Human Rights, European Regulatory Frameworks and Resettlement Policies: The Linguistic Integration Plan

Michele Corleto
Pegaso Online University, Italy
michele.corleto@unipegaso.it

Bernadette Arrigo
Pegaso Online University, Italy
bernadette.arrigo@virgilio.it

Human Rights, Regulatory Details, Asylum

In 2019, the United Nations High Commissioner for Refugees (UNHCR) estimated that more than 70 million people worldwide were fleeing persecution, other serious human rights violations or war conflicts, returning to their homes after exile or having been stateless (UNHCR, 2019).

In 2020, almost 50,000 refugees and migrants (25 per cent under the age of 18) arrived in Europe (UNICEF, 2021). After fleeing, the numbers of those who managed to seek or find asylum in another country have decreased. Contrary to that, many others still live in the country of their persecutors, where they are referred to as internally displaced persons.

For migrant people, the principle that human rights pertain to all human beings often seems a myth in practice. Although national laws and circumstances vary considerably worldwide, migrants regularly face mistreatment by state or private entities, detention in precarious conditions, denial of their rights at work, and inadequate access to housing, health and other social services.

Human rights, guaranteed by national and international law, play an essential role in protecting migrants as victims of these strong social dynamics. It should be remembered that the fundamental rights of all persons, regardless of their legal status as migrants, are (*Universal Declaration of Human Rights,* 1948):

- The right to life, liberty and security of person, to be free from arbitrary arrest or detention, and the right to seek and enjoy asylum from persecution;
- The right to be free from discrimination based on race, sex, language, religion, social or national origin, or another status;
- The right to be protected from abuse and exploitation, to be free from slavery and involuntary servitude, and to be free from torture and cruel, inhuman and degrading treatment and punishment;
- The right to a fair trial and legal remedies;
- The right to protection of economic, social and cultural rights, including the right to health, an adequate standard of living, social security, housing, education, and fair working conditions;
- Other human rights guaranteed by international human rights instruments to which the state is party and by customary international law.

All these rights are recognised as human rights, which all people are entitled to without exception. People do not acquire them because they are citizens, workers, or based on a particular status. No one can be deprived of their human rights because they have entered or remained in a country in contravention of national immigration law or because they are women or children.

Often, the principle of the universality of human rights is limited for migrants. Moreover, it is often the case that national legislation either does not provide the means of protection or puts many obstacles in their way, such as the threat of deportation.

In this world, migrants are entitled to rights but have no or just minimal opportunities to make use of them or to demand their observation (United Nations High Commissioner for Human Rights, 2017).

International law – and, in particular, international human rights and refugee law – can answer the problem, albeit incomplete for international migration. International migration is affecting more and more unaccompanied minors, who are increasingly migrating in search of shelter, survival, safety, education or simply protection. It is essential to remind those responsible for migration policies that especially given the status of unaccompanied minors, these subjects are at risk of suffering human rights violations such as discrimination and exploitation. When policies ignore the human beings that constitute migration flows, they contribute to inequality, injustice and inconsistent policy responses. Moreover, regular channels for migration and policies that

aim to reduce irregularity – including punitive measures for irregular entry and stay – are limited, as is access to rights and services in countries of destination, putting young migrants at further risk of human rights abuses and limiting the opportunities and benefits of migration. Despite an international framework designed to protect and promote the human rights of all individuals – with specific provisions protecting children under the age of 18 – adolescents and young people suffer numerous human rights violations in the context of migration (UNICEF, 2014). Restrictions on regular migration impact the way parents and families migrate, thus increasing the likelihood that children will be left behind in their countries of origin and the possibility of them being returned to their home countries, the countries of origin, with reduced access to rights and subsequently attempting irregular migration. In addition, many migrants – particularly those with irregular migration status – have limited access to fundamental rights and services in transit and destination countries due to laws, policies and practices.

At the origin of the migration, experience is both push-back factors – conflict, war, generalised poverty, social instability, a negative outlook on the future that creates a premature perception of responsibility for children, etc. and pull-factors. Many minors are fleeing from countries facing crises, some of them lasting for years. For example, with the conflict in Syria in its tenth year, half of its eight million children have known nothing but war.

Before moving on to the normative excursus of the European measures adopted to face and regulate migratory flows, it is good to clarify what is meant by the terms 'migrant' and 'refugee' both in the European and international context as the two concepts are increasingly inflated and abused so much so that they have become almost synonymous in common perception.

The European Union considers refugees as forced migrants, whereby a migrant is any person who moves from the territory of his or her country, whatever the cause, voluntary or involuntary, and whatever the means, regular or irregular, which is used to migrate. The concept of migrant thus includes refugees, displaced persons, economic migrants and persons moving for other reasons, including family reunification. The Council of Europe uses the term 'migrant' to refer to those who have migrated, including asylum seekers, those who have been granted refugee status or similar protection, and so-called 'economic' migrants. The International Organisation for Migration (IOM) defines a 'migrant' as anyone who moves or has moved across an international border or

within a state away from their habitual residence, regardless of that person's legal status. On the other hand, the concept of a refugee has a distinctive feature: the movement due to a justified fear of being persecuted for reasons of race, religion, citizenship, political opinion, or membership of *a particular social group* (Ayers, 2015) – *with a specific reference to the fear of persecution* that is also found in Italian legislation (*Immigrazione,* n. d.) – *migrant* and *refugee* are instead coordinated concepts, therefore mutually exclusive (UNHCR, 2015):

> Migrants choose to move not because of a direct threat of persecution or death, but primarily to improve their lives through work, or in some cases for education, to reunite with their families, or for other reasons. Unlike refugees who cannot return home without risk, migrants do not have this kind of obstacle to their return. If they choose to return home, they will continue to receive protection from their government.

In commonly used terms, widespread and reinforced by the media, the migrant is the desperate person who tries to reach Europe on boats (or by land through the Balkans). The media often use *refugees* and *migrants synonymously,* whereas some political parties even label them as illegals.

It would be appropriate, therefore, to return to the original definition proposed by Article 1A of the *Geneva Convention* in 1951, according to which a refugee is one

> who rightly feared being persecuted for reasons of race, religion, nationality, membership of a particular social group, or because of political opinions are outside the country of which he is a citizen and cannot or does not wish, because of this fear, to avail himself of the protection of this country; or who, not having citizenship and being outside the country in which he was habitually resident as a result of these events, is unable or unwilling to return to it because of the fear as mentioned earlier.

The Rules for Non-EU Citizens: Migrants and Refugees

Articles 79 and 80 of the Consolidated Version of the Treaty on the Functioning of the European Union (2012) dictate the common rules for European migration policy, aiming to address, with a balanced approach, both regular and irregular immigration. In fact, the EU is re-

sponsible for defining the conditions for entry and residence of third-country nationals who enter and reside legally in one of the Member States, which retain, however, the power to determine the volumes of admission[1] related to the persons from third countries seeking employment. At the same time, the Union is obliged to prevent and reduce irregular immigration, mainly through an effective return policy, while respecting fundamental rights.

On May 13 2015, the Commission published *A European Agenda on Migration* (European Commission, 2015a) which proposes immediate measures to address the crisis prevailing in the Mediterranean and outlines initiatives to be launched in the years to come to manage migration more effectively in all its aspects. In the medium to long term, the Commission proposes guidelines in four policy areas: reducing incentives for irregular migration; border management – saving lives and securing external borders; developing a stronger common asylum policy; and implementing a new policy on legal migration by modernising and reviewing the 'blue card' system, setting new priorities on the integration policy front and maximising the benefits of migration policy for the individuals and countries of origin concerned.

