil society actors in Greece, which include promising aspects in respect of enhancing women's participation in the labour market and providing targeted support addressing their specific needs.

4.3.3.1 *Melissa network - Greece*

Melissa Network is an organisation that supports the integration of migrant and refugee women. It has members from over 45 countries and was founded in 2014 with grassroots participation. This organisation runs an innovative integration programme for refugee women and children. It provides a platform for networking, capacity building and advocacy. To help with migrant and refugee women's integration in Greece, the organisation carries out several activities:

- a) Literacy support in various languages at different levels;
- b) Psycho-social support, such as counselling, drama therapy, music and movement therapy;
- c) Information sessions and training about their rights and the critical knowledge they need to have;
- d) Advocacy support through social media, interviews, public speaking and others;

²⁰⁵ Ibid., p. 98.

²⁰⁶ Ibid., p. 99.

²⁰⁷ Ibid., p. 101.

- e) Art and creativity, and the development of vocational, leadership, coding, cooking and crafting skills, among others.²⁰⁸

4.3.3.2 Athens Coordination Centre for Migrants and Refugees

Since the beginning of 2015, with Greece facing a high number of migrant and refugee arrivals, the City of Athens has adopted a proactive approach towards developing strategies to address the needs of these populations and ensure social coherence.²⁰⁹

The Athens Coordination Centre for Migrants and Refugees (ACCMR) functions as a coordination hub for the exchange of good practices and know-how between local and international NGOs, international organisations and municipal bodies on issues ranging from temporary accommodation to the integration of newcomers. The key goal of the ACCMR is efficient coordination between municipal authorities and stakeholders operating within the city on the integration of migrants and refugees, including migrant and refugee women.

The ACCMR has developed a Strategic Action Plan for the smooth integration of migrants and refugees in the City of Athens. In addition, a pilot research project conducted in the period October 2016 to January 2017 offered important insights on the situation of the refugee/immigrant population, and on existing possibilities for their inclusion and integration. In addition, the ACCMR runs the Digital Service Mapping Platform to facilitate the exchange of information and resources between the different stakeholder groups involved in the provision of services.

4.4 Italy

4.4.1 Background: integration policy and law

Italy is considered a country of recent immigration. In 1981 the Italian Institute of Statistics (ISTAT) recorded the presence in Italy of around 211 000 foreigners. Thirty years later, in 2021, about five million foreign citizens were residing in Italy, representing 8.4% of the population.²¹⁰

It was only during the mid-1990s that Italy started the process of establishing specific legislative instruments in the area of migration and integration. The process culminated with the adoption of the ‘Consolidated Act of provisions concerning immigration and the conditions of third-country nationals’ (Legislative Decree No 286/1998), which for the first time laid down in a systematic way the rights (e.g. education, health and social integration) and duties of foreigners living in the country.²¹¹ Legislative Decree 286/1998 was subsequently subject to several amendments, most notably by Law 189/2002, which significantly revised the rules related to legal and irregular migration towards a more restrictive stance, particularly in relation to the expulsion and detention of migrants.²¹²

Since 2012, newly arrived immigrants holding a residence permit with a minimum validity of one year are obliged to sign a so-called ‘Integration Agreement’. Under the Integration Agreement, migrants are required to achieve specific integration goals over the following two years, including a sufficient knowledge of the Italian language (A2 level), as well as their knowledge of the Italian Constitution,

²⁰⁸ <https://ied.eu/project-updates/projects/integration/organizations-for-migrant-integration-in-greece-and-their-importance/>.

²⁰⁹ <https://www.accmr.gr/en/the-athens-coordination-center.html>.

²¹⁰ See ISTAT, Popolazione e Società, Stranieri, <https://noi-italia.istat.it/pagina.php?L=0&categoria=4&dove=ITALIA>.

²¹¹ Ibrido, R. and Marchese, C. (2020), *Integration Policies, Practices and Experiences: Italy Country Report*, RESPOND Working Paper 2020/54, June, p. 14, <https://respondmigration.com/wp-blog/refugee-integration-policies-practices-experiences-italy-country-report>.

²¹² EWSI, *Governance of migrant integration in Italy*, https://ec.europa.eu/migrant-integration/country-governance/governance-migrant-integration-italy_en.

civic life and institutions. The Italian authorities commit to providing a language and civic integration course for migrants over 16 years of age.²¹³

The fulfilment of the integration goals foreseen by the Integration Agreement is required for the renewal of residence permits. Several categories of migrants are, however, exempted from this requirement, such as in the case of victims of trafficking, unaccompanied minors and disabled migrants, or when residence permits cannot be withdrawn, as in the case of beneficiaries of international or humanitarian protection, family migrants, long-term residents and the family members of EU citizens.

While the main competences in the field of migration and asylum belong to the national government, responsibilities for integration policies are spread across different levels of government: national, regional and local. As underlined by research, the absence of strong coordination mechanisms and of a coherent integration strategy has resulted in overlaps and uncertainties about the role of different actors.²¹⁴ In 2015, the National Coordination Board, chaired by the Ministry of Interior, was established in order to involve local authorities and civil society organisations in developing programmes and guidelines for the reception and integration of asylum seekers. At the local level, the Territorial Council for Immigration consists of network gathering representatives of local authorities, civil society actors, trade unions and employers' associations to monitor the presence of migrants and develop initiatives of inclusion.²¹⁵

In its fifth monitoring report, adopted in March 2016, ECRI identified access to education and housing, as well as access to steady work, as the principal areas of concern regarding the integration of non-EU nationals in Italy, which in turn reflect deep-rooted socio-economic disparities between different regions of the country.

In addition, ECRI mentioned geographical disparities in the implementation of policies in these fields. The high incidence of low-quality jobs among migrant workers exposes them to a greater risk of poverty. Specifically, foreigners living in the south earn a lot less than those living in the northern part of the country, while the wage gap between foreigners and Italians is even greater in the south of the country. Lastly, undeclared work among immigrants, even among those residing regularly in the country, continues to be a pervasive phenomenon of the Italian labour market, especially in the southern regions and concerning migrants employed in the agricultural sector.²¹⁶

4.4.2 Key issues for the inclusion of migrant women in the labour market

In Italy, more than half of the foreign population is made up of women. This amounts to about 2.6 million foreigners, or 51.8% of the entire foreign population. Women find themselves in a particularly vulnerable situation, especially from the point of view of accessing decent work, due to their doubly fragile condition as women and foreigners.

The employment situation of foreign women is particularly challenging. On the one hand, migrant women are more exposed to unemployment than Italian women: they make up 16% of all unemployed, while representing 8.5% of the female population residing in Italy. The figure is only slightly lower in the case of men: foreigners make up 14.4% of the unemployed but 8.3% of the male population residing in Italy. The unemployment rate is higher among migrant women than men (15.2% v 11.4%). The most relevant gap, however, concerns the inactivity rate. This is very high among foreign women, while it is

²¹³ Ministry of Interior of Italy, *Accordo di integrazione per lo straniero che richiede il permesso di soggiorno*, <https://www.interno.gov.it/it/temi/immigrazione-e-asilo/modalita-dingresso/accordo-integrazione-straniero-richiede-permesso-soggiorno>.

²¹⁴ Ibrido, R. and Marchese, C. (2020), *op. cit.*, p. 20.

²¹⁵ Ministry of Interior of Italy, *Consigli territoriali per l'immigrazione*, <https://www.interno.gov.it/it/temi/immigrazione-e-asilo/politiche-migratorie/consigli-territoriali-immigrazione#:~:text=394%2F1999%20e%20istituiti%20con,di%20assorbire%20i%20flussi%20migratori>

²¹⁶ ECRI (2016), *Report on Italy (fifth monitoring cycle)*, adopted 18 March 2016, published 7 June, para. 74, <https://rm.coe.int/fifth-report-on-italy/16808b5837>.

very low among foreign men, reflecting a marked gender difference.²¹⁷ Economically inactive migrant women represent a very high share in some ethnic communities, such as Bangladesh (87.6%), Pakistan (82.9%) and Egypt (82.9%).²¹⁸

The share of under-employed women in the country, i.e. women who work less than they would like, is high. In 2020, the female under-employment rate was 14% among foreigners (8.1% in 2019) and 9.1% among Italians. The percentage of over-educated foreign women also remains high: 42.3% of foreign women have a level of skills higher than the tasks performed; a share significantly higher than both Italian women (24.8%) and male immigrants (27.7%). The prevalence of women in poorly regulated and precarious jobs increases the vulnerability of migrant female employment. More than half of women work in just three professions: domestic workers, caregivers, and office and commercial cleaning staff (compared to 13 professions for foreign men and 20 for Italian women) and 39.7% are employed in domestic or nursing services.²¹⁹

One of the main challenges that limit the capacity of migrant workers, including women, to access the labour market in Italy is the lack of recognition of skills and qualifications acquired abroad. Although the National Plan for Integration of the beneficiaries of international protection adopted in 2017 pointed to the importance of skills recognition, Italian legislation still foresees complex and cumbersome procedures to obtain recognition of skills and qualifications acquired abroad, which are particularly challenging to fulfil for beneficiaries of international protection.²²⁰

The situation of women employed in the agricultural sector deserves specific attention. Migrants represent 25% of the agricultural workforce, of which 7% are women, mostly with temporary jobs (80%), generally connected to seasonal harvests, and mainly working in the Centre-South of Italy (60%), with higher percentages in the Calabria, Apulia and Campania regions. Most migrant women working in agriculture are young (47% aged under 40) and wish to change work due to low salaries and poor working conditions.²²¹

In 2015, to combat irregularities in the agricultural sector, the government established the Quality Agricultural Work Network, which certifies the quality of agricultural farms. Moreover, the parliament passed Law No 199/2016 in October 2016 to fight against undeclared work and labour exploitation in agriculture (*Legge sul Caporalato*), which extends the objectives of the existing Fund for the Trafficking of Human Beings to victims of illegal recruitment and labour exploitation, including assistance and social integration/protection programmes.²²²

4.4.3 Promising practices to foster the inclusion of migrant women

Despite the structural challenges outlined above and the restrictions imposed on the migrant population by the legal and policy framework in place in Italy, over the previous years, national authorities have launched and funded several initiatives aimed at addressing the specific needs of migrant women and the challenges they face when accessing the labour market.

4.4.3.1 Projects to support women in the agricultural sector

Under the programme of activities of the National Rural Network, the Italian government, in collaboration with research agencies (CREA and ISMEA) support the project 'Female job, juvenile

²¹⁷ Openpolis (2021), *La vulnerabilità delle donne straniere*, 9 July, <https://www.openpolis.it/la-vulnerabilita-delle-donne-straniere/>.

²¹⁸ Ibrido, R. and C. Marchese (2020), *op. cit.*

²¹⁹ Unar (2021), *Ufficio Nazionale antidiscriminazioni razziali*, 27 October, <https://www.unar.it/portale/-/migranti-sono-le-donne-straniere-ad-aver-pagato-il-prezzo-della-crisi>.

²²⁰ Ibrido, R. and Marchese, C. (2020), *op. cit.*, p. 27.

