

IMISCOE Research Series

This series is the official book series of IMISCOE, the largest network of excellence on migration and diversity in the world. It comprises publications which present empirical and theoretical research on different aspects of international migration. The authors are all specialists, and the publications a rich source of information for researchers and others involved in international migration studies. The series is published under the editorial supervision of the IMISCOE Editorial Committee which includes leading scholars from all over Europe. The series, which contains more than eighty titles already, is internationally peer reviewed which ensures that the book published in this series continue to present excellent academic standards and scholarly quality. Most of the books are available open access.

More information about this series at <http://www.springer.com/series/13502>

Veronica Federico • Simone Baglioni
Editors

Migrants, Refugees and Asylum Seekers' Integration in European Labour Markets

A Comparative Approach on Legal Barriers
and Enablers

 Springer

Editors

Veronica Federico
Department of Legal Sciences
University of Florence
Firenze, Italy

Simone Baglioni
Department of Economics and Management
University of Parma
Parma, Italy



ISSN 2364-4087

ISSN 2364-4095 (electronic)

IMISCOE Research Series

ISBN 978-3-030-67283-6

ISBN 978-3-030-67284-3 (eBook)

<https://doi.org/10.1007/978-3-030-67284-3>

© The Editor(s) (if applicable) and The Author(s) 2021. This book is an open access publication. **Open Access** This book is licensed under the terms of the Creative Commons Attribution 4.0 International License (<http://creativecommons.org/licenses/by/4.0/>), which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this book are included in the book's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the book's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.

The use of general descriptive names, registered names, trademarks, service marks, etc. in this publication does not imply, even in the absence of a specific statement, that such names are exempt from the relevant protective laws and regulations and therefore free for general use.

The publisher, the authors, and the editors are safe to assume that the advice and information in this book are believed to be true and accurate at the date of publication. Neither the publisher nor the authors or the editors give a warranty, expressed or implied, with respect to the material contained herein or for any errors or omissions that may have been made. The publisher remains neutral with regard to jurisdictional claims in published maps and institutional affiliations.

This Springer imprint is published by the registered company Springer Nature Switzerland AG
The registered company address is: Gewerbestrasse 11, 6330 Cham, Switzerland

Introduction

‘I want to work, I want to live. I am 20 years old. I sleep all day long. Today I got up at 11. This is not as it should be. My life is not as it should be’. (Asylum Seeker, Prato, 16 July 2019)

‘Just let me work, please’. This is the persistent cry the authors of this volume recorded during the fieldwork that underlies the present publication. Working means earning a decent life for your family, making proper use of your knowledge and skills, expressing your individual self, climbing the social ladder, contributing to your community, and working to belong to a community and the wider society at large.

The research presented in this book investigates the legal *barriers* and *enablers* migrants, refugees and asylum seekers experience as they seek to enter and integrate into labour markets across seven European countries, six of which were EU member states at the time of research, and five after Brexit.

The Czech Republic, Denmark, Finland, Greece, Italy, Switzerland and the UK represent diversity under several aspects germane to our research: migration flows and migration governance regimes, labour market structure and economic parameters, rules on labour market access and working conditions, as well as Europeanisation processes.

Examining the legal barriers migrants, refugees and asylum seekers encounter and the enablers they make use of provides interesting insights that allow us to reflect on contemporary European societies’ capacity to face the challenges and seize the opportunities of people moving across the planet – not only to escape from harsh living conditions due to wars, climate change, famines and persecutions, but also as they pursue better life chances and happiness for themselves and their families.

On the one hand, the book builds on the notion of *socio-spatial legal peripheries*, where discourses of inclusion and tolerance of diversity stand at odds with the real guarantee of fundamental rights in relation to democratic institutions and public administration services, and where basic human rights are systematically denied and become places where exclusion is widespread and intense.

On the other hand, the present volume draws on the understanding of social, economic, legal and personal factors as either *barriers* or *enablers*, elements that may facilitate or obstruct integration processes, and as such it contributes to developing integration theories. Interestingly, often the same factor may play both roles, depending on the group of people to whom it refers, the particular time or spatial dimension, providing evidence for an iterative dynamic understanding of integration factors.

Thus, the research presented in the volume focuses on the analysis of the hierarchy among migration statuses in terms of rights and entitlements related to the labour market. This entails scrutinising the two dimensions of integration. First, access to labour markets (translated into a rights-language: the right to work) with its corollaries (recognition of qualifications, vocational training, etc.). Second, non-discriminatory working conditions (translated into a rights-language: the right to both formal and substantial equality) and its corollaries of benefits and duties deriving from the fact of being part of the labour market. Overall, this gives us a more critical insight into the real working conditions of migrants, refugees and asylum seekers (MRAs) across European states.

Highlighting both specificities and common trends through combining the analytical tools of public comparative law research and a social science and policy-oriented analysis creates space for a critical discussion of the gap between the rhetoric of inclusion on the one hand, and the reality of legal status that hinders that very access to the labour market and its working conditions on the other. The identification of such ‘legal peripheries’ represents the *noyau dur* of the book, together with the identification of the barriers and enablers at both national and European levels.