Based on the agenda of April 6 2016, the Commission published its position paper on legal migration and asylum (European Commission, 2016c). Four main areas of action on regular migration policies are foreseen: revising the Blue Card Directive, attracting innovative entrepreneurs to the EU, having a more coherent and effective model for managing regular migration and strengthening cooperation with key countries of origin to ensure legal pathways for entry while improving returns of irregular migrants. In October 2019, the Commission published a report on the state of implementation of the European Migration Agenda (European Commission, 2019a), reviewing the progress made – increased communication with member states through *hotspots* and European agencies, increased cooperation with third countries – and the existing gaps in the implementation of the agenda with the need for further immediate initiatives and measures in strategic areas in the Mediterranean area, as well as search and res-

---

[1] The proper management of migration flows ensures fair treatment of third-country nationals who reside legally in the Member States, reinforcing measures to combat irregular immigration, including trafficking and smuggling, and promoting enhanced cooperation with third countries in all areas.

cue activities. Indeed, migrants and refugees seeking to reach Europe undertake journeys that risk their lives, with traffickers resorting to increasingly dangerous tactics to cross the Mediterranean. Since 2015, more than 12,677 people have been killed or missing in the Mediterranean Sea while trying to reach Europe. To date, there are three EU operations in the Mediterranean to save lives at risk and combat migrant smuggling. Thanks to these efforts, more than 528,653 lives have been saved since 2015. In 2016, the EU established the European Centre against Smuggling of Migrants to help the Member States deter the odious practice (www.frontex.europa.eu).

Following the escalation of the migration crisis since 2015, the EU has implemented measures aimed at greater control of external borders and migration flows, which have led to a reduction of more than 90% of irregular arrivals in the EU. This migration policy has been, especially in recent years, at the centre of national and EU political debates, so much so that European leaders have also identified in the Strategic Agenda 2019–2024 the request for further development of a fully functioning comprehensive migration policy (Consiglio europeo, 2019c):

> We will continue to deepen cooperation with countries of origin and transit to combat illegal migration and trafficking of human beings and to ensure effective returns. Regarding the internal dimension, we need to reach an agreement on an effective migration and asylum policy. Furthermore, we need to find a consensus on the Dublin Regulation to reform it based on a balance between responsibility and solidarity, taking into account people who have disembarked due to search and rescue operations.

The issue was also the subject of reflection at the October 2019 Justice and Home Affairs Council (Consiglio europeo, 2019b) where ministers discussed the state of affairs regarding migration, taking the opportunity to draw a general overview of the migration situation in the EU along all routes, with particular attention to the increase in arrivals in the Eastern Mediterranean and the recent declaration by France, Germany, Italy and Malta on temporary disembarkation arrangements. Discussion on the subject also ensued in December 2019 (Consiglio europeo, 2019a) when ministers addressed migration and asylum issues based on a report prepared by the Finnish Presidency, welcoming the Commission's intention to present a new Pact on Migration and Asy-

lum, thereby confirming the need for a comprehensive approach to migration covering the whole administration, and taking into account the entire route.

The EU has adopted various laws and frameworks to manage legal migration flows for asylum seekers, highly skilled workers, students and researchers, seasonal workers and family reunification. In addition, 20 million third-country nationals live in the EU, which represents 4% of the total population. The relocation and resettlement measures taken in response to the refugee and migrant crisis have highlighted the need to support the Member States with less integration experience. Therefore, in June 2016 the Commission presented an Action Plan to support Member States in the integration of third-country nationals and their economic and social contribution to the EU (European Commission, 2016a) and, in December 2016 the Council and the Representatives of the Governments of the Member States adopted conclusions on the integration of third-country nationals legally residing in the European Union (Council of the European Union, 2016). Hereupon the Member States are invited to:

- Exchange best practices on the integration of third-country nationals;
- Improve monitoring and evaluation of integration;
- Address the issue of recognition of qualifications and competencies of third-country nationals.

Legal Background on the Topic of Legal Migration

Following the difficulties encountered in adopting a general provision covering the whole area of labour immigration in the EU, the approach has been to adopt sectoral legislation, by categories of migrants, to establish a legal immigration policy at the EU level. Thus, since 2008, several important immigration directives have been adopted, and many others revised.

Council Directive 2009/50/EC of May 25, 2009, on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment (2009) introduced the so-called 'EU Blue Card,' a fast-track procedure for issuing a special residence and work permit under more attractive conditions for third-country workers to take up highly qualified employment in the Member States. However, the first report, published in May 2014, concerning the implementation

of the Directive mentioned above, identified numerous shortcomings, and in June 2016 the Commission proposed a revision of the system.[2] Including less stringent admission criteria, a minimum salary threshold and minimum duration of the work contract, better provisions for family reunification, and the elimination of parallel national schemes.

The Single Permit Directive (Directive 2011/98/EU of the European Parliament and of the Council of December 13, 2011, on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State, 2011) sets out a common and simplified procedure for third-country nationals applying for a residence and work permit in a Member State and establishes a common set of rights for legal immigrants. The latest implementation report (European Commission, 2019b) adopted in March 2019 found that third-country nationals lacking information about their rights hinder the directive's objective to promote integration and non-discrimination.

Directive 2014/36/EU of the European Parliament and of the Council of February 26, 2014, on the conditions of entry and residence of third-country nationals for the purposes of employment as seasonal workers (2014) adopted in February 2014 regulates the conditions of entry and residence of third-country nationals for the purpose of employment as seasonal workers who may reside legally and temporarily in the Union for a maximum period of between five and nine months (depending on the Member State) to pursue an activity subject to the trends of the seasons, while retaining their principal residence in a third country.

Directive 2014/66/EU of the European Parliament and of the Council of May 15 2014, on conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer (2014) adopted on May 15 2014 lays down the conditions of entry and residence of third-country nationals in the context of intra-corporate transfers. This Directive allows multinational companies and corporations to simplify the temporary posting of their managers, specialists and trainees to subsidiaries and branches located in the European Union.

---

[2] Work on this review is ongoing in Parliament and the Council. However, progress in the Council has recently stalled, particularly on the inclusion of skills and the recognition of work experience equivalent to educational qualifications and the possibility of maintaining parallel national schemes.

Directive (EU) 2016/801 of the European Parliament and of the Council of May 11 2016, on the conditions of entry and residence of third-country nationals for the purposes of research, study, placement, voluntary service, pupil exchange schemes or educational projects, and au pair placement (2016) on the conditions of entry and residence of third-country nationals for the purposes of research, study, placement, voluntary service, pupil exchange schemes or educational projects, and au pair placement was adopted on May 11, 2016. Member states should have transposed it by May 23, 2018. It replaces the previous instruments on students and researchers, broadening their scope and simplifying their application.

Finally, the status of third-country nationals who are long-term residents in the EU is still governed by Council Directive 2003/109/EC of November 25, 2003, concerning the status of third-country nationals who are long-term residents (2003) as amended in 2011 to extend the scope to refugees and other beneficiaries of international protection. The March 2019 implementation report (European Commission, 2019c) found that, rather than actively promoting European long-term resident status, Member States mainly issue national long-term resident permits. As a result, only a limited number of third-country nationals use the right to move to another Member State. Therefore, as noted in the Commission's Adequacy Review of Legal Migration published in March 2019, categories of legal migration not yet covered by EU legislation include workers who are not highly skilled and who come for periods of more than nine months as investors and self-employed third-country nationals.