²²¹ Government of Italy (2019), Twenty-fifth Anniversary of the Fourth World Conference on Women and Adoption of the Beijing Declaration and Platform for Action (1995), Report of Italy, p. 13, <https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/CSW/64/National-reviews/Italy.pdf>.

²²² *Ibid.*

entrepreneurship, first establishment in agriculture’. The project is committed to promoting several measures aimed at awareness-raising and at valuing and exchanging best practices.²²³

4.4.3.2 *Malaika project*

The Malaika project (concluded in 2014) was financed by the ESF and the European Fund for the Integration of Third-Country Nationals, and promoted by the Directorate-General for Immigration and Integration Policies (DGIMM) of the Ministry of Labour and Social Policies. The project developed innovative models aimed at supporting the autonomy and empowerment of young migrant women, e.g. unaccompanied minors (16-17 years old) and young women (up to 24 years old) at risk of social exclusion.

Actions implemented within the framework of the project included the development of personalised paths aimed at the social, education and labour inclusion of women (including legal assistance, intercultural mediation, psychological support, assistance in the search for a house, job orientation, support in access to labour market, skills profiling and skills enhancing). 17 territories were involved across 10 Italian regions. 350 young migrant women were involved in the project. Results related to the replicability of the Malaika model include the publication of a handbook concerning the multidisciplinary approach to the take-in-charge of young migrant women.²²⁴

4.4.3.3 *FORWORK*

The FORWORK project – Fostering Opportunities of Refugee Workers (started in 2018, ongoing) is co-financed by the EU within the framework of the Employment and Social Innovation (EaSI) programme (2014-2020). It is promoted by the National Agency for Active Labour Market Policies (ANPAL) together with several partners and associates. The goal is to facilitate access to the labour market for vulnerable migrants, e.g. refugees, with a focus on migrant women. The main activities include training mentors and cultural mediators, and providing targeted services (e.g. skills profiling, language and professional training, and placement).²²⁵

FORWORK includes a set of gender-sensitive components. First, female mentors and cross-cultural facilitators are assigned to all participating women – about 15% of all participants – and individual interviews are held separately from family members. Second, the staff involved receive training from experienced officials of the territorial government offices about gender-sensitive identification of victims of human trafficking. The training of staff is done using the ‘standard training module’ prepared as part of the work activities of the Steering Committee for the new National Plan on Anti-Human Trafficking (Ministry of the Interior, Ministry of Labour and Social Policies, Ministry of Justice and Ministry of Foreign Affairs and International Cooperation).²²⁶

4.4.3.4 *WOMEN4INTEGRATION*

The project, started in 2021 and funded by the EU AMIF, targets 300 women of foreign origin living in the suburbs of four European cities: San Siro (Milan, Italy), Raval (Barcelona, Spain), Rosengard (Malmo, Sweden) and East/Southeast Amsterdam (Netherlands).

In Italy, WOMEN4INTEGRATION is carried out in partnership with the Municipality of Milan, Telaio delle Arti, Piano C, Politecnico di Milano. Activities planned by the project include: a) empowerment paths aimed at improving self-esteem and stimulating awareness of qualities, skills and competences of the women involved; b) multidisciplinary individual support: legal, psychological, social, linguistic and cultural; c) orientation to local health, training, educational and social services; d) vocational training;

²²³ Government of Italy (2019), op. cit., p. 13.

²²⁴ Ministry of Labour, *Malaika project overview*, <https://www.lavoro.gov.it/temi-e-priorita/immigrazione/focus-on/politiche-di-integrazione-sociale/Documents/4C-Malaika.pdf>.

²²⁵ See FORWORK project website: <https://www.forworkproject.eu/it/homepage-italian/>.

²²⁶ Government of Italy (2019), op. cit., p. 14.

e) paths of knowledge and orientation to the labour market, to the active search for work and support for placement; and f) multidisciplinary, legal and diversity management support to companies, to facilitate the professional integration of the target group.²²⁷

4.4.3.5 Milan's CELAV – Centre for Labour Inclusion

Milan's CELAV helps vulnerable people, many of them refugees, find work in the city. Help can range from information provided at the front desk to counselling and three-month work placements. The companies that take migrant women for work placements range from NGOs and social enterprises to private companies, a series of partnerships that require a high level of commitment on both sides. The city of Milan is involved in finding the appropriate vacancy, supporting employers on legislative and bureaucratic procedures, and fully covering the work grants paid to the trainees. The city of Milan has ties with social cooperatives and the hospitality industry as the key sectors of employment for refugee women.²²⁸

4.4.3.6 Torino, la mia città / Turin, My City

Turin, My City, is an integration programme in place since 2000, with the aim of including and encouraging female migrants' (particularly focused on Arabic-speaking women) participation in the city of Turin. The programme not only fosters inclusion, but also provides Italian language courses and further education, such as mathematics, including opportunities to obtain admission for national exams. The programme also features legal and social advisors. Most notably, 'Torino, la mia città' features free childcare facilities enabling access in their premises, in turn including female migrants, previously barred from accessing integration courses due to childcare responsibilities.

4.5 Poland

4.5.1 Background: integration policies and ECRI 2015 report findings

Poland has undergone a significant transition from predominantly being categorised as a sending country, to increasingly positioning itself as an immigrant destination. The growing influx of migrants is typically from Ukraine, Germany, Moldova, India, Russia, Vietnam and Belarus. This influx is usually the case of temporary or pendular migration, whereas permanent settlement is rarer.

The Department of Social Assistance and Integration, part of the Ministry of Family and Social Policy, presides over matters of integration at the national level. Currently, there is no national or overarching integration strategy in Poland. Initiatives such as Polish language courses or individual integration programmes are limited in time as well as scope. For instance, individual integration assistance, consisting of vocational and linguistic support, has a duration of only 12 months. According to the 2015 ECRI report, individual integration programmes fail to substantially grapple with challenges faced by migrants, especially concerning their ability to enter the Polish labour market. This inability, often a result of limited Polish comprehension, is arguably a central obstacle for integration.

The conclusions of the ECRI report are shared by others, for instance they are reflected in the internal evaluation report by the Mazowieckie Province Governor's Office. This report similarly considers 12 months to be an insufficient time to grasp Polish at a level to enable financial independence. Moreover, the report identifies other barriers to integration in Poland, such as lack of affordable accommodation and limited access to vocational training. Lastly, though specific to refugees, an evaluation of the individual integration programmes under the title 'Poland's stopover: analysis of individual integration outcomes for refugees' / 'Przystanek Polska Analiza programów integracyjnych dla uchodźców', identifies similar obstacles for integration. The report highlights the need to centre refugees and migrants

²²⁷ See WOMEN4INTEGRATION: <https://workisprogress.org/en/portfolio/women4integration/>.

²²⁸ Eurocities (2021), 10 ways to make integration gender-sensitive, op. cit.

as active participants in integration programmes.²²⁹ The ECRI report also notes limited data collection on migrant integration implementation and outcomes, particularly at the national level in Poland. For example, there has never yet been a nationwide evaluation of the individual integration programmes.

In response to the lack of a national and cohesive integration plan, the document ‘Polish Migration Policy – the Current State of Play and Proposed actions’ / ‘Polityka migracyjna Polski – stan obecny i postulowane działania’ was published in 2012. The document addressed Poland’s shifting state from an emigration to an immigration nation, with a particular focus on labour market priorities. Towards the end of 2014, an accompanying action plan was developed, with the aim of implementing the initial recommendations.

Despite lacking a cohesive national integration policy, Poland does have local integration policies in several locations, predominantly in the largest cities in the country. Notably, 12 cities, including Gdansk, agreed to a collaboration network dubbed *Integration Cities*. Gdansk is a particularly prominent example of best integration practice. For instance, the city appointed the country’s first immigration council, which has been in operation since 2016.²³⁰ Gdansk residents of foreign origin, ranging from Columbia to Germany, make up the council and serve as advisors on issues of migrant integration to local authorities. The council was created against the backdrop of the Gdansk’s Model of Integration, adopted in 2016, which specifically addresses central migrant concerns such as employment, housing, language and healthcare. However, the local integration strategy, the most comprehensive of its kind, was met with opposition by the ruling party at national level.²³¹

Similar initiatives aimed at developing, implementing and evaluating integration efforts under the lead of migrants also exist in other parts of the country. Examples include the ‘National Platform of Cooperation for integration’, orchestrated by the International Organization for Migration (IOM) and in operation until 2018, and the ‘Foreigners Forum’ as part of the Mazowieckie Province Governor’s office. Another national initiative worth mentioning is the ‘National Action Plan for Equal Treatment’, which ran from 2013 to 2016 and was adopted to address racism and discrimination through awareness and training activities. This initiative was highlighted by the 2015 ECRI report as promising to tackle areas of concern.

Overall, ECRI identified significant areas of concern in its 2015 monitoring report, including the recurrence of homophobia in political discourse, rising and increasingly unsanctioned islamophobia, and the endurance of extremist nationalist groups. These challenges are further propelled by an apparent lack of commitment by Polish authorities to combat racist crime as part of its integration efforts, as well as the lacking prohibition of violence and harassment on the grounds of sexuality and gender identity within the Criminal Code. Thus, one of ECRI’s main recommendations is precisely the inclusion of national legislation to combat racism and racial discrimination. The importance of ensuring the equality of LGBT people through Polish law is equally central to ECRI’s recommendations.

4.5.2 Key issues for the inclusion of migrant women in the labour market

4.5.2.1 Gender equality context in Poland

Key gender-related issues in migrant integration practices in Poland must be situated within the context of social change following the post-Communist transformation. Poland has undergone several economic

²²⁹ Frelak, F., Klausa, W. and Wisniewskiego, J. (eds) (2007), *Przystanek Polska: Analiza programow integracyjnych dla uchodźcow*, Warszawa: Fundacja Instytut Spraw Publicznych, https://ec.europa.eu/migrant-integration/sites/default/files/2010-07/doc1_14691_710547256.pdf.

²³⁰ Gdansk city (2017), ‘Samorządowcy największych miast Polski i Pomorza jednym głosem w sprawie integracji’/‘Local government officials of the largest Polish and Pomeranian cities with one voice on integration’. *Gdańsk – oficjalny portal miasta*, <https://www.gdansk.pl/wiadomosci/Samorzadowcy-najwiekszych-miast-Polski-i-Pomorza-jednym-glosem-w-sprawie-integracji.a.82116>.

²³¹ EWSI (2016), ‘Poland: Gdańsk, first city to adopt its own Model of Integration’, 1 July, https://ec.europa.eu/migrant-integration/news/poland-gdansk-first-city-adopt-its-own-model-integration_en.

and accompanying societal changes since 1989, in turn witnessing greater individualisation and alterations to previously held notions of gender and family life. For instance, caring responsibilities, previously provided by state services, have been allocated to individuals and families. Despite the general democratisation of family life, women continue to predominantly bear the burden of caring responsibilities, which presents a challenge for them to combine family and work life. This is reflected by a Gender Equality and Quality of Life (GEQ) study identifying that as many as 64% of men and 57% of women still believe that ‘women still have the main responsibility for the home and family’.²³²

Thus, despite changes following from 1989, Poland remains a society in which family is a central social value and one that is actively promoted by the Catholic Church, alongside a prescriptive identity for Polish women closely tied to motherhood.²³³ Thus, gender equality in Poland is challenged by various conservative cultural forces. Such forces have waged what has been coined as a ‘gender war’ since 2011. In turn, it is this landscape that female migrants must navigate upon their arrival and integration in Poland.

