

The Impacts of Restrictions and Entitlements on the Integration of Family Migrants

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EXECUTIVE SUMMARY

Over the past ten years it has become more difficult for third country nationals (TCNs) to come to the Netherlands as family migrants and to settle there. Conditions for entry have become considerably stricter: family migrants now need to pass a pre-entry test. The spouse who already lives in the Netherlands has to act as the family migrant's sponsor. The sponsor needs to be at least 21 and to have an income that at least equals the minimum wage. Furthermore, the sponsor