Legal Background on the Topic of Irregular Immigration

The European Union has adopted several key pieces of legislation to combat irregular immigration:

- The so-called 'aiding and abetting package' includes Council Directive 2002/90/EC of November 28, 2002, defining the facilitation of unauthorised entry, transit and residence (2002) and Council Framework Decision of November 28 2002, on the strengthening of the penal framework to prevent the facilitation of unauthorised entry, transit and residence (2002) establishing criminal sanctions for such conduct. Directive 2011/36/EU of the European Parliament and of the Council of April 5, 2011, on preventing and

combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA) (2011) addresses the issue of trafficking in human beings and protecting its victims. The package is completed by Council Directive 2004/81/EC of April 29, 2004, on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities (2004) which provides for the issuance of a residence permit to persons who are victims of trafficking or smuggling of human beings and who cooperate with the competent authorities. In May 2015, the Commission adopted the EU Action Plan against Smuggling of Migrants (2015–2020) (European Commission, 2015b) and, in line with the Action Plan, carried out a REFIT assessment (European Commission, 2017c) on the application of the existing legal framework. The Commission found that, at that time, there was insufficient evidence of effective and continuous prosecution of individuals or organisations for humanitarian assistance and concluded that the EU legal framework for combating migrant smuggling remained, in the current context, essential. It also noted that the revision of the facilitators' package would not bring any added value with respect to its effective and full implementation, whilst, on the other hand, there was a general agreement concerning the adoption of non-legislative measures to support Member States' authorities, civil society organisations or other stakeholders, including cooperation with third countries, would bring. In its resolution of July 2018 (Guidelines for Member States to prevent the criminalisation of humanitarian assistance European Parliament resolution of July 5, 2018, on guidelines for the Member States to prevent the criminalisation of humanitarian assistance (2018/2769(RSP)), 2018) the Parliament called on the Commission to develop guidelines for the Member States to avoid criminalisation of humanitarian assistance and a hearing on the subject was held in September 2018.

- The 'Return Directive' (Directive 2008/115/EC of the European Parliament and of the Council of December 16, 2008, on common standards and procedures in the Member States for returning illegally staying third-country nationals, 2008) sets out common EU standards and procedures applicable in the Member States for returning third-country nationals found staying illegally. The first

report on the application of this Directive was adopted in March 2014; in September 2015, the Commission published an EU Return Action Plan (European Commission, 2015c) followed by the adoption of Council Conclusions on the future of the return policy in October of the same year. In March 2017, the Commission complemented the Action Plan with a Communication (European Commission, 2017b) and the Commission recommendation (EU) 2017/432 of 7 March 2017 on making returns more effective when implementing the Directive 2008/115/EC of the European Parliament and of the Council (2017). In September 2017, it published an updated version of its 'Return Handbook' (European Commission, 2017a) intended for national authorities in charge of return-related tasks, which guides the exercise of these tasks. Furthermore, in 2016, the Parliament and the Council adopted Regulation (EU) 2016/1953 of the European Parliament and of the Council of October 26, 2016, on the establishment of a European travel document for the return of illegally staying third-country nationals, and repealing Council Recommendation of November 30 1994 (2016) on the establishment of a European travel document for the return of illegally staying third-country nationals. With its recent relaunching and reinforcement, the European Border and Coast Guard Agency (Frontex) frequently assists the Member States in return-related activities. In September 2018, the Commission proposed a targeted review (European Commission, 2018) of the Return Directive, including a new border procedure for asylum seekers, clearer procedures and standards to prevent abuse, efficient voluntary return programmes to be set up in the Member States and more transparent rules on detention. An impact assessment by the Parliament (European Parliament, 2019) found that the proposal would entail high costs for the Member States through increased enforcement of detention: there is no clear evidence that the proposal would lead to more effective returns, but it is likely to result in violations of the fundamental rights of irregular migrants. Although negotiations in Parliament and Council are ongoing, no specific agreement on the border procedure has been reached.

- Directive 2009/52/EC of the European Parliament and of the Council of June 18, 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals (2009) specifies the sanctions and measures to be applied by the Member States against employers of

illegally staying third-country nationals. The first report concerning the implementation of this Directive was submitted on May 22, 2014.

- Since 2001, Member States mutually recognise each other's expulsion decisions (Council Directive 2001/40/EC of May 28, 2001 on the mutual recognition of decisions on the expulsion of third-country nationals, 2001), according to which the decision of a Member State to expel a third-country national present in another Member State is respected.

At the same time, the EU is negotiating and concluding readmission agreements with countries of origin and transit to return irregular migrants and cooperate in the fight against trafficking in human beings. As foreseen in the readmission agreements, the Joint Readmission Committees monitor their implementation. These agreements are linked to the visa facilitation agreements, which aim to provide the necessary incentives for readmission negotiations in the third country concerned without generating an increase in irregular migration. The Commission has also recently concluded informal return and readmission agreements (currently in force with five countries of origin located in Africa), which have been strongly criticised by the Parliament as not being subject to its scrutiny, thus raising questions about accountability and transparency (Corleto & Fronzoni, 2021).

Asylum and Resettlement Programmes

To manage legal migration flows concerning asylum seekers, highly skilled workers,[3] students and researchers,[4] as well as seasonal work-

---

[3] The EU Blue Card Directive was adopted in 2009 (Council directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment, 2009) to facilitate the migration of highly skilled workers from third countries to a Member State to address labour and skills shortages by attracting highly skilled workers. However, the current Directive has proven insufficient, with only a limited number of permits being issued for this type of worker. In June 2016, the Commission proposed to reform the Blue Card Directive (European Commission, 2016b) by amending some rules (a lower salary threshold for admission, faster procedures, the possibility to undertake parallel professional activities, more flexibility in professional mobility between the Member States). Negotiations are currently ongoing.

[4] In 2016, the Council and Parliament adopted a Directive laying down the conditions of entry and residence of third-country nationals for the purposes of research, study,

ers[5] and family reunification,[6] the EU has activated resettlement programmes, including the 2015 European Resettlement Programme, still currently in force, the 2016 Resettlement Programme for Syrian Refugees in Turkey, and the 2017 European Commission Recommendation.

The European Resettlement Programme was launched in July 2015, following the agreement reached by EU leaders to resettle 22,504 refugees over two years[7] through conclusions adopted by the Council setting out the details of such resettlement (Council of the European Union, 2015). The resettlement programme for Syrian refugees in Turkey was established following the March 2016 agreement between the EU and Turkey whereby every Syrian was sent back to Turkey from Greece. One Syrian would be resettled from Turkey in the EU. As of March 2019, almost 21,000 Syrians had been resettled under this programme. In July 2016, the Commission proposed establishing a permanent EU resettlement framework with common procedures and criteria across the EU, replacing the two current resettlement programmes. In September 2017, the Commission also adopted a Recommendation calling on the Member States to offer resettlement places for the admission of 50,000 persons by October 31, 2019, and in November 2017 negotiations on

placement, volunteering, pupil exchange programmes or educational projects and au pair placement. EU and African leaders have agreed to promote the mobility of students, researchers and entrepreneurs between the two continents. This commitment was made at the summit held in Valletta in November 2015. The leaders agreed to double the number of scholarships for students and academic staff in 2016 through the Erasmus+ programme (Consiglio europeo, 2015).

[5] Faced with growing labour shortages, the EU economy depends on many seasonal workers from third countries. In 2014, the Council and Parliament adopted the Seasonal Workers Directive, which defines the conditions under which third-country nationals can enter and reside in the EU as seasonal workers. The envisaged rules help to harmonise and simplify admission rules between Member States, protect third-country seasonal workers from exploitation and poor working conditions, address the problem of third-country seasonal workers staying illegally in the EU (Directive 2014/36/EU).

[6] Family reunification allows those legally residing in the EU to be joined by family members, contributing to better integrating third-country nationals into society. The relevant rules are set out in the Directive on the right to family reunification, which lays down common rules for exercising the right to family reunification in the EU (except for the United Kingdom, Ireland and Denmark).

[7] According to Frontex sources, as of March 2019, more than 24 000 people had been relocated (https://frontex.europa.eu/).

the draft rules for the new framework were initiated in the European Parliament and are still ongoing (Consiglio europeo, 2017c).