4.5.2.2 *Feminisation of Polish migrant flows*

Poland’s relatively new experience of immigrant flows, shifting from its typical position as an outflow country, carries a characteristic reflective of general migration flows, namely feminisation. Women increasingly make up a significant part of the influx of migrants to Poland. They undertake pendular, temporary and permanent migration, and are made up of female migrants with permanent resident permits, female foreigners with visas and female unregistered migrants.²³⁴

This feminisation is observed in statistics, but afforded few detailed studies, with the expectation of certain academic studies such as that of Ukrainian female migrants. The need to account for female migratory flow is not only evident in empirical research and on an academic level, but also within policy drafting and implementation.

4.5.2.3 *Female labour market participation*

Research by Slany et al. (2010), drawing on the National Census, outlined trends of female migrant participation in the Polish labour market. The evidence showed that female migrants tend to either work in domains requiring high-level qualifications, for instance financial services, or in professions where limited to no qualifications are required, such as domestic work. Moreover, immigrants from Eastern Europe and Asia typically work in low-qualification domains, and experience obstacles in securing legal employment. However, most women who enter Poland do in fact have higher levels of education, as reflected by the National Census. Thus, as evident in other receiving EU Member States, ‘de-skilling’ is taking place. This was further confirmed by the FeMiPol project, which similarly found that immigrants in Poland undertake labour that does not align with their qualifications.²³⁵

²³² GEQ (2018), ‘Gender Equality & Quality of life: How gender equality can contribute to development in Europe. A study of Poland and Norway’ conference presentations in Lodz, October, http://www.geq.socjologia.uj.edu.pl/en_GB/start.

²³³ White, A., I. Grabowska, P. Kaczmarczyk and K. Slany (2018), *The Impact of Migration on Poland, EU Mobility, and social change*, London: UCL Press, <https://ucldigitalpress.co.uk/Book/Article/65/89/4907/>

²³⁴ Slany, K., Małek, A. and Ślusarczyk, M. (2010), Changing patterns of migration in Poland: integration of migrant women in the polish labour market and society. https://ruj.uj.edu.pl/xmlui/bitstream/handle/item/27446/slany_malek_slusarczyk_changing_patterns_of_migration_in_poland_2010.pdf?sequence=1&isAllowed=y

²³⁵ Slany, K., Ślusarczyk, M., Kowalska, B., Burek, W., Zielińska, K. and Krzystek, K. (2006), ‘Mapping of policies affecting female migrants and policy analysis: the Polish case’, *Working paper of European Commission 6th Framework Programme FeMiPol*, Cracow.

4.5.2.4 *Gender sensitivity in integration practices*

The aforementioned integration strategies and documents (see Section 1) fail to adequately address increasing female migratory flows and gender as a facet shaping integration, resulting in largely gender-blind integration initiatives. For instance, the ‘Polish Migration Policy – the Current State of Play and Proposed Actions’ only mentions the role of women sparingly, such as when referring to single mothers and migrant benefits. Notably, the document does address the particular risk of social exclusion faced by female migrants, citing discrimination as a central barrier to integration. However, it does not address potential discriminatory practices when undertaking employment, qualification recognition, childcare responsibilities or unequal conditions in the labour market for female migrants.

As for local initiatives, a degree of gender sensitivity and attention is exhibited. For instance, the Council of Immigrants with the Mayor’s office in Gdansk intentionally includes four women, and demonstrates similar sensitivities to other protected and intersectional characteristics such as race and ethnicity. Other initiatives, both independent and local authority organised, similarly address gender in their efforts (see next section).

4.5.3 **Promising practices to foster the inclusion of migrant women**

4.5.3.1 *Panorama (part of the EU partnership – FATIMA project)*

Panorama, an independent NGO based in Wroclaw, Poland, served as one of the five key partners of the Female Active Training Integration Migrant Accompaniment (FATIMA) project. This project, an EU partnership, was designed to support women’s social, cultural, economic and political integration across EU Member States. By the end of the project, FATIMA had supported over 255 women between the ages of 15 and 50.

In the Polish context, Panorama offered extensive Polish classes to female migrants, typically from other Slavic countries. Additionally, Panorama offered personal mentoring by pairing each migrant woman with a mentor advising on a range of integration obstacles. As a result of the large interest in the project, it was implemented not only in one large city in Poland, but two, Wroclaw and Poznan.²³⁶

4.5.3.2 *City Hall of Bialystok*

The City Hall of Bialystok has hosted a range of cultural initiatives and events, many of which centred on migrant children and women, and typically with the aim of advancing multiculturalism. Notable examples from Bialystok include ‘Playground Arsenal’, which aimed to integrate children with various religions and cultures under one educational programme. Another example specifically addressing migrant women was the cooking workshops ‘Substancja Odżywcza’, serving as a meeting ground for Polish and Chechen women.

4.5.3.3 *Our Choice Foundation: Ukrainian Women’s Club*

The Ukrainian Women’s Club initiative, orchestrated by the Our Choice Foundation, aimed to address the risk of social exclusion faced by Ukrainian domestic and care workers in Poland. This initiative existed prior to the war. Typically, these Ukrainian women lacked a social network in Poland and were thus presented with the opportunity to attend meetings, events and training with the aim of fostering a community and advocating for their labour rights.

²³⁶ DSK Panorama (2018), *FATIMA Project: Female Active Training Integration Migrant Accompaniment*, <https://dskpanorama.wordpress.com/2018/03/12/projekt-f-a-t-i-m-a/>.

4.6 Spain

4.6.1 Background: integration policy and law

Currently, 4.4 million foreign nationals reside in Spain – a great contrast to the figure of around 400 000 only 20 years ago. According to Eurostat statistics from 2020, Spain reports the second highest number of immigrants in the EU.²³⁷ The majority of foreign nationals arrive in Spain from countries inside the EU, such as Romania and Bulgaria, and from third countries, such as Ecuador, Morocco and Columbia.²³⁸ For the purposes of this research, only third-country nationals are analysed further.

As a result of Spain's decentralised unitary structure of governance, integration policies and procedures are divided amongst municipalities, autonomous regions and authorities. Guiding this division of responsibilities is the 4/2000 Law, also known as the 'Aliens Act' which covers rights, freedoms and integration of foreign citizens in Spain. The law states that the integration of migrants should be mainstreamed into all policies and public services by Spanish authorities, and further outlines the cooperation between autonomous regions, central authorities and municipalities, including biennial action programmes budgeted for by the state.²³⁹ Lastly, the law emphasises three key integration factors: the learning of official languages, schooling of migrant children and access to the labour market.

Spanish immigration law has proved to be difficult to navigate for migrants, with several onerous conditions required to obtain a residence permit, such as criminal records from country of origin, proof of residency or a pre-work contract. All documents must go between the three levels of authorities, resulting in a tedious and long process that does not account for migrants' wellbeing. As a result of the onerous conditions, migrants often risk falling into irregularity.

Since a reform in 2015, the process to obtain Spanish citizenship by residence now requires a demonstration of sufficient levels of integration. The naturalisation process requires an A2 Level of Spanish and knowledge of the Spanish Constitution, culture and society – both of which are assessed through a test. If either test is failed, citizenship may be denied. The language and integration tests pose issues for certain migrant groups, especially those who have had limited access to education in their country of origin, for instance certain migrant women (see Section 2). This has been appraised critically by ECRI as well as the academic research of Carrera and Vankova (2019).²⁴⁰

As noted by ECRI's fifth monitoring report (2018),²⁴¹ Spain's former strategic integration plan came to an end in 2014, and no new integration strategy, nor a system for evaluating outcomes, has been put in place since.²⁴² Rather, there is only the aforementioned Aliens Act and the brief National Action Plan for Social Inclusion of the Kingdom of Spain (NAPSI), which came to an end in 2016. Significantly, ECRI also noted that national funding for significant integration efforts, including languages courses, is no longer available. Based on this situation, ECRI put forward its recommendation to the Spanish authorities, urging for a 'coherent system of integration indicators to evaluate and improve their integration policies and procedures'.

According to the ECRI report, the integration of foreign nationals in the Spanish labour market has been on a positive trajectory, especially since the diminishing of the economic crisis. This improvement is especially evident in regions with strong local economies. Nonetheless, Spain still retains one of the

²³⁷ Eurostat (2021), *Migration and migrant population statistics*, January, https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Migration_and_migrant_population_statistics#Migrant_population:_23.7_million_non-EU_citizens_living_in_the_EU_on_1_January_2021.

²³⁸ Spanish National Institute of Statistics (INE) (2017), *Population figures*, http://www.ine.es/dyngs/INEbase/en/operacion.htm?c=Estadistica_C&cid=1254736176951&menu=ultiDatos&idp=1254735572981.

²³⁹ 4/2000 Law, Articles 2bis and 2ter.

²⁴⁰ Carrera, S. and Vankova, Z. (2019), 'Human rights aspects of immigrant and refugee integration policies: A comparative assessment in selected Council of Europe Member States', op. cit.

²⁴¹ ECRI (2018), *Report on Spain (fifth monitoring cycle)*, 27 February, <https://rm.coe.int/fifth-report-on-spain/16808b56c9>.

²⁴² Ibid., pp. 26 -31.

highest regional unemployment rates for citizens of other EU Member States and third-country nationals in the EU. This rate has risen further since the COVID-19 pandemic.²⁴³ However, a wide array of barriers overlap and intersect, preventing full and dignified participation in the labour market, especially for migrants originating from Morocco and the Sub-Saharan area, as well as female migrants (see Section 2).

Moreover, foreign nationals in Spain face significant levels of discrimination, including structural discrimination, in turn representing a large barrier to socio-economic inclusion. The discrimination is typically differentiated along the lines of country of origin. Examples includes law enforcement continuing the racial profiling of migrants. Additionally, the 2018 ECRI report cites prejudice towards Muslims in Spain.²⁴⁴

The report further highlights the limitation of the hate crime provision, failing to explicitly include hate crimes based on citizenship, language or race. ECRI also points to similar limitations of CERED, the Spanish anti-discrimination body, which lacks independence. This intersectional nature of the migrant experience in Spain is further illustrated by the statistic that nearly ‘one in two migrants originating from countries outside the EU (third-country nationals) were at risk of poverty and/or social exclusion’ in 2014.²⁴⁵ The differential treatment is equally reflected in self-perceived understanding of integration. Although 90% of migrants felt ‘significantly integrated’ in 2016, this feeling was not shared to the same extent by migrants originating from Africa and Asia.