Results presented in this volume were obtained through the research project *Skills and Integration of Migrants, Refugees and Asylum Applicants in European Labour Markets* (Sirius). This project was funded by the European Commission under the Horizon 2020 research and innovation programme (grant agreement 770515). The Sirius consortium was coordinated from January 2018 to March 2020 by the Glasgow Caledonian University (UK) and since then by the University of Parma (Italy). It included the University of Geneva (Switzerland), the European University Institute, the University of Florence (Italy), Charles University (Czech Republic), Roskilde University (Denmark), the University of Jyväskylä (Finland), the National Technical University of Athens (Greece), Solidar (Belgium), Solidarity Now (Greece) and the Multicultural Centre Prague (Czech Republic).

Data were collected through a combination of desk research of various sources (e.g. legal and policy documents, national and EU case law, research reports, and scientific literature), information requests to relevant institutions, and novel semi-structured interviews with legal and policy experts and academics held from March until May 2018 as part of the Horizon 2020 EU-funded project ‘Sirius’, and updated in December 2019 where they concern legal changes.

The first three chapters of the book begin by exploring the general frame that guided research at country level. Baglioni and Federico (Chap. 1) introduce a theoretical framework used for the individual chapter analysis, while Maggini (Chap. 2) discusses migration and asylum figures as well as and macro indicators of

immigration and the labour market across the seven countries. Pannia (Chap. 3) discusses common trends and new developments of immigration law and asylum law, as well as their potential impact on MRAs labour market integration.

This contextualising opening part allows the subsequent nine chapters, based on a common research outline, to focus on the core business of the book: migrant, refugees and asylum seekers' integration in the labour markets in the Czech Republic (Čada and Hoření), Denmark (Bierre, Pace and Sen), Finland (Bontenbal and Lillie), Greece (Bagavos, Kourachanis, Lagoudakou and Chatzigiannakou), Italy (Chiaromonte and Federico), Switzerland (Mexi, Moreno Russi and Fernández Guzman) and the UK (Baglioni and Calò). Two chapters are devoted to the EU level: the first discusses the overarching legal framework related to migrants, refugees and asylum seekers' access to the labour markets and the anti-discrimination clauses (Gropas); the second focuses on the specific aspect of family reunification and labour market access in a gendered perspective (Isaakyan and Triandafyllidou).

This book appears at a time when an expected global pandemic has shown once more how important migrants' work is for our societies, and for our economies. In many European countries and beyond, the healthcare sector, which was on the front-line of the emergency due to its role in mitigating and contrasting the devastating effect of COVID-19, has heavily relied on migrant doctors, nurses and cleaners, and so have the agriculture and food production and supply chains, the waste collecting systems and the caregiving services. It will be wise for our societies and policy makers to learn from that experience and profit from what we unveil in this book about the too many barriers that still obstruct migrants and refugees' access to work and make a wise use of the enabling solutions we propose for a fairer, healthier and wealthier Europe.

Contents

1	Europe’s Legal Peripheries: Migration, Asylum and the European Labour Market	1
	Veronica Federico and Simone Baglioni	
2	Between Numbers and Political Drivers: What Matters in Policy-Making	19
	Nicola Maggini	
3	Tightening Asylum and Migration Law and Narrowing the Access to European Countries: A Comparative Discussion	49
	Paola Pannia	
4	Migrant Integration and the Role of the EU	73
	Ruby Gropas	
5	“Enchanted with Europe”: Family Migration and European Law on Labour-Market Integration	95
	Irina Isaakyan and Anna Triandafyllidou	
6	Governing Through Rituals: Regulatory Ritualism in Czech Migration and Integration Policy	115
	Karel Čada and Karina Hoření	
7	Accessing the Danish Labour Market: On the Coexistence of Legal Barriers and Enabling Factors	135
	Liv Bjerre, Michelle Pace, and Somdeep Sen	
8	Legal Issues Affecting Labour Market Integration of Migrants in Finland	149
	Ilona Bontenbal and Nathan Lillie	
9	Between Reception, Legal Stay and Integration in a Changing Migration Landscape in Greece	173
	Christos Bagavos, Nikos Kourachanis, Konstantina Lagoudakou, and Katerina Xatzigiannakou	

- 10 The Labour Market Needs Them, But We Don't Want Them to Stay for Good: The Conundrum of Migrants, Refugees and Asylum Seekers' Integration in Italy** 193
William Chiaromonte and Veronica Federico
- 11 'Fortress' Switzerland? Challenges to Integrating Migrants, Refugees and Asylum-Seekers** 213
Maria M. Mexi, Paula Moreno Russi, and Eva Fernández Guzman
- 12 Regulating Fortress Britain: Migrants, Refugees and Asylum Applicants in the British Labour Market** 235
Francesca Calò, Simone Baglioni, Tom Montgomery, and Olga Biosca

About the Editors

Veronica Federico is Associate Professor of Public Comparative Law at the University of Florence. Her research interests include comparative migration law; African constitutional law; constitutional and democratic transitions; fundamental rights. She has participated in various multidisciplinary international research projects, among which the Sirius research.

Simone Baglioni is Professor of Sociology in the Department of Economics and Management at the University of Parma, Italy. His research interests include labour migration, forced migration, youth unemployment and the gig economy, civil society and social innovation. He is the PI and coordinator of the Sirius project.