Regarding non-legal migration flows, the Common European Asylum System (CEAS) sets out minimum standards for the treatment of all applicants and claims across the EU (European Commission, 2014), as the migration crisis has highlighted the need to reform EU asylum rules. Under the current rules, both because applicants are not treated equally across the EU and because the rate of positive asylum decisions varies greatly, asylum seekers travel across Europe and apply for asylum in countries where they feel they have the best chance of receiving international protection. The Council is currently examining seven legislative proposals to improve EU asylum rules to make the system more efficient and more resilient to migratory pressure, eliminate pull factors and secondary movements, combat abuse, and provide greater support to the most affected member states. The seven legislative proposals tabled by the Commission aim at:

1. Reforming the Dublin system[8] to better distribute asylum applications among the Member States and to ensure the expedient processing of these applications;
2. Strengthening the Eurodac[9] regulation to improve the EU fingerprint database for asylum seekers;

[8] The purpose of the Dublin system, established in 1990 and updated in 2003 and 2013, is to identify a single EU Member State responsible for processing an asylum application. The procedure is based on various criteria, including the first country of entry, effectively limiting the number of member states accountable for processing most asylum claims. However, the migration crisis has highlighted the limitations of the current system, which places a burden on those Member States that are in the front line (such as Italy and Greece). Therefore, the legislative proposal for reform, currently under discussion in the Council, aims to improve the Dublin Regulation to identify a single Member State responsible for examining an asylum application and ensure a fair sharing of responsibilities between the Member States.

[9] The Eurodac database contains the fingerprints of all irregular migrants and asylum seekers who have been registered in EU member states and associated countries. This database, which contributes to the implementation of the Dublin regulation, makes it possible to check whether an applicant has previously lodged an asylum application in another member state, to check whether an applicant has once been apprehended when illegally entering the European territory and to determine which member states are responsible for examining an asylum application. The proposal to reform the Eurodac Regulation aims to improve the system by collecting additional data (facial images), extending its scope to include data on third-country nationals illegally staying in the EU. They have not applied for asylum and simplified access for law enforcement authorities (Consiglio europeo, 2016).

3. Establishing a fully-fledged asylum agency;[10]
4. Replacing the Asylum Procedures Directive[11] with a Regulation to harmonise EU procedures and reduce differences in recognition rates between the Member States;
5. Replacing the Qualification Directive with a Regulation[12] to harmonise the levels of protection and rights of asylum seekers;
6. Reforming the Reception Conditions Directive[13] to ensure that

[10] This proposal aims to transform the current European Asylum Support Office (EASO) into a fully-fledged EU asylum agency responsible for ensuring that assessments of applications for international protection are convergent and providing operational and technical assistance to the Member States. In June 2017, the Council and Parliament reached a broad political agreement and referendum on all twelve chapters of the Regulation on the EU Asylum Agency (Consiglio europeo, 2017a). Technical work on the proposal was completed by the end of 2017. Adoption of the proposal was suspended pending progress on the rest of the CEAS package. In September 2018, the Commission proposed amendments to its proposal for an EU Asylum Agency. The proposed changes include expanding the operational and technical assistance that the agency can provide to the Member States.

[11] The Asylum Procedures Directive defines the procedures to be followed by the EU Member States in granting and withdrawing international protection status. The legislative proposal aims to replace this directive with a regulation establishing a common procedure for international protection, which will help remove the incentives for seeking the most advantageous asylum. The draft rules will replace the various procedures applied in the Member States with a more straightforward procedure, improve the protection of the rights of applicants and the protection of vulnerable persons, introduce stricter rules to prevent abuse, and establish a more rapid examination of applications when certain conditions are met. The Commission proposal is currently under discussion in the Council.

[12] The legislative proposal ensures that uniform standards are applied to all asylum seekers in the different member states. The draft rules define the common criteria for identifying persons who are genuinely in need of international protection, the common rights for such persons in all member states. In July 2017, ambassadors to the EU agreed on a negotiation mandate on the draft standards for qualifying asylum seekers. They harmonised the rights and benefits of beneficiaries of international protection across the EU. Negotiations with the Parliament are at an advanced stage (Consiglio europeo, 2017d).

[13] The first objective of the legislative proposal is to ensure standard reception conditions for all asylum seekers. This will ensure that asylum seekers benefit from better and similar living conditions throughout the EU. The proposed rules establish a common definition of reception conditions for all asylum seekers, the right to work for asylum seekers within nine months of lodging their application, the right to education for minors and the need to appoint a guardian for unaccompanied minors. The second objective of the draft directive is to reduce secondary movements of asylum seekers by defining geographical limits. The draft rules aim to limit access to reception conditions to the Member State responsible for their asylum application, limit the provi-

asylum seekers benefit from harmonised and dignified reception standards;

7. Creating a permanent framework for resettlement.[14]

As mentioned, the European policy for managing both legal and non-legal flows include mechanisms for temporary relocation of migrants arriving in the countries of arrival in copious numbers (see Italy[15] and Greece), registration and fingerprinting in the so-called *hotspots* (of which 5 in Greece and 4 in Italy – Lampedusa, Trapani, Pozzallo and Taranto), return policies and readmission agreements with third countries.

The Linguistic Integration Plan
Language Learning, an Essential Element of Inclusion

The Council of Europe has been a pioneer in promoting the integration of migrants in its Member States. Given the values and principles that inspire its work, it places human rights and social cohesion at the heart of migration policies, defining integration as a two-way process

sion of travel documents unless there are serious humanitarian reasons, and allow the Member States to restrict the applicant's presence to a specific geographical area. In November 2017, ambassadors to the EU agreed on a mandate for negotiations on the draft rules. Negotiations with Parliament are at an advanced stage (Consiglio europeo, 2017b).

[14] The Commission has proposed establishing a permanent EU resettlement framework that would replace the existing ad hoc resettlement schemes. The resettlement framework aims to provide safe and legal routes to the EU and to reduce the risk of large-scale irregular arrivals in the longer term, to provide common standards for humanitarian admission and resettlement, to contribute to global resettlement and humanitarian admission initiatives, and to support third countries which host large numbers of persons in need of international protection. Under the new framework, the Council will adopt a two-year EU plan for resettlement and humanitarian admission based on a proposal from the Commission. The plan will include the maximum total number of persons to be admitted, member states' contributions to that number and overall geographical priorities. In November 2017, the Council agreed on a mandate to open negotiations with the Parliament on draft legislation establishing an EU framework for resettlement. Negotiations with the Parliament are at an advanced stage (Consiglio europeo, 2017c).

[15] The Italian government has used the so-called 'closed ports policy' to negotiate, through the 'stipulation' of informal and ad hoc agreements between European governments, the 'redistribution' of rescued people to States other than the one of arrival. A series of highly mediatised landings have been managed through such procedures, first of all, the case of the Diciotti ship and then the rescues operated by NGOS.

in which migrants must show investment in their migration project – for example, by learning the language of the host country – but the host country also has responsibilities towards them – such as allowing access to the labour market and avoiding discrimination. 'Living together in diversity' is not just a slogan. It is a vital principle for any democracy based on peace (Council of Europe, 2000). Although learning the host country's language is not a prerequisite for integration, it is undoubtedly an essential element.

The integration of newcomers is a process that involves a transversal but specific dimension in linguistic integration in addition to social inclusion. This aspect is often underestimated or even absent from reception programmes and integration indicators. For migrants, it is crucial to feel integrated into the host society in terms of linguistic communication. This will depend on how integration is conceived, which may differ and vary from one individual to another. From a migrant's point of view, linguistic integration does not necessarily guarantee full integration: a migrant may be proficient in the language of the host society without being able to benefit from equal access to employment with native speakers of that language if he or she does not adopt some behaviours commonly accepted by the host society. However, acquiring skills in the majority language may facilitate integration. It is clear that language plays a vital role in achieving social cohesion through intercultural dialogue.