4.6.2 Key issues for the inclusion of migrant women in the labour market

The three essential factors of the above-mentioned 4/2000 Law, ‘learning of official languages, schooling of migrant children and access to labour’, carry particular significance for female migrants. However, these factors are generally not afforded a gender-sensitive outlook explicitly by the law itself or ensuing procedures. However, it should be noted that the Spanish law on equality between men and women, which underwent a reform in 2019, does indicate migrant women as a particularly vulnerable group in Spanish society.

However, a certain degree of gender sensitivity has been demonstrated by Spanish authorities, for instance when the Spanish Supreme Court ruled to ease certain citizenship requirements for migrant women in January 2022.²⁴⁶ This ruling is intended to consider the particular difficulties of the citizenship test for women who have previously had little or no access to education as a result of gender-based discrimination. The case behind the ruling was that of a Moroccan woman who, after failing the integration test, was denied Spanish citizenship. She appealed her rejection by arguing that she had been denied education in her country of origin based on her gender, and that this citizenship rejection would further the gender discrimination. The positive ruling of the Spanish Supreme Court sets a new precedent on how to evaluate the inclusion and integration of migrant women in Spain, taking into account the particular and intersectional barriers they face.²⁴⁷

For instance, gendered care work from Latin America is of particular importance in Spain, aligning with the wider post-colonial legacies of migration. Academic research shows that in the ‘first decade of the twenty-first century, Latin America became the main region of origin of migrants who had settled in

²⁴³ European Commission (2020), *Spain migrant unemployment rate rises after Covid-19*, September https://ec.europa.eu/migrant-integration/news/spain-migrant-unemployment-rate-rises-after-covid-19_en.

²⁴⁴ ECRI (2018), Report on Spain (fifth monitoring cycle), op. cit., p. 28.

²⁴⁵ ECRI (2018), *Report on Spain (fifth monitoring cycle)*, op. cit.; Spanish Ministry of Health, Social Services and Equality (2014): 30.

²⁴⁶ Rincón, R. (2022), ‘El Supremo suaviza el requisito de la integración para obtener la nacionalidad española para las mujeres migrantes sin formación’, *El País*, 18 January, <https://elpais.com/espana/2022-01-18/el-supremo-suaviza-el-requisito-de-la-integracion-para-obtener-la-nacionalidad-espanola-para-las-mujeres-migrantes-sin-formacion.html>.

²⁴⁷ EWSI (2022), *Spain: Supreme court eases citizenship requirements for some migrant women*, European Commission, 26 January, https://ec.europa.eu/migrant-integration/news/spain-supreme-court-eases-citizenship-requirements-some-migrant-women_en.

Spain, women being the first link in these migration chains'.²⁴⁸ The authors highlight the 'deep inequality in terms of citizenship' and often fragile residence rights, lack of labour protection in the domestic work sector and challenges to female autonomy, for instance in 'live-in situations'.²⁴⁹ However, Spain was among a few countries, along with Italy, Greece and Cyprus, that at least had a specific migration quota system for domestic workers to arrive in the country regularly.²⁵⁰ Migrant domestic workers' associations in Spain, together with the trade unions, advocated stepping up labour protection in this sector and ensuring the equal treatment of migrant domestic workers in a follow-up to the ILO Convention on decent work for domestic workers (No 189).²⁵¹

Lastly, it is worth noting that gender sensitivity has also been demonstrated towards female migrants from Sub-Saharan Africa through a specific migrant health policy aimed at FGM. Nevertheless, despite the widespread condemnation of this practice, little protection has been offered. For instance, across the EU, FGM is not a ground to ask for asylum on its own, and 'the legal protection offered to actual or potential victims of FGM/C remains limited and a number of obstacles exist'.²⁵²

4.6.2.1 *The context of gender equality in Spain*

In 2020, Spain ranked eighth in the Gender Equality Index in the EU, scoring particularly high in the domains of health and financial resources. According to the EIGE, there have also been significant improvements in labour market participation, as well as in the quality of work available for Spanish women between 2010 and 2018. Significantly, the gender gap in care activities has become narrower, following a decrease in the time women spend on unpaid care work and a simultaneous increase in time dedicated by men to care work. However, women still earn less than men in Spain, and the risk of poverty has also increased for women. These findings by EIGE paint the landscape that migrant women must navigate upon entering Spain.

4.6.2.2 *Labour market participation*

Foreign women in Spain have a labour market participation rate of 72.6% –significantly lower than that of foreign men, at 87.9%.²⁵³ Upon examining the Spanish Labour Force Survey (LFS) 2006 and the Wage Structure Survey (WSS) 2006, de Bustillo and Carrera (2012) argue 'that migrant women in Spain face the double disadvantage of being women and migrants'. This disadvantage particularly impacts women from developing countries. Moreover, 'the pay gap between non-migrant women and migrant women is estimated at 26.3%'.²⁵⁴ This discrepancy is situated against an already significant migrant pay gap in Spain – which is seventh on the list of the 20 widest migrant pay gaps in higher income countries.²⁵⁵ However, it should be noted that the gap appears to be decreasing.

Migrant women typically experience informal and insecure working conditions. They are more likely to work in lower-skilled sectors and experience part-time or short-term work contracts to a greater extent than their male counterparts. Additionally, half of migrant women in Spain work in care sectors.

²⁴⁸ Araujo, S.G. and González-Fernández, T. (2014), 'International migration, public policies and domestic work: Latin American migrant women in the Spanish domestic work sector', *Women's Studies International Forum*, Vol. 46, pp. 13-23, Pergamon.

²⁴⁹ Ibid.

²⁵⁰ Vosyliūtė, L. (2012), op. cit.

²⁵¹ Arango, J., Díaz Gorfinkiel, M. and Moualhi, D. (2014), *Promoting Integration for Migrant Domestic Workers in Spain*, ILO, https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms232520.pdf.

²⁵² Middelburg, A. and Balta A. (2016), 'Female Genital Mutilation/Cutting as a Ground for Asylum in Europe', *International Journal of Refugee Law*, Vol. 28, Issue 3, 1 October, pp. 416-452, <https://doi.org/10.1093/ijrl/cew056>.

²⁵³ Amo-Agyei, S. (2020), op. cit.

²⁵⁴ Ibid.

²⁵⁵ Ibid.

Migrant women, particularly Muslim women and women of African descent, suffer disproportionately from salary discrimination and poor working conditions.²⁵⁶ In turn, migrant women in the Spanish labour market face a cluster of integration barriers including race or religious discrimination, in addition to gender discrimination.

Based on this observation, the ECRI report urges Spanish authorities to ‘identify the groups of migrants facing the greatest difficulties in the labour market and develop a coherent set of objectives and measures for increasing their employment rate and their conditions of work’.²⁵⁷ This recommendation carries potential for a gender-sensitive approach to Spanish labour market inclusion.

A sub-group of female migrants deserving particular attention in the Spanish labour market is that of domestic labourers. This group of migrant women lack protection from gender-based violence. For context, Spain holds the highest number of registered household employees in the EU, a number that is largely made up of female migrant workers. This group is particularly vulnerable on two fronts. First, they are more likely to experience poor working conditions, often bearing characteristics of exploitation. Second, sexual harassment is a frequent occurrence. In fact, a total of 22% of migrant women who work as domestic employees have experienced sexual harassment while at work, whereas 27% identified as victims of ‘sexist, sexual and/or racist insults in public spaces’.²⁵⁸ Over half of the migrant women surveyed considered their status as migrant women to have played a role in their experience of sexual harassment. This group also faces the aforementioned onerous conditions of obtaining residence permits (outlined in Section 1) and the legal right to work, often forcing migrant women to work in the informal sector, where they are even more vulnerable to exploitation and gender-based violence.

4.6.2.3 *Recognition of qualifications*

As noted by the ECRI monitoring report, migrant women struggle disproportionately to have qualifications from their home countries recognised in Spain. As with intersectional labour market discrimination, it is a struggle faced especially by Muslim women and women of African descent.²⁵⁹ However, it is worth noting that since 2021 a new decree focused on the recognition procedure for foreign degrees has been in the works.²⁶⁰ This new decree, which aims to shorten the recognition process to a total of six months, was brought about as a direct result of the pandemic and the shortage of approved medical qualifications. The example, showcasing how rapid change can occur, might make a significant difference for highly skilled migrant women who currently face extreme waiting times in Spain.

4.6.2.4 *Gender discrimination*

Migrant women are particularly vulnerable to social exclusion and discrimination. In 2015, 58.5% of migrant women were at risk, compared to only of 28.4% of Spanish women. The main obstacles include social discrimination, language limitation, cultural differences, labour market discrimination (including sexual harassment) and negative attitudes of Spanish nationals.

Moreover, the failings and limitations of the Spanish Hate Crime Bill bear particular significance for migrant women of colour and country of origin outside the EU. The cluster of intersecting discrimination on the basis of race, language or country of origin (grounds that the Hate Crime Bill does not explicitly recognise) with gender culminates into a particular experience for migrant women — one that is unrecognised by Spanish authorities and legislation.

²⁵⁶ IOM (2014), *Harnessing Knowledge on the Migration of Highly Skilled Women*, <https://publications.iom.int/books/harnessing-knowledge-migration-highly-skilled-women>.

²⁵⁷ ECRI (2018), *Report on Spain (fifth monitoring cycle)*, op. cit., point 77.

²⁵⁸ EWSI (2015), *Spain: Immigrant and housekeeper, ‘candidate’ to labour and sexual exploitation*, European Commission, January, https://ec.europa.eu/migrant-integration/news/spain-immigrant-and-housekeeper-candidate-labor-and-sexual-exploitation_en.

²⁵⁹ ECRI (2018), *Report on Spain (fifth monitoring cycle)*, op. cit., point 77.

²⁶⁰ EWSI (2021), *Spain: New decree on recognition procedure for foreign degrees*, European Commission, 25 March, https://ec.europa.eu/migrant-integration/news/spain-new-decree-recognition-procedure-foreign-degrees_en.

4.6.2.5 Care responsibilities

As in other EU countries, migrant women in Spain are disproportionately affected by childbearing and childcare responsibilities, affecting their ability to integrate into Spanish society and their possibilities to access the labour market. Migrant women experience limited access to childcare services and financial support, compounding with limited knowledge on available services in Spain.

4.6.3 Promising practices to foster the inclusion of migrant women

4.6.3.1 Barcelona City Council Initiative

In 2014, Barcelona City Council piloted a ‘network of schools for equality and non-discrimination’ aiming to educate on and prevent issues of gender-based violence and discrimination resulting from increased diversity. Funded by the Department of Women and Civil Rights, the initiative, educating teachers and pupils alike, fosters and addresses positive attitudes not only surrounding migration in general, but also barriers faced by migrant women in Spain.²⁶¹

4.6.3.2 Servicio Doméstico Activo (SEDOAC)

SEDOAC is an organisation formed by and for women of different nationalities. The organisation advocates for all domestic and care workers, particularly on matters such as unemployment benefits and protection from violence and harm in the workplace. The organisation opened a centre in Madrid after receiving funding from the city council.²⁶²

4.7 Sweden

4.7.1 Background: integration policies and ECRI 2015 report findings

Immigration has been a central part of Sweden’s politics for the last couple of decades. The country has prided itself on integration policies centring on multicultural values, often described as ‘one of the most prominent representatives of an officially declared multicultural policy’.²⁶³ The Government Bill of 1997 concerning new integration policy even proposed a new national identity ‘based on social diversity’.²⁶⁴ However, in recent years these values have come under increased scrutiny by certain Swedish parliamentary parties and groups within the Swedish population – reflecting common discussions on multiculturalism across Europe.