The language policies that the Member States ordain for adult migrants must first adapt to the objectives and principles of reception to which they are subject by first recognising their specific responsibilities concerning the provision of language training for target audience. The linguistic support must have objectives that ensure, in particular, the level of competence in oral communication, a crucial element of social life, especially in the workplace (professional domain). However, the same support should also generate a sense of belonging to the new social environment (public domain) because this sense is related to the type of migration project (e.g., permanent or temporary settlement). A successful integration policy cannot fail to include appropriate interventions to contain fears and remove ambiguities that the visible presence of newcomers may trigger in the host society. The language or languages of the host society into which migrants are trying to integrate and those already part of their particular repertoire form the identity of the active and democratic citizen. Therefore, a multilingual and inter-

cultural approach ensures that languages become instruments of integration, uniting rather than isolating.

Based on these values, the bodies responsible for language policies are invited by the Council to consider how to:

- Implement language training programmes that provide an apparent response to the needs of migrants, with particular reference to the personal, social and employment domains;[16]
- Ensure that programmes are sufficiently open to accommodate the diversity of migrants as a highly heterogeneous population;[17]
- Support migrants in developing independent learning skills;[18]
- Monitor language and civic culture courses to ensure that they meet internationally agreed quality assurance standards;[19]
- Define the levels of competence required realistically and flexibly to reflect the real needs and abilities of migrants;[20]

[16] Under this aspect, the identification of needs is a priority, both in the short and medium-long term. These will have to be contemplated and reflected in the communicative objectives, which in turn can be defined by adapting the scales of the 'Common European Framework of Reference for Languages' (CEFR) (for example: talking to one's children's teachers, talking to one's neighbours, writing a CV for a job, etc.).

[17] In fact, there is no standard model: migrants can differ considerably in terms of personal situation, needs, skills, previous educational background, level of schooling, literacy profile, time and availability for language learning, migration project related to the host country, years of stay in the same country (Pulinx, n. d.).

[18] At the end of the course, users will need to manage their learning, e.g. by acquiring the skills required in the workplace, building social networks, etc. The European Language Portfolio (ELP) is designed to support the development of these skills and can therefore be used by migrants to relate their progress to CEFR competence levels. The European Language Portfolio (ELP) has been designed to support the development of these skills and can be used by migrants to relate their progress to the CEFR competence levels.

[19] The experience of bespoke courses, designed, created and delivered by suitably trained professionals, can be more expensive but provides value for money in terms of quality-price, greater involvement, more frequent attendance, motivation and, consequently, learning outcomes (Rossner, n. d.).

[20] Given that the CEFR can be used to define inhomogeneous 'profiles,' when adapting the Framework for official purposes (such as residence or citizenship), it is important to look at realistic levels and sustainable profiles, bearing in mind that in most societies and for most native speakers it is not necessary to perform the tasks envisaged by the higher rungs of the CEFR scale; the requirement to demonstrate a 'sufficient' or 'good' level in L2 is not only too vague as an assumption of principle to be useful but is based on the unproven assumption that effective integration depends on a given level of language proficiency (Little, 2012)

- Ensure that formal tests, if used, meet quality standards and are not used to exclude migrants from society;[21]
- Develop effective incentives rather than ineffective sanctions, and tangible rewards linked to language learning, such as accelerating access to the labour market or *welfare,* thus providing stronger motivation;[22]
- Value migrants' languages of origin and their unique, multilingual and pluricultural identity.[23]

The European Language Portfolio (ELP) is a personal document designed by the Council of Europe to promote lifelong language learning and to foster the development of learner autonomy by enhancing awareness of intercultural experiences and multilingualism. It is also a complementary tool to the Common European Framework of Reference for Languages (CEFR). It is linked both in terms of the Council of Europe's core values and the levels of competence defined in the CEFR itself. Three features of the ELP make it particularly relevant for use with adult immigrants: first, the emphasis on the need to 'learn to learn' helps to raise immigrants' awareness of language and language learning by making them aware that, consciously or unconsciously, they will continue to develop their own process of learning the host country's language throughout their lives; secondly, the process of goal-setting and self-assessment allows them to continuously analyse their communication skills and encourages them to stay focused on their im-

[21] Where tests are administered for official purposes, they must be prepared by professional bodies to ensure that they are impartial, reliable and fair. However, there is no stable relationship between passing a language test and effective integration: migrants can be integrated even with limited language skills. Language proficiency develops through use over time and in everyday life: it is therefore not a precondition but rather the result of participation in social life. Alternative forms of assessment, such as the ELP, provide evidence of what a learner can do through language and could therefore complement or perhaps replace a test linked to the CEFR (Rossner, n. d.; Balch, n. d.).

[22] Sanctions that attempt to force migrants to learn can result in less effective learning and negative attitudes towards integration: disproportionate measures can be discriminatory and violate migrants' human rights (Beacco et al., 2017).

[23] Languages of origin play a crucial role in the integration process; a multilingual and intercultural approach, on the one hand, shows that these languages are considered necessary, and on the other encourages migrants to pass them on to their children, highlighting their value as markers of identity and a resource for the whole society. Indeed, languages are essential for building intercultural competence and social cohesion (Beacco et al., 2017).

mediate learning needs, thus strengthening their motivation; finally, by highlighting the efforts made in learning the language and the results achieved, it avoids the risk that their skills may be underestimated. The Council of Europe's Working Group on the Language Integration of Adult Immigrants has developed a 'generic' ELP model for adult immigrants, adaptable to the needs corresponding to particular contexts based on the Milestone[24] project model and comprising (Little, 2012):

- A Language Passport of only five pages to include personal information about the owner of the passport, his or her educational background and language identity, a table for cumulative self-assessment of skills in six languages, the self-assessment grid and a page where the owner can list the certificates and diplomas he or she has obtained;
- A Language Biography divided into two parts covering both the current level of language competence in the language of the host community, the experience of language learning and contacts with other cultures, life path and aspirations for the future, skills, abilities and interests and how they can help integration in the host country as well as current language learning-expectations, cultural differences, 'learning to learn';
- A Dossier, consisting of four sections: the training programme currently followed, examples of work carried out, a progress log, and diplomas and certificates obtained;
- Checklists, including descriptions relevant to the communication needs of all adult immigrants in all language activities (listening, reading, spoken interaction, oral production and written production) at A1, A2, B1 and B2 CEFR levels.

A very useful tool for reflection on the topic is the survey, conducted in 2018 by the Council of Europe & ALTE on 'language and civic knowledge policies in the context of migration' (Council of Europe, 2018). It highlights how, in the last decade, an increasing number of Council of Europe member states have formally introduced, within their immigration and integration policies, language and/or civic knowledge-related requirements for residence or entry purposes (Lloyd & Perlmann-

---

[24] This is project 37.2002-Milestone, one of the models specifically designed for adult immigrants to learn the language of the host country (developed in a joint project between Finland, Germany, Ireland, the Netherlands and Sweden and funded by the EU).

Citizenship ▇▇▇▇▇▇▇▇▇▇▇▇ 78%
Long stay permit ▇▇▇▇▇▇▇▇ 51%
Temporary permit ▇▇▇▇▇ 32%
Entrance ▇▇▇ 24%
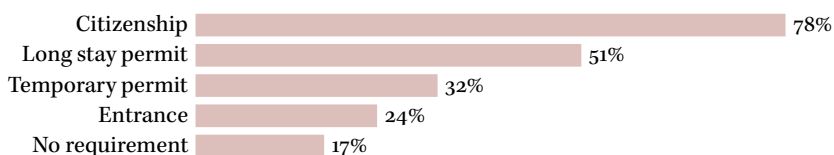No requirement ▇▇ 17%

FIGURE 7.1   Requirements of Council of Europe Member States
              (Council of Europe, 2018)

Balme, 2017) with considerable differences concerning the specific
levels of competence required, often without considering vulnerable
groups (minors, refugees, weakly educated) who are rarely exempted
from taking the tests. It should be noted that although almost all Mem-
ber States offer language learning opportunities to migrants, these are
often characterised by an insufficient number of hours (only up to 250
hours of free instruction), especially for vulnerable groups.

Forms of Linguistic Integration

Given that the integration of migrants is a multifaceted and complex
process to analyse, as is reiterated by the Council of Europe (Beacco
et al., 2017), many indicators[25] have been developed over the years to
investigate the process of adaptation in another society, often without
including criteria directly related to languages. However, it is assumed
that L2 learning remains a crucial aspect, especially in cases of long-
term settlement. Proper integration of migrants into the new society
reflects a welcoming effort beyond the specific norms adopted; more-
over, acceptance of new forms of social behaviour, provided they do not
violate the fundamental values of democracy, presupposes that society
is open to others and tolerant towards change. This collective involve-
ment must be complemented by educational measures for the benefit
of everyone throughout the world (Council of Europe, 2008).

   Using the term 'linguistic integration' is possible as long as there is
full awareness of its specificities: languages, in fact, should not be seen
only as a mere means of communication, or just tools that must simply
be acquired, but should instead also be considered as a vehicle for the
construction of cultural, individual and group identities. In this way,
the learning and use of a new language – the language of the host so-

---

[25] These include broad areas, such as social integration and health or more specific indi-
cators (income, employment, housing, education, participation in social life, etc.), such
as those developed by Eurostat (Gazzola, 2017, pp. 297–302).

ciety – or the use of other languages that the migrant already knows but which are unknown to the resident population, is not only a practical matter but may also trigger processes that imply a redefinition of identities. The linguistic integration of migrants in the receiving society is not, as already pointed out, a symmetrical process. In the receiving society, the visible presence of new languages may supposedly trigger anxiety or fear for national identity. This identity sometimes appears surrounded by attacks on linguistic unity or destitution of the dominant language for migrants. In that case, the immediate problems have implications linked to the way of approaching the L2, the knowledge of which can be seen as a form of enrichment of their identity but can conversely also be perceived as something that makes them vulnerable. L2 learning can cause suffering and frustration (linked, for example, to the inability to express oneself) to compromise the existing identity with the loss of the sense of belonging to the community of origin.

The resident population may conceive the very idea of linguistic integration as a duty of the newcomers, which often translates into considering situations in which migrants do not stand out from other speakers, passing linguistically unnoticed compared to the native speakers to be positive. This is an outward interpretation of integration that also requires adult migrants to reach out and show a high level of knowledge of the official language, perceived as a demonstration of their loyalty and faithfulness to the host country. A sort of curiosity can compensate for these expectations of assimilationism for unknown languages, a desire to learn them, a greater tolerance towards unintentional mistakes made by migrants or towards the difficulties they have in expressing themselves and accepting the use of other languages in public or the media. Such positive attitudes, which should be encouraged by all forms of intercultural education, may depend on the degree of legitimacy attached to languages and, to a large extent, on the degree of acceptance of diversity.

However, the Council of Europe's position is not consistent either with the real needs of the host society or with the expectations of migrants and the rights that should be guaranteed to them. Integration, in other words, should not be defined exclusively concerning the acquisition of the dominant language, but also in relation to the linguistic repertoire of each individual so that it is seen as the adaptation to the (new) communicative environment, i.e., as a re-arrangement of their individual repertoires.

Various forms of language integration are therefore possible, reflecting the goals and needs of migrants:

- *Low level of language integration within the repertoire:* the linguistic resources available in the individual's repertoire are deficient because the skills in L2 are not adequate to deal effectively with communicative situations without effort. In such cases, the success of the communication often depends mainly on the linguistic goodwill of the other speakers, leading to a sort of social self-censorship. Migrants do not participate in some activities or even avoid doing so because they are perceived as linguistically too demanding[26] and L1 maintains a strong identity connotation;
- *Functional integration of languages within the repertoire:* resources in L2 are sufficient to ensure successful verbal communicative exchanges. In this case, the language of origin does not necessarily have a prominent identity function;
- *Integration of languages within the repertoire:* migrants actively reorganise their repertoires by incorporating the host society's language alongside the L1 and any other languages they already master. The repertoire is used naturally, with speakers interchanging languages depending on the social situation; in this case, the language of origin can maintain the status of common identity together with the L2.

It is up to migrants to decide for themselves and their families which linguistic strategies are best suited to their goals in daily life and the management of their identity. Within this framework, the role of language training is crucial to inform migrants about the consequences of the positions taken, explaining in particular that migration necessarily involves a process of identity adjustment that must be managed with plurality and a mental willingness to integrate, rather than with a 'nostalgic inflexibility' to fusion. When delivering training, the user could be asked to reflect on how to manage the 'variable code' essentially at two levels: 'micro-changes' – in the same communicative situation, de-

[26] Migrants may find their repertoire ineffective and therefore a source of frustration and may be 'excluded' by native speakers. However, where native speakers attribute a role to the migrant's L1 and a purely practical role to the L2, migrants may still be accepted by the host society. This is because their language of origin may retain a strong identity function.

pending on the participants – and 'macro changes' – tolerance of linguistic diversity and distribution of two or more languages in all social exchanges. In any case, the fact that migrants can choose between different types of adaptation implies that the Training Pact must be endorsed by actually listening to their point of view, which is a *sine qua non* to design and manage tailor-made courses (van Avermaet & Gysen, 2008).

The Council of Europe Project 'Linguistic Integration of Adult Migrants' (ILMA – LIAM)

The main purpose of the Council of Europe, as highlighted, is to create an area of common democratic legality that respects human rights according to the regulations in force. To achieve this goal, the Council's actions are based on the principles of social inclusion and cohesion and the respect of diversity and, therefore, give great importance to the linguistic integration of adult migrants. The effective respect of these fundamental principles requires a coordinated approach across the different fields of integration policies (social, employment), starting from awareness of the mutual rights and duties of migrants and the host society. Over the last fifty years, the adopted policies have contributed to the spread of language teaching and learning at the European level by supporting the Member States in developing coherent and effective policies and revising existing national policies to adapt them to shared values and principles. In recent years, these actions have also aimed to identify and share good practices and promote transparency and equity following internationally accepted codes of practice for language testing, where compulsory. In addition, the Council of Europe has developed standard-setting tools and recommendations that establish good practice in the migration context. These tools and recommendations complement language policy guidelines and *tools* designed to support their effective implementation and enforcement, following an inclusive approach based on shared values.

In 2006, a large-scale initiative was launched, the Linguistic Integration of Adult Migrants (LIAM) project, which, whilst drawing on tools and resources developed by the Council of Europe, sought to facilitate the integration of migrants into civil society and to promote social cohesion, in line with the Council's core values. One of the reasons behind this project was the distorted use of the CERF (North & Piccardo, 2017, pp. 83–90) used to assess migrant language skills for the right to

access, residence or citizenship, all of which may violate the human rights of the person concerned. The resources developed by the LIAM project focus on language policy and its development, language learning programs for adult migrants and the assessment of learning outcomes to help the Member States meet the specific needs of adult migrants. The Member States, moreover, have contributed to the project, sharing their concerns and expressing their needs through four surveys (2007, 2009, 2013 and 2018),[27] participating in three intergovernmental conferences in Strasbourg (2008, 2010 and 2014).[28] A symposium in 2016 provided a compendium of articles and case studies. The LIAM project's dedicated website is designed to meet the potential needs of different users. It offers various types of resources, including a set of principles to be taken into account when designing policies to facilitate the language integration of adult migrants, a list of keywords linked to a large number of background documents, tools and other resources (e.g., a self-assessment questionnaire for language course leaders and a European language portfolio designed for adult migrants).