According to the fifth monitoring report by ECRI, Sweden's integration efforts and politics are impacted by several issues ranging from xenophobic hate speech, low integration outcomes and the creation of ‘parallel societies’. This issue, referred to by ECRI as ‘de-facto residential segregation’, remains a central obstacle to socio-economic inclusion and equal treatment in Sweden. Examples include the Rinkeby-Kista district in Stockholm, which is predominantly made up of an immigrant population, typically from African countries such as Somalia. Rinkeby-Kista suffers lower educational outcomes and high rates of unemployment, largely owing to the issue of ‘de-facto segregation’.

Sweden has set up various strategies to foster the social inclusion of populations with migrant backgrounds. In 2007, the government established a new Ministry of Integration and Gender Equality, which was reformed in 2008 and presented a modified comprehensive strategy, namely, ‘Empowerment

²⁶¹ EWSI (2014), *Spain: The Barcelona City Council promotes a network of schools for equality*, European Commission, 11 August, https://ec.europa.eu/migrant-integration/news/spain-barcelona-city-council-promotes-network-schools-equality_en.

²⁶² SEDOAC, sedoac.org/quienes-somos/.

²⁶³ Borevi, K. (2013), ‘The Political Dynamics of Multiculturalism in Sweden’, in Taras, R. (ed.), *Challenging Multiculturalism: European Models of Diversity*, Edinburgh University Press, pp. 138-160, <http://www.jstor.org/stable/10.3366/j.ctt20q22fw.13>.

²⁶⁴ Ibid.

against Exclusion’. This strategy was created to cover migrant labour demand, equality in schools, migrant integration and residence permits.²⁶⁵

ECRI puts forward a range of specific recommendations towards those with refugee status or those third-country nationals who came in through family reunification, labour migration. Significantly, ECRI urges the Swedish authorities to put a halt to the temporary law currently restricting family reunification to beneficiaries of subsidiary protection status. This law came into place following a large wave of new arrivals in 2015. ECRI encourages the Swedish authorities to uphold the right to family life, and reminds them of ‘the importance that family reunification can have for successful integration’.²⁶⁶ Moreover, ECRI recommends that the Swedish authorities review the Introduction Programme for Refugees, with the aim of ‘achieving higher success rates in labour market participation, paying particular attention to addressing the specific needs of women’.²⁶⁷ Currently, the programme is plagued by low success rates of female refugees in particular, as it fails to address gender-sensitive issues. While refugee integration is elaborated by another ITFLOWS report, we highlight this issue as being of relevance to all migrant women.

Over the past decades as an immigration country, Sweden has undertaken several efforts aimed at boosting the labour market participation of newly arrived migrants, including both job search assistance and preparatory programmes, featuring language training and civic education. Yet, there is significant disparity in employment rate and wage levels between native and ‘foreign-born’ workers.²⁶⁸ It is worth nothing that these rates vary significantly from region to region, for instance based on data from 2008, in Värmland in Smaaland the employment rate for foreign-born individuals was 71% compared to that of 48% Söderhamn in Hälsingland.²⁶⁹ Moreover, foreign-born individuals with higher education levels were less likely to undertake long-term work compared to native Swedes.²⁷⁰ This shows how competition for jobs may arise not for the low-paid, but rather for the high-paid professions.

4.7.2 Key issues for the inclusion of migrant women in the labour market

Sweden ranks first on the Gender Equality Index for 2021 – a ranking the country has held consistently for the last decade.²⁷¹ On both an international and domestic level, Sweden is known for its emphasis on gender equality policy, which underpins its foreign policy as well as its ‘welfare state’ model.

Labour market participation amongst Swedish women is high compared to other EU and OECD countries.²⁷² However, labour market inequalities persist, particularly with regard to the gender pay gap, although gender pay differentials are already prohibited by law in Sweden. Moreover, the type of work undertaken by men and women can still be traced along the lines of gender, i.e. Swedish women are more likely to pursue professions in the domains of education and healthcare, coinciding with the ‘feminisation’ of these sectors worldwide, as well as with the prevalence of female migrant workers.

²⁶⁵ European Commission (2019), *Home Affairs, European Website on Integration, Migrant Integration Information and good practices, Governance of Migrant Integration in Sweden*, https://ec.europa.eu/migrant-integration/country-governance/governance/sweden_en

²⁶⁶ ECRI (2018), *Report on Sweden (fifth monitoring cycle)*, 27 February, <https://rm.coe.int/fifth-report-on-sweden/16808b5c58>.

²⁶⁷ Ibid.

²⁶⁸ Helgesson et al. (2020), *Equal Entry: Can job search assistance increase employment for newly arrived immigrant women?*, Swedish Public Employment Service (PES), <https://arbetsformedlingen.se/download/18.7887697f1763d9e8096762/af-analys-can-isa-increase-employment-for-newly-arrived-immigrant-women.pdf>.

²⁶⁹ European Commission (2010), *Sweden: Immigrant Employment Rates Vary by Region*, https://ec.europa.eu/migrant-integration/news/sweden-immigrant-employment-rates-vary-region-0_fr.

²⁷⁰ European Commission (2010), *Sweden: Fewer Full-Time Jobs for Migrants*, https://ec.europa.eu/migrant-integration/news/sweden-fewer-full-time-jobs-immigrants-0_en?lang=de.

²⁷¹ EIGE (2021), *Gender Equality Index: Sweden, 2021*, <https://eige.europa.eu/gender-equality-index/2021/SE>

²⁷² OECD (2014), *Finding the way: A discussion of the Swedish migrant integration system*, <https://www.oecd.org/migration/swedish-migrant-integration-system.pdf>.

Moreover, as evidenced by the EIGE report, Swedish men and women spend a comparable time on care work for children and family members, although women still undertake more cooking and household work. However, paternity leave is encouraged by the state and, for instance, the father may lose his entitlement and paid days for parenting if he skips them.

In terms of education and qualifications, women hold a greater share of tertiary education compared to men. However, the fields of study remain segregated along gendered lines of labour sectors mentioned above that are ‘feminised’. It is against this backdrop of a country with a large focus on gender equality that migrant women’s experiences in Sweden must be understood. Nevertheless, intersectional analysis offers additional emphasis on gender intersecting with race, class, religion and other characteristics.

4.7.2.1 Labour market participation

In Sweden, the labour market participation rate of immigrant women remains lower than that of both immigrant men and native women – as is the case in other European countries.²⁷³ Although 77.2% of male migrants participated in the Swedish labour market in 2021, the percentage for migrant women was only 58.9% – in great contrast to the participation rate of native Swedish women at 77.9%.

Moreover, this gender discrepancy is not only true for the participation rate of migrant women, but also for their wages, or so-called ‘migrant gender pay gap’. Both migrant men and migrant women earn less than non-migrants in high-income countries – Sweden included. However, migrant women ‘pay a double penalty for being both women and migrants as compared to the average migrant worker’, earning even less than migrant men.²⁷⁴

According to Righard et al. (2020), the lower participation rate amongst migrant women in Sweden is related to the fact that women receive less tailored support upon arrival compared to their male peers.²⁷⁵ Their report also highlights how women typically register later for language courses and for the Public Employment Service (PES).²⁷⁶

The Swedish PES reported a consecutive rise in unemployment, before and during the COVID-19 pandemic. This increase was significant for ‘foreign-born women’ in February 2020:²⁷⁷

At the end of February, 154 000 had been out of work for at least twelve months, which is 10 000 more than a year ago. Foreign-born women accounted for a third of the increase.

The Swedish PES recognises that this group is most likely to experience long-term unemployment and is disproportionately affected by unemployment, especially as Swedish social security schemes are based on previous taxed incomes. The Swedish PES also highlighted how three focus areas must be addressed to integrate all ‘foreign-born women’ (thus not distinguishing by their status) into the Swedish labour market: namely ‘adult education, on-the-job training (internships, etc.) and subsidised employment’.²⁷⁸

In 2020, the Swedish PES began a project dubbed ‘Equal Entry’, with support from the ESF. Although intended for male and female migrants alike, it was constructed with the needs of migrant women in mind, thus reversing the ‘male standard’. The project particularly emphasised the restricting power of family responsibilities. It attempted to explain the disproportionate labour market participation rate by

²⁷³ Amo-Agyei, S. (2020), op. cit.

²⁷⁴ Ibid.

²⁷⁵ Righard, E., Emilsson H. and Jensen, T. Gudrun (2020), *Gender dynamics across reception and integration in Sweden*, GLIMER Project Report, Malmö University, <https://www.glimer.eu/wp-content/uploads/2020/06/WP6-Report-Sweden.pdf>.

²⁷⁶ Ibid.

²⁷⁷ Swedish PES (2020), *More foreign-born women in the labour market*, 11 March,

<https://arbetsformedlingen.se/om-oss/press/pressmeddelanden?id=D74CC94660BF480E&pageIndex=2&year=0&uniqueIdentifier=Riket>.

²⁷⁸ Ibid.

greater family responsibility. Research by the Equal Entry programme also found that foreign-born women do not always benefit from the ‘job searching assistance programmes’ mentioned above (Section 1), but are typically – and rather incorrectly – assigned to ‘preparatory programmes’ when perceived as less employable than male counterparts. Arguably, such programmes can further distract or prevent them from employment. The project formed part of the PES’ direct assignment to focus on foreign-born women.²⁷⁹

In 2019, Larsson studied the gendered dynamics in the so-called ‘Swedish introduction programmes’. Larsson’s study revealed the gender bias and prejudice among those responsible for integration who typically described foreign-born women as ‘unmotivated’ or ‘hard to work with’. This research also highlighted how men are more likely be matched with job vacancies, and how pregnant women are disproportionately not registered as jobseekers.²⁸⁰ Ultimately, Larsson’s study confirms the layered attitudinal barriers faced by foreign-born women seeking to enter the Swedish labour market. They face intersectional discrimination not only by employers, but even by the caseworkers who are supposed to be ‘gender sensitive’ in light of country’s long-lasting commitment to gender equality.

4.7.2.2 Gender-related and intersectional discrimination

When navigating integration in Sweden, migrant women are more likely to face intersectional forms of discrimination, on the basis of gender and citizenship, as well as religion and race – particularly as intercultural and multicultural values are facing a backlash in Sweden. For instance, ECRI reported that Islamophobic hate crimes against Muslim women are increasing, which is especially true of Muslim women who wear a headscarf.²⁸¹

These findings are reiterated in a 2016 report by the European Network Against Racism (ENAR), which included a national report on Sweden. The ENAR report found that intersecting barriers of perceived religion and ethnicity worsen existing gender inequalities for Muslim women, particularly with regard to employment. Moreover, the ENAR report showcased dangerous and prejudiced opinions of Muslim women in Sweden, where as many as 64% consider Muslim women ‘to be oppressed’. The national report on Sweden also found that black Muslim women are especially affected by interlocking forces of oppression such as race and gender.²⁸²

4.7.2.3 Recognition of qualifications

Sweden has a large share of highly educated immigrants compared to other OECD countries, standing at over 30%.²⁸³ With regard to gender, women make up 31.4% of migrants with higher education, whereas men make up 29.4%.²⁸⁴ However, with regard to skill matching, a significant share of highly skilled migrants do not work in a profession related to their occupation, resulting in overqualification and de-skilling. This is particularly pertinent for migrant women as they are the most disadvantaged in the Swedish labour market due to other exclusionary mechanisms, i.e. care responsibilities or gender discrimination.