---

[27] The first survey, conducted between 2007 and 2008, was organised by the Language Policy Division (now Unit) and the Migration Division in cooperation with ALTE and 26 states. The results were announced during the first intergovernmental symposium in 2008. The second survey (2008–2010), also organised by the divisions mentioned earlier, saw the participation of 31 states. The results and the main trends that emerged were published in the report 'Language requirements for adult migrants in Council of Europe member states: Report on a survey' and presented during the 2010 intergovernmental conference in Strasbourg. As many as 36 member states participated in the 2013 survey. Most recently, in 2018, the survey 'Language Policies and Language Requirements for Migrants in the Member States' aimed to map the language and cultural requirements (KoS) of migrants for entry, residence and citizenship purposes with a focus on vulnerable groups (low-literacy migrants, women, unaccompanied minors, asylum seekers and refugees).

[28] The first intergovernmental seminar was held in 2008 to share the first survey results among member states and present the many key documents (issues and case studies) prepared to support states in developing coherent and effective policies. The second conference, 'The linguistic integration of adult migrants: Ways of evaluating policy and practice,' held in 2010, provided an opportunity to discuss the language requirements for family reunification, residence permits, residency and citizenship and address issues such as programmes and forms of evaluation. Finally, the third conference in 2014, 'Quality in the linguistic integration of adult migrants: From values to policy and practice,' took an innovative approach with the presentation of the project's new website and its many resources, the analysis of the results of the third survey; the presentation of a new Guide for project-related policies and a Recommendation on the impact of language testing on migrants.

References

Ayers, C. J. (2015, 2 September). *It is time for the European Union to redefine what it means to be a 'refugee.'* The London School of Economics and Political Science. https://blogs.lse.ac.uk/politicsandpolicy/it -is-time-for-the-european-union-to-redefine-what-it-means-to-be -a-refugee/

Balch, A., Corrigan, M., Gysen, S., Kuijper, H., Perlmann-Balme, M., Roppe, S., Rübeling, H., Steiner, S., Van Avermaet, P., & Zeidler, B. (N. D.). *Language tests for social cohesion and citizenship – an outline for policy-makers.* Council of Europe. https://rm.coe.int/16802fc1b9

Beacco, J. C., Krumm, J. H., Little, D. & Thalgott, P. (Eds.). (2017). *The linguistic integration of adult migrants.* De Gruyter.

Commission recommendation (EU) 2017/432 of 7 March 2017 on making returns more effective when implementing the Directive 2008/115/EC of the European Parliament and of the Council. (2017). *Official Journal of the European Union,* L 16, 15–21.

Corleto, M., & Fronzoni, V. (2021). *Nuove opportunità di sviluppo dai contesti migratori: inclusione, sicurezza e confessionalità* (Vol. 1). Luigi Pellegrini Editore.

Council Directive 2001/40/EC of May 28, 2001 on the mutual recognition of decisions on the expulsion of third-country nationals. (2001). *Official Journal of the European Union,* L 149, 34–36.

Council Directive 2002/90/EC of November 28, 2002, defining the facilitation of unauthorised entry, transit and residence. (2002). *Official Journal of the European Union,* L 328, 17–18.

Council Directive 2003/109/EC of November 25, 2003, concerning the status of third-country nationals who are long-term residents. (2003). *Official Journal of the European Union,* L 16, 44–53.

Council Directive 2004/81/EC of April 29, 2004, on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities. (2004). *Official Journal of the European Union,* L 261, 19–23.

Council Directive 2009/50/EC of May 25, 2009, on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment. (2009). *Official Journal of the European Union,* L 155, 17–29.

Council Framework Decision of November 28 2002, on the strengthening of the penal framework to prevent the facilitation of unauthorised entry, transit and residence. (2002). *Official Journal of the European Union,* L 328, 1–3.

Council of Europe. (2000). *Diversity and cohesion: New challenges for the integration of immigrants and minorities.* Council of Europe Publishing.

Council of Europe. (2008). *White Paper on Intercultural Dialogue: 'Living Together As Equals in Dignity.'* https://www.coe.int/t/dg4 /intercultural/source/white%20paper_final_revised_en.pdf

Council of Europe. (2018). *The 2018 Council of Europe and ALTE survey on language and knowledge of society policies for migrants.* https://rm.coe .int/the-2018-council-of-europe-and-alte-survey-on-language-and -knowledge-0/16809c88f9

Council of the European Union. (2015). *Conclusions of the Representatives of the Governments of the Member States meeting within the Council on resettling through multilateral and national schemes 20 000 persons in clear need of international protection.* https://data.consilium.europa .eu/doc/document/ST-11130-2015-INIT/en/pdf

Council of the European Union. (2016). *Conclusions of the Council and the Representatives of the Governments of the Member States on the integration of third-country nationals legally residing in the EU.* https:// data.consilium.europa.eu/doc/document/ST-15312-2016-INIT/en /pdf

Consiglio europeo. (2015). *Valletta Summit on migration, 11 e 12 novembre 2015.* https://www.consilium.europa.eu/it/meetings/international -summit/2015/11/11-12/

Consiglio europeo. (2016, 9 Dicember). *Riforma del sistema europeo comune di asilo: il Consiglio e pronto ad avviare negoziati sull'Eurodac.* https://www.consilium.europa.eu/it/press/press-releases/2016/12 /09/asylum-system/

Consiglio europeo. (2017a, 29 June). *Agenzia dell'UE per l'asilo: la presidenza e il Parlamento europeo raggiungono un ampio accordo politico.* https://www.consilium.europa.eu/it/press/press-releases/2017/06 /29/eu-agency-for-asylum/

Consiglio europeo. (2017b, 29 November). *Condizioni di accoglienza dei richiedenti asilo: il Consiglio approva il mandato per i negoziati.* https:// www.consilium.europa.eu/it/press/press-releases/2017/11/29 /reception-conditions-for-asylum-applicants-council-agrees -mandate-for-negotiations/

Consiglio europeo. (2017c, 15 November). *Quadro dell'UE per il reinsediamento: il Consiglio e pronto ad avviare negoziati.* https://www .consilium.europa.eu/it/press/press-releases/2017/11/15/eu -resettlement-framework-council-ready-to-start-negotiations/

Consiglio europeo. (2017d, 19 July). *Riforma del sistema europeo comune di*

asilo: il Consiglio e pronto ad avviare negoziati sulle norme in materia di protezione e qualifiche. https://www.consilium.europa.eu/it/press /press-releases/2017/07/19/qualification-protection-standards/

Consiglio europeo. (2019a). *Consiglio 'Giustizia e affari interni,' 2 e 3 dicembre 2019.* https://www.consilium.europa.eu/it/meetings/jha/2019/12 /02-03/

Consiglio europeo. (2019b). *Consiglio 'Giustizia e affari interni,' 7 e 8 ottobre 2019.* https://www.consilium.europa.eu/it/meetings/jha/2019/10/07 -08/

Consiglio europeo. (2019c, 20 June). *Una nuova agenda strategica 2019– 2024.* https://www.consilium.europa.eu/it/press/press-releases /2019/06/20/a-new-strategic-agenda-2019-2024/

Consolidated Version of the Treaty on the Functioning of the European Union. (2012). *Official Journal of the European Union,* C 326, 47–390.

Directive 2008/115/EC of the European Parliament and of the Council of December 16, 2008, on common standards and procedures in the Member States for returning illegally staying third-country nationals. (2008). *Official Journal of the European Union,* L 348, 98–107.

Directive 2009/52/EC of the European Parliament and of the Council of June 18, 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals. (2009). *Official Journal of the European Union,* L 168, 24–32.

Directive 2011/36/EU of the European Parliament and of the Council of April 5, 2011, on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA. (2011). *Official Journal of the European Union,* L 101, 1–11.

Directive 2011/98/EU of the European Parliament and of the Council of December 13, 2011, on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State. (2011). *Official Journal of the European Union,* L 343, 1–9.