²⁷⁹ Righard, E. et al. (2020), op. cit.

²⁸⁰ Larsson, J. (2019), ‘Vad händer i mötet? En studie av hur arbetsförmedlares arbetssätt kan bidra till ökad jämställdhet’, *Arbetsförmedlingen Analys* 2019:11.

²⁸¹ ECRI (2018), *Report on Sweden, (fifth monitoring cycle)*, op. cit.

²⁸² ENAR, (2016) *Forgotten Women: The impact of Islamophobia on Muslim Women, Swedish Country Report*, February, <https://www.enar-eu.org/Forgotten-Women-the-impact-of-Islamophobia-on-Muslim-women/>.

²⁸³ OECD (2020), *How to strengthen the integration of migrant women?*, <https://www.oecd.org/migration/mig/migration-policy-debates-25.pdf>.

²⁸⁴ Amo-Agyei, S. (2020), op. cit.

4.7.2.4 *Caring responsibilities*

The Swedish welfare state is widely recognised as ‘friendly’ towards women and men with caring responsibilities, where parental leave serves as an important tool to allow for a work-life balance. Previously, the Swedish government enabled parents to receive home care childcare allowance, so-called ‘Vårdnadsbidrag’, for children under the age of seven. This measure drew more women than men and was later described as a ‘Women’s Trap’, slowing down the integration of all women and migrant women in particular. Not only were they perceived as ‘trapped’ from the labour market, but also restricted from social life. The Swedish government published a report in 2012 on the use of parental leave by newly arrived families, entitled ‘Förmån och fälla’/ ‘Benefit or Trap’.²⁸⁵ Subsequently, in 2013, parental leave for was reduced for those with children born prior to settling in Sweden.²⁸⁶ Rather than being in the children’s best interests in Sweden, the government perceived it as a ‘pull factor’ and thus instead of empowering women, it placed migrant children at a disadvantage, as if the families would be subject to different fees and a different life level in Sweden.

Certain initiatives in Sweden have attempted to address these risks of social and labour market exclusion in a more human-rights centred and agency-advancing manner, for instance the open preschool initiative in Rågsved (see below).

4.7.3 Promising practices to foster the inclusion of migrant women

4.7.3.1 Migrant women as doulas (trained birth companions) and cultural mediators

This project seeks to address the structural discrimination present in the Swedish healthcare system and the subsequent heightened risk of natal mortality for women from Somalia and Eritrea. It aims to mediate poor communication and cultural differences impacting health outcomes when migrant women give birth. The project, in collaboration with the ‘House of Birth’ and the Public Health Committee, also organises parental education groups.

4.7.3.2 Ester Foundation

This foundation addresses the needs of unemployed migrant women. It seeks to support their entry and empowerment in the Swedish labour market, as well as to encourage migrant women to start up their own small businesses. The foundation has its own microcredit system ‘through which participants can access loans at attractive rates and reduced risks’. In turn, it enables migrant women to take loans under safer financial structures.²⁸⁷ Additionally, the Swedish Employment Agency provided further financial support to approved business startups. Lastly, migrant women are entitled to loans from Swedbank to further support their startup endeavours.

4.7.3.3 *Fast-tracking for newly arrived teachers*

Fast-track training is provided for newly arrived teachers and preschool teachers in Sweden, most of whom are female. The aim is to provide easy access to Swedish labour market participation whilst meeting the needs of the Swedish teacher labour shortage and improving accessibility to childcare and educational facilities for all families. This initiative has been in place since 2016.²⁸⁸

²⁸⁵ Statens Offentliga Utredningar (2012), ‘Förmån och fälla – nyanländas uttag av föräldrapenning’, <https://www.regeringen.se/contentassets/940d2e59d91b4b0892af0f98b732ab44/forman-och-falla---nyanlandas-uttag-av-foraldrapenning-sou-20129>.

²⁸⁶ Righard, E. et al. (2020), op. cit.

²⁸⁷ European Commission (2018), *Integration of Migrant Women: Private Sector Initiatives*, https://ec.europa.eu/migrant-integration/special-feature/integration-migrant-women_en.

²⁸⁸ Economou, C. (2021), ‘A Fast Track course for newly arrived immigrant teachers in Sweden’, *Teaching Education*, 32:2, pp. 208-223, DOI: [10.1080/10476210.2019.1696294](https://doi.org/10.1080/10476210.2019.1696294).

4.7.3.4 *Integration activities for parents with preschool children*

In Rågsved, Stockholm, the open preschool initiative aims to curb the risk of social isolation often faced by foreign-born parents on parental leave. The open preschool serves as an accessible platform for parents to receive integration support in the form of language learning, parenting programmes or labour market support whilst still fulfilling caring responsibilities. For instance, children are present during language lessons called ‘Swedish with baby’. This activity targets migrant women, and seeks to enhance not only their skills, but also their social networks. Ultimately, the programme enables migrants to continue their socio-economic inclusion and social participation process that childcare responsibilities or parental leave would normally disrupt.²⁸⁹

4.7.3.5 *International Women’s Association Malmo*

This initiative, dating back to the 1970s, was founded by and for migrant women. It currently represents women across a wide range of ages and over 14 nationalities, who come together to learn about Swedish society and culture, and to master the Swedish language. Over time, the association has developed into different study groups that were seen as important by them. For instance, there are study groups exploring ‘identity’, ‘health and wellbeing’ and ‘learning the use of’. The over 180 active members also participate in cultural outings where they can interact and navigate the city of Malmo and increase their social network, thus contributing to their ‘social capital’ in Sweden.

4.7.3.6 *Nordost project in Gothenburg*

The [Nordost](#) project aims to facilitate the path towards work and studies through coordinated work-life-oriented rehabilitation in combination with health promotion activities.²⁹⁰ It targets foreign-born women aged between 18 and 64 who live in the north-eastern part of Gothenburg and are far from the labour market. (Around 50% of women in the north-east district of Gothenburg are unemployed). The project team – consisting of nine people in total – includes job coaches, health coaches and rehabilitation counsellors.

The project combines working individually and in groups. The project team addresses several topics in groups, which has proved to be valuable for all participants who enjoy meeting, exchanging with women in similar situations and making friends.

According to Eurocities:

In group activities, participants talk about health, labour market, gender equality, what to do in your free time, violence in the family, etc. The project team was stunned to notice that almost 50% of participants have experienced violence within their family. In such cases, the project team refers the participants to other agencies for support in that respect.²⁹¹

²⁸⁹ EWSI (2014), *Integration activities for parents at the open preschool in Rågsved, Stockholm*, European Commission, https://ec.europa.eu/migrant-integration/integration-practice/integration-activities-parents-open-preschool-ragsved-stockholm_en.

²⁹⁰ Eurocities (2021), ‘Project Nordost’, video as part of a digital workshop in the Eurocities – Connection project, https://api.screen9.com/preview/a8_NcMMWBaJh7VzFFwuKfJB537JI3WqZs5rcIUuNtoskllp9GaxSCtWTigjIMjq5.

²⁹¹ Eurocities (2022), email communication with the authors, 24 April.

4.8 The Netherlands

4.8.1 Background: integration policy and law

The Civic Integration Act (the Act) guides the integration of migrants in the Netherlands coming from countries outside the EU. The Act underwent a major reform in 2021, which took effect in January 2022.

The new system laid out by the Act gives more space for personalised integration plans, which seek to consider the different needs and circumstances of the migrant population. Differently from the previous system, municipalities are given a key role in the implementation of the integration programmes.

The recent reform of the Act aimed to address some major criticisms raised against the previous integration system, which entered into force in 2013. In its fifth monitoring report, ECRI (2019) summarised a set of key concerns regarding the integration process in place at the time in the Netherlands. A key concern related to the extensive integration duties imposed on newcomers, including the signing of a participation agreement, an oral and written language test and an examination on knowledge of Dutch society.

ECRI expressed particular concern that people subject to integration duties had to search for appropriate courses themselves. These courses were not provided by municipalities but by private companies. Newcomers also had to pay for the courses and examination, and had to obtain a loan for these expenses, which may amount to EUR 10 000.²⁹² According to evidence provided by ECRI, many migrants failed to pass the civic integration exam, while the system of sanctions towards those failing to pass the test, e.g. non-extension of residence permits, appeared difficult to apply and was often not applied in practice. ECRI concluded that shifting the full responsibility of integration onto the migrants was not appropriate and did not work in practice, as most migrants – in particular asylum seekers – need support when starting an integration process.

ECRI took positive note of the proposed reform of the integration system, still ongoing at the time, which would contribute to a more balanced approach where migrants and society both make substantive contributions to integration. ECRI recommended that the Dutch authorities adopt an integration strategy and an action plan that ‘organises integration as a two-way process, mobilises the entire society to facilitate, support and promote integration and defines integration indicators and targets to reach for all objectives’.²⁹³

Specifically concerning inclusion in the labour market, ECRI underlined the wide gap between migrants and their native Dutch peers, adding that unemployment, including youth unemployment, was almost three times as high as in the rest of the population.²⁹⁴ The EU MIDIS II survey showed high levels of perceived discrimination among people of Turkish and North African origin. Representatives of minority groups informed ECRI of the difficulties experienced by young people to find internships, in particular women wearing a headscarf and young Moroccan men.²⁹⁵ An analysis by the Knowledge Platform Integration & Society (KIS) in 2021 showcased institutional racism in the Dutch labour market, as well in the housing market, with direct impacts for the integration of migrants in the Netherlands.²⁹⁶

In 2019, the Dutch government implemented an action plan to address labour market discrimination. The action plan came after research revealed that job applicants with a migrant background were less

²⁹² Government of the Netherlands, *Civic Integration in the Netherlands*, <https://www.government.nl/topics/integration-in-the-netherlands/civic-integration-in-the-netherlands#:~:text=The%20Netherlands%20new%20wet%20Inburgering,experience%20at%20the%20same%20time>.

²⁹³ ECRI (2019), *Report on the Netherlands (fifth monitoring cycle)*, June.

²⁹⁴ *Ibid.*, para. 74.

²⁹⁵ *Ibid.*, para. 25.