Directive 2014/36/EU of the European Parliament and of the Council of February 26, 2014, on the conditions of entry and residence of third-country nationals for the purposes of employment as seasonal workers. (2014). *Official Journal of the European Union,* L 94, 375–390.

Directive 2014/66/EU of the European Parliament and of the Council of May 15 2014, on conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer. (2014). *Official Journal of the European Union,* L 157, 1–22.

Directive (EU) 2016/801 of the European Parliament and of the Council of May 11 2016, on the conditions of entry and residence of third-country nationals for the purposes of research, study, placement, voluntary service, pupil exchange schemes or educational projects, and au pair placement. (2016). *Official Journal of the European Union,* L 132, 21–57.

European Commission. (2014). *A common European asylum system.* Publications Office of the European Union.

European Commission. (2015a). *A European Agenda on Migration* (COM (2015) 240 final). https://ec.europa.eu/home-affairs/system/files/2020-09/communication_on_the_european_agenda_on_migration_en.pdf

European Commission. (2015b). *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, EU Action Plan against Smuggling of Migrants (2015–2020)* (COM(2015) 285 final). https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52015DC0285&from=EN

European Commission. (2015c). *EU Action Plan on return* (COM(2015) 453 final). https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52015DC0453&from=EN

European Commission. (2016a). *Action plan on the integration of third country nationals* (COM(2016) 377 final). https://ec.europa.eu/migrant-integration/sites/default/files/2019-10/communication_action_plan_integration_third-country_nationals_en.pdf

European Commission. (2016b). *Proposal for a Directive of the European Parliament and of the Council on the conditions of entry and residence of third-country nationals for the purposes of highly skilled employment* (COM(2016) 378 final). https://eur-lex.europa.eu/legal-content/EN/HIS/?uri=COM%3A2016%3A378%3AFIN

European Commission. (2016c). *Towards a Reform of the Common European Asylum System and Enhancing Legal Avenues to Europe* (COM (2016) 197 final). https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016DC0197

European Commission. (2017a). *Commission recommendation of 16.11.2017 establishing a common 'Return Handbook' to be used by Member States' competent authorities when carrying out return related tasks* (C(2017) 6505 final). https://ec.europa.eu/transparency/documents-register/api/files/C(2017)6505_0/de00000000214704?rendition=false

European Commission. (2017b). *Communication from the Commission to the European Parliament and the Council on a more effective return policy in the European Union – A renewed action plan* (COM(2017) 200 fi-

nal). https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX
%3A52017DC0200

European Commission. (2017c). *Executive Summary of the Refit Evaluation of the EU legal framework against the facilitation of unauthorised entry, transit and residence: The Facilitators Package (Directive 2002/90/EC and Framework Decision 2002/946/JHA)* (SWD(2017) 120 final). https://ec.europa.eu/transparency/documents-register/api/files/SWD(2017)120_0/de00000000989033?rendition=false

European Commission. (2018). *Proposal for a Directive of the European Parliament and of the Council on common standards and procedures in the Member States for returning illegally staying third-country nationals (recast), Contribution of the European Commission to the Salzburg Leaders' Meeting of 19–20 September 2018* (COM(2018) 634 final). https://eur-lex.europa.eu/resource.html?uri=cellar:829fbece-b661-11e8-99ee-01aa75ed71a1.0001.02/DOC_1&format=PDF

European Commission. (2019a). *Progress report on the Implementation of the European Agenda on Migration* (COM(2019) 481 final). www.ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20191016_com-2019-481-report_en.pdf

European Commission. (2019b). *Report from the Commission to the European Parliament and the Council on Directive 2011/98/EU on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State* (COM(2019) 160 final). https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52019DC0160&from=GA

European Commission. (2019c). *Report from the Commission to the European Parliament and the Council on the application of Directive 2003/109/EC concerning the status of third-country nationals who are long-term residents* (COM(2019) 161 final). https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52019DC0161&from=EN

European Parliament. (2019). *The proposed Return Directive (recast): Substitute impact assessment.* https://www.doi.org/10.2861/187601

Gazzola, M. (2017). Language skills and employment status of adult migrants in Europe. In J. C. Beacco, J. H. Krumm, D. Little, & P. Thalgott (Eds.), *The linguistic integration of adult migrants* (pp. 297–302). De Gruyter.

Geneva Convention. (1951). https://www.unhcr.it/wp-content/uploads/2016/01/Convenzione_Ginevra_1951.pdf

Guidelines for Member States to prevent the criminalisation of humanitarian assistance European Parliament resolution of July 5, 2018, on

guidelines for the Member States to prevent the criminalisation of humanitarian assistance (2018/2769(RSP)). (2018). *Official Journal of the European Union* C 118, 130–132.

Immigrazione – diritto d'asilo e status di rifugiato. (N. d.). https://web.camera.it/cartellecomuni/leg14/RapportoAttivitaCommissioni/testi/01/01_cap09_scho6.htm

Little, R. (2012). *The linguistic integration of adult migrants and the European Language Portfolio: An introduction.* Council of Europe. https://rm.coe.int/16802fc1cb

Lloyd, J., & Perlmann-Balme, M. (2017). Language tests for access, integration and citizenship: An outline for policymakers from the ALTE perspective. In J. C. Beacco, J. H. Krumm, D. Little, & P. Thalgott (Eds.), *The linguistic integration of adult migrants* (pp. 235–240). De Gruyter.

North, B., & Piccardo E. (2017). Mediation and the social and linguistic integration of migrants: Updating the CEFR descriptors. In J. C. Beacco, J. H. Krumm, D. Little, & P. Thalgott (Eds.), *The linguistic integration of adult migrants* (pp. 83–90). De Gruyter.

Pulinx, R. (N. d.). *Living together in diversity – Linguistic integration in Flanders.* Council of Europe. https://rm.coe.int/16802fc1d7

Regulation (EU) 2016/1953 of the European Parliament and of the Council of October 26, 2016, on the establishment of a European travel document for the return of illegally staying third-country nationals, and repealing Council Recommendation of November 30 1994. (2016). *Official Journal of the European Union,* L 311, 13–19.

Rossner, R. (N. d.). *Quality assurance in the provision of language education and training for adult migrants – Guidelines and options.* Council of Europe. https://rm.coe.int/16802fc1da

UNHCR. (2015, 28 August). *Il punto di vista dell'UNHCR: 'rifugiato' o 'migrante,' qual e corretto?* https://www.unhcr.org/it/notizie-storie/notizie/il-punto-di-vista-dellunhcr-rifugiato-o-migrante-qual-e-corretto/

UNHCR. (2019, 18 June). *Il numero di persone in fuga nel mondo supera i 70 milioni: l'Alto Commissario delle Nazioni Unite per i Rifugiati chiede maggiore solidarieta.* https://www.unhcr.org/it/notizie-storie/notizie/numero-persone-fuga-nel-mondo-supera-70-milioni-lalto-commissario-delle-nazioni-unite-rifugiati-chiede-maggiore-solidarieta/

UNICEF. (2014). *Migration and youth: Challenges and opportunities.* https://unesdoc.unesco.org/ark:/48223/pf0000227720

UNICEF. (2021). *Refugee and migrant crisis in Europe.* www.unicef.org/media/87571/file/2021-HAC-Refugee-and-migrant-crisis-Europe.pdf

Universal Declaration of Human Rights. (1948). United Nations. www.un
.org/en/about-us/universal-declaration-of-human-rights

United Nations High Commissioner for Human Rights. (2017). *Principles
and guidelines supported by practical guidance, on the human rights
protection of migrants in vulnerable situations.* www.ohchr.org
/Documents/Issues/Migration/PrinciplesAndGuidelines.pdf

van Avermaet, P., & Gysen, S. (2008). *Language learning, teaching and as-
sessment and the integration of adult immigrants: The importance of
needs analysis.* Council of Europe.