²⁹⁶ KIS (2021), *Institutional racism in the Netherlands*, <https://www.kis.nl/publicatie/institutioneel-racisme-nederland-de-aanwijzingen-uit-de-wetenschappelijke-literatuur-op>.

likely to receive follow-up from a recruiter than their national counterparts.²⁹⁷ Previous research by the Netherlands Institute for Human Rights confirmed disproportionate employment practice between nationals and ethnic minorities, particularly migrants. Consequently, ECRI recommended the continued development of the action plan against labour market discrimination, by inserting indicators and measurable targets to reach, and continued focus on ensuring that non-discriminatory recruitment procedures are developed and implemented.²⁹⁸

In 2019, the Social Economic Council of the Netherlands (*Sociaal-Economische Raad*) reported low levels of minority representation in senior positions, in particular for migrants with non-western backgrounds. However, the Netherlands has recently started a number of initiatives to ensure diversity and inclusion in the labour market, for instance as evidenced by an increased number of ‘diversity and inclusion’ professionals.²⁹⁹ In fact, many of these professional positions have been filled by people with a migrant background. In turn, this carries the potential for an increase in labour market opportunities for minorities, including women with a migrant background.

4.8.2 Key issues for the inclusion of migrant women in the labour market

The Netherlands’ general approach to integration, as laid down in particular in the Civic Integration Act, fails to take comprehensively into account the specific needs of migrant women, especially Muslim women. As Kofman argues, civic integration in the Netherlands is overly defined by (non-)insertion into the labour market, and ‘consequently family migration policies have developed according to the ability to earn a sufficient income at a level not to require any support from the state’.³⁰⁰ She further argues how in the Netherlands, as well as in Denmark and the UK, the issue of welfare and social benefits to migrant family members has led to ‘restrictive policies to cut the number of family migrants, especially those on low incomes often assumed to be primarily from ethnic minorities’.³⁰¹

In 2020, the Netherlands ranked fifth on the Gender Equality Index in the EU, with significant improvements in the domains of work and health.³⁰² However, the gender gap for earnings widened between 2010 and 2020. The EIGE Equality Index showed that women still undertake a large degree of care work activities, despite an increase in labour market participation. Caring responsibilities are one of the main reasons for women’s withdrawal from full-time work. Moreover, the gender employment gap in the Netherlands correlates to caring responsibilities: 76.4% of women worked part time compared to only 26.2% of men in 2016.³⁰³

4.8.2.1 Labour market participation of migrant women

In the Netherlands, female labour force participation varies across ethnic groups. The gap between the employment rates of foreign- and native-born women in the Netherlands is especially wide compared to EU statistics. In particular, Turkish and Moroccan women participate less in the Dutch labour market compared to natives, Surinamese or Antillean women.³⁰⁴

²⁹⁷ European Commission (2019), *Study shows decrease in employment discrimination against migrants in the Netherlands*, October, https://ec.europa.eu/migrant-integration/news/study-shows-decrease-employment-discrimination-against-migrants-netherlands_en.

²⁹⁸ *Ibid.*, para. 77.

²⁹⁹ European Commission (2020), *Rising trend of diversity and inclusion professionals in the Netherlands*, January, https://ec.europa.eu/migrant-integration/news/rising-trend-diversity-and-inclusion-professionals-netherlands_en.

³⁰⁰ Kofman, E. (2018) ‘Family migration as a class matter’, *International Migration*, 56 (4), pp. 33-46. doi:10.1111/imig.12433.

³⁰¹ *Ibid.*

³⁰² EIGE, *Gender Equality Index 2020: Netherlands*, <https://eige.europa.eu/publications/gender-equality-index-2020-netherlands>.

³⁰³ European Commission (2018), *Barcelona Objectives*, https://ec.europa.eu/info/sites/default/files/130531_barcelona_en_0.pdf.

³⁰⁴ OECD (2018), *Settling in 2018: Indicators of Immigrant Integration*, OECD Publishing, Paris/European Union, Brussels, <https://doi.org/10.1787/9789264307216-en>.

4.8.2.2 *Recognition of qualifications*

As in several other EU countries, migrant women in the Netherlands are more likely to work in low-skilled employment compared to their female native counterparts.³⁰⁵ Moreover, migrant women are more likely to be highly educated than migrant men. Yet, their overqualification rate is significantly higher than both migrant men and native-born women. In 2017, nearly 30% of foreign-born women in the Netherlands experienced de-skilling.³⁰⁶

4.8.2.3 *Gender discrimination*

A 2016 ENAR national report on the Netherlands found that intersecting barriers of perceived religion and ethnicity worsen existing gender inequalities for Muslim women, notably with regard to employment. Muslim women face three penalties when navigating the Dutch labour market: ‘gender penalties, ethnic penalties and religious penalties’.³⁰⁷ ENAR’s findings confirm ECRI’s findings that Muslim women experience discrimination in the Dutch labour market. In particular, Muslim women who wear a headscarf have difficulties finding employment and internships.³⁰⁸

Muslim women are the most frequent victims of Islamophobic hate crimes and hate speech in the Netherlands; 90% of all Islamophobic incidents in 2015 were against women. Additionally, Dutch media and political discourse is predominantly rooted in stereotypical perceptions of Muslims, typically rendering migrant Muslim women as passive agents and furthering discriminatory attitudes among the national population.

4.8.2.4 *Care responsibilities*

Migrant women in the Netherlands are disproportionately affected by childbearing and childcare responsibilities. According to OECD research from 2017, the participation of children from migrant families in formal Dutch childcare is low. This participation gap is largely due to the cost of formal childcare and limited knowledge of available services. Closing the participation gap of migrant children in formal childcare could play a key role not only in enhancing the integration of migrant children, but also the integration of migrant women while improving their ability to access the labour market.³⁰⁹

4.8.3 **Promising practices to foster the inclusion of migrant women**

Below we provide a non-exhaustive list of projects that could be considered as promising practices when it comes to addressing the specific obstacles and challenges limiting migrant women’s participation in the labour market in the Netherlands.

4.8.3.1 *Neighbourhood Mothers (in Capelle aan den IJssel)*

The ‘Neighbourhood Mothers’ project took place in the city of Capelle aan den IJssel. The project aimed to combat the social isolation of migrant women by encouraging them to participate in the local community, as well as the wider Dutch society. As part of their outreach programme, the so-called ‘Neighbourhood Mothers’ attempted to establish trustworthy relationships with isolated migrant women through home visits, providing support and acting as role models. The initiative was run by the organisation Stichting Zorgbeheer de Zellingen between 2006 and 2010.³¹⁰

³⁰⁵ Ibid.

³⁰⁶ Ibid.

³⁰⁷ ENAR (2016), *Forgotten Women: The impact of Islamophobia on Muslim Women Netherlands Country Report*, February, <https://www.enar-eu.org/Forgotten-Women-the-impact-of-Islamophobia-on-Muslim-women/>.

³⁰⁸ ECRI (2019), Report on the Netherlands (fifth monitoring cycle), op. cit., para. 74.

³⁰⁹ OECD (2017), *The Pursuit of Gender Equality: An Uphill Battle*, <https://www.oecd.org/netherlands/Gender2017-NLD-en.pdf>.

³¹⁰ EWSI, *Neighbourhood mothers to activate immigrant women*, https://ec.europa.eu/migrant-integration/integration-practice/neighbourhood-mothers-activate-immigrant-women_en.

4.8.3.2 *Women Centre Delfshaven – Centre for emancipation by and for women*

The Delfshaven Women Centre in Rotterdam aims to integrate and empower migrant women in Dutch society through various activities in domains such as language, crafts and sports. The target group includes all migrant women, although it focuses particularly on newly arrived migrants and those who do not yet understand Dutch. Over a hundred women have participated, creating a strong social network in Rotterdam. Significantly, the project is entirely organised by immigrant women.³¹¹

4.8.3.3 *Immigrant Wmo Watchers*

The Immigrant Wmo Watchers, run by the Institute for Multicultural Development, ran between 2006 and 2007. The project engaged Turkish and Moroccan women with schoolchildren to discuss pertinent questions with their social networks for policy input. It simultaneously engaged migrant women as active participants and contributed to informing policy development.³¹²

4.8.3.4 *Women in Business as a follow-up to ‘Build your own future’ project in Utrecht*

‘Build your own future’ is a [project](#) started in 2017. It enables and empowers mainly asylum seekers and refugees via a three-month-long business programme that stimulates entrepreneurial skills. It enables people to start a business or find a job. They work on the same principle as Plan Einstein, as newcomers can join the programme while they are still in their asylum or migration procedure. Plan Einstein is ‘is an innovative approach developed by the Municipality of Utrecht and its partners in the reception and integration of refugees’.³¹³

Part of the programme focuses on how to deal with Dutch laws and regulations, which is one of the biggest challenges of a starting entrepreneur. The organisation BBZ supports the new entrepreneurs in keeping social benefits while starting a business. In 2022, because the organisers realised that there were fewer women taking part in the programme than men (around 20%), a new programme, Women in Business started in May. According to Eurocities:³¹⁴

It will be a shorter programme targeting women who are not yet fit for the Build your own future programme. It will be kind of a pre-programme, a step in between before joining Your Own future, giving a space to women to discuss what they want to do, and helping them reply to these questions: what are your skills and talents? What would you like, what are your aspirations?

³¹¹ EWSI, *Women Centre Delfshaven – Centre for emancipation by and for women*, https://ec.europa.eu/migrant-integration/integration-practice/women-centre-delfshaven-centre-emancipation-and-women_en.

³¹² Handbook on Integration for policy-makers and practitioners, third edition, 2010, p. 69, https://ec.europa.eu/migrant-integration/library-document/handbook-integration-policy-makers-and-practitioners-3rd-edition-2010_en.

³¹³ Urban Innovative Actions (UIA)(2018), *Plan Einstein is where you build your future*, https://www.uia-initiative.eu/sites/default/files/2018-07/PLan%20Einstein%20Folder_ENG.pdf.

³¹⁴ Eurocities (2022), email communication with the authors, 24 April.

5. CONCLUSIONS AND RECOMMENDATIONS

5.1 Conclusions

The analysis carried out in this report shows how placing a specific focus on the gender dimension in the areas of migration and integration can be a double-edged sword. Specifically, existing policy approaches risk falling into two opposite and equally misleading assumptions. On the one hand, there is the risk of stereotypically framing migrants as lacking awareness about gender equality. On the other hand, however, the analysis of current practices shows how states and local authorities, and sometimes even civil society organisations, tend to ‘lock’ migrants, in particular migrant women, into traditional gender roles.

The first assumption has led to the emergence of policy approaches that seek to ‘teach’ newcomers how to respect gender equality, especially among racialised communities or people belonging to specific religious communities, in particular Muslims. In spite of this prevailing (and largely stereotyped) perspective, the FRA EU MIDIS II survey, based on a sample of more than 16 000 refugees, migrants and EU citizens with a ‘migration background’, shows that in fact the majority of migrant women and men have rather positive views on gender equality issues. Some of the differences identified were found to be context specific rather than structural.³¹⁵

The second assumption tends, for instance, to essentialise migrant women solely as ‘mothers’ taking over family responsibilities. In this way, the specific needs and challenges of single and childless women with or without caring responsibilities – notably when attempting to enter and navigate the labour market – are largely overlooked by existing integration policies and measures.³¹⁶

Many of the countries covered in this report (Germany, Spain, France, Italy, the Netherlands and recently Sweden) have introduced mandatory integration courses and contracts, which present acceptance of the European or national ‘way of life’ by newcomers as a pre-condition for successful integration in the receiving society.³¹⁷ We found in this report that in France, Germany and Sweden, France, ‘gender equality’ is an integral part of the proposed integration courses, or at least taken up by certain local municipalities (see the respective ‘Promising practices’ Subsections: 4.1.3., 4.2.3. and 4.7.3.).

In some countries – notably France and the Netherlands – failure to pass a test on knowledge of the receiving country and its culture may actually result in losing social benefits and/or residence rights, or even being subjected to return. As recognised by existing academic literature, such ‘integration’ measures retain a migration control rationale that aims to keep certain categories of people out, by providing yet another tool to limit their rights and security of residence.³¹⁸

While remaining of an optional or voluntary nature, ‘integration’ courses should be placed into the framework of broader information programmes on migrants’ own rights and obligations, including practical information on who to contact and who to notify of episodes of hate crime, xenophobia and discrimination, gender-based violence or violations of labour rights. Research conducted by FRA has pointed to the fact that migrant women and men are more concerned about experiences of discrimination and the lack of various effective reporting mechanisms than aspects of gender equality.³¹⁹

³¹⁵ European Union Agency for Fundamental Rights (2019), Second European Union Minorities and Discrimination Survey: Migrant women – selected findings, op. cit.

³¹⁶ Anthias, F. (2013), op. cit.; Christou, A. and Kofman, E. (2022), op. cit.

³¹⁷ Carrera, S. and Vankova, Z. (2019), ‘Human rights aspects of immigrant and refugee integration policies: A comparative assessment in selected Council of Europe Member States’, op. cit.

³¹⁸ Ibid.

³¹⁹ European Union Agency for Fundamental Rights (2019), Second European Union Minorities and Discrimination Survey: Migrant women – selected findings, op. cit.

The same FRA survey challenges entrenched stereotypes, such as the assumption that migrant women lack contacts with the local society or tend not to speak the language of the receiving country compared to male migrants. On the contrary, the survey found that, on average, migrant women mastered local language better than men.³²⁰ This finding points to the need to go beyond over-simplified and gendered stereotypes of migrant women and address their gender-specific and context-specific needs as they arise. For instance, gender disparities have indeed been identified as a relevant issue in the case of Asian women in certain EU Member States.³²¹

5.1.1 Addressing structural legal and institutional barriers

This report showcases how the EU's own migration and integration acquis contributes to reinforcing some of the barriers that migrant women face when accessing the labour market, in contrast with the stated priority of increasing employment of third-country national women, laid down in the 2021 EU Action Plan on Inclusion and Integration.

For example, obligatory labour market restrictions are placed on women coming under the Family Reunification Directive. Another example concerns provisions that make temporary migrants falling under the EU Seasonal Workers Directive (of whom a substantial share are women) dependent on their employers, i.e. by restricting the possibility to change employer. As evidence shows, the majority of seasonal workers are not even aware, reluctant or even intimidated to make use of this right.³²² Female migrant workers might feel even more compelled to accept exploitative conditions, for instance, when children back home are dependent on the money they transfer to them.

A critical review of the EU's legal migration acquis with a view to gender mainstreaming is thus urgently needed to avoid the consolidation of a contradictory policy approach, whereby the limited inclusion in the labour market of migrant women is often framed as a 'cultural issue' or attributed to their willingness 'to integrate', while existing legal migration rules foresee restrictions that unduly affect migrant women.

This reports calls on EU and national policy makers to consider some interesting lessons learned from the EU's Strategy for Roma Equality, Inclusion and Participation³²³ as inspiration to rethink the EU's migrant integration strategies to enhance the socio-economic inclusion and equality of migrant women. This rethink should start by assessing to what extent existing institutions, policies and practices reproduce gendered and racialised hierarchies and norms, and by reconsidering the historically rooted public imaginaries of 'migrant women'.³²⁴

After acknowledging limited progress in enhancing the rights of Roma over a period of 10 years, activists, civil society and academia concluded that the institutional and structural antigypsyism within the majority society was the main reason fuelling the socio-economic exclusion and political marginalisation of Roma in European countries.³²⁵ Accordingly, the renewed EU Strategic Framework for the decade to come will no longer use the word 'Integration', but rather focus on 'Roma Equality, Inclusion and Participation'.³²⁶ The new EU Roma Strategic Framework also includes a direct link to the notion of antigypsyism, understood as an historically rooted and structural form of racism.

³²⁰ Ibid.

³²¹ Ibid.

³²² Carrera, S. et al. (2019), *Cost of Non-Europe in the Area of Legal Migration*, op. cit.

³²³ European Commission (2011), *Framework for National Roma Integration Strategies up to 2020*, COM(2011) 173 final, Brussels, 5 April.

³²⁴ Anthias, F. (2013), op. cit.

³²⁵ Carrera, S., I. Rostas and L. Vosyliūtė (2017), *Combating Institutional Anti-Gypsyism: Responses and promising practices in the EU and selected Member States*, op. cit.

³²⁶ European Commission (2020), *A Union of Equality: EU Roma strategic framework for equality, inclusion and participation*, op. cit.

The implementation of the EU Action Plan on Integration and Inclusion for 2021-2027 targeting third-country nationals and even EU citizens of (certain) migrant background³²⁷ should draw inspiration from this conceptual development. EU policies in this area should not shy away from elaborating on aspects related to Europe's colonial past and racial, cultural and religious legacies that have sustained existing gender stereotypes and the oppression of migrant women, which despite numerous declarations about equality have resulted in the 'migrant gender gap'.³²⁸

Grounding future actions into the 'do no harm principle' is of paramount importance to avoid supporting policy responses that seek to 'enforce' gender equality by removing women's agency and free choice, as was the case with the introduction of headscarf bans in France and Belgium. Importantly, academic research on the French headscarf ban in 2004, for instance, concluded that: 'the law reduces the secondary educational attainment of Muslim girls and affects their trajectory in the labour market and family composition in the long run'. In addition, such a ban 'strengthens both national and religious identities'.³²⁹

This point coincides with the finding from the already mentioned FRA Survey on Minorities and Discrimination that one third of Muslim women who wear a headscarf have experienced discrimination, harassment and even violence.³³⁰ An unfortunate 'spillover effect' can be noticed here: episodes of discrimination have also been noticed in countries where an explicit ban has not been introduced, but where negative public narratives and processes of 'othering' have taken hold.

5.1.2 Moving towards needs-based policies

This report underlines how often responses provided by national authorities are not 'needs based', meaning they do not address the situation of the significant proportion of migrant women who lack access to child or other care facilities, for instance because they are too expensive, or not adapted to the working time of these women. Often such situations correlate with unresolved shortages of childcare facilities for local women as well.

This report, in particular the country case studies section, confirms that there is a greater correlation between 'child-rearing' and family responsibilities and limited labour market participation (or attendance at language courses) of migrant women in countries where labour market participation and childcare responsibilities are unresolved for local women too, particularly in Greece, Italy, Poland and Spain. Moreover, these countries are also characterised by the prevalence of a 'traditional understanding' of what women's roles are. For instance, a survey conducted in Poland among native women and men underlined the prevailing view that women's main role is within the family, rather than active participation in the labour market. (See Subsection 4.5.)

Gender mainstreaming strategies should not be 'blind' to the specific set of obstacles that impact migrant women's inclusion as a result of their migratory status. Existing research in particular has drawn attention to the link between the 'gender pay gap' and the 'migrant pay gap', whereby migrant women end up being penalised twice.³³¹ Similarly, what has been referred to as the 'motherhood penalty' tends to bear down heavily on migrant women, who may not be hired as they are assumed to have more children than local women, or even when they are trying to come back to the labour market after maternity leave.³³²

³²⁷ European Commission (2020), Action Plan on Integration and Inclusion 2021-2027, op. cit.

³²⁸ Christou, A. and Kofman, E. (2022), op. cit.

³²⁹ Abdelgadir, A. and Fouka, V. (2020), op. cit.

³³⁰ European Union Agency for Fundamental Rights (2019), Second European Union Minorities and Discrimination Survey: Migrant women – selected findings, op. cit.

³³¹ Amo-Agyei, S. (2020), op. cit.

³³² Andersen, S.H. (2018), op. cit.

5.2 Recommendations

- Under the existing EU legal framework, structural barriers prevent access to safe, legal and regular channels for specific categories of migrant workers, for instance domestic and seasonal workers, a substantial share of whom are women. In line with Objective 5 of the GCM³³³ we call on the EU and its Member States to facilitate regular entry channels in migrant women-dominated sectors.
- We call for gender mainstreaming in the EU’s legal migration acquis and in the EU’s ‘integration and inclusion’ policies targeting migrants. Such mainstreaming could be monitored and evaluated by an independent gender expert committee composed of members with migrant and non-migrant status.
- As migrant women often lack security and long-term residency rights, their access to socio-economic and civic and political rights is often limited. Any migrant inclusion measures need to uphold the principle of being ‘all inclusive’ and encompass undocumented migrant workers living in EU countries. This closely interlinks with the ‘right to basic rights’ underpinning the GCM.
- Based on the overview of promising policies and practices in the Member States covered in this report,³³⁴ we have identified the following attributes that future policies on migrant inclusion should have in order to meet female migrants’ needs, while ensuring non-discrimination and compliance with human rights:
 - **Aligned with the ‘do no harm’ principle.** The notion of ‘gender’ needs to be critically and cautiously considered to avoid reproducing gender stereotypes that target and marginalise racialised women, or even impose racial or colonial hierarchies in the name of ‘gender equality’. Oversimplified and stereotypical framing the ‘gender issue’ may lead to unintended consequences and even to the creation of new – and more subtle – forms of discrimination.
 - **Needs-based’ and ‘gender-responsive’.** Migrant women themselves should be involved in the identification and articulation of their needs. Evidence such as that provided by the FRA EU-MIDIS II Survey represents a crucial starting point to better understand what migrant women consider important for their access to rights, and labour rights in particular.
 - **Agency-advancing and empowering.** EU and national policies and initiatives should aim to enhance rights and provide more options or alternatives to individuals. The GCM specifies that ‘gender responsive’ approaches entail migrant women and girls not merely being portrayed as potential victims, but as potential agents for change, for their families and communities.
 - **Participatory.** Finally, the measures envisaged should be participative and inclusive. This will ensure that migrant representatives, including migrant-women organisations, are in the lead and cooperate closely with local authorities, civil society and various service providers, not only when implementing but also when designing and monitoring policy responses addressed to them. Promising policies and practices can be drawn not only from actions in the field of ‘migrant integration’ but also from other related fields. For example, from actions to foster Roma inclusion and combat antigypsyism, or from various initiatives tackling racism, Islamophobia, and related challenges both within and outside the EU.

³³³ Objective 5 of the GCM reads as follows: ‘Enhance availability and flexibility of pathways for regular migration’.

³³⁴ France, Germany, Greece, Italy, Poland, Spain, Sweden and the Netherlands. See Section 4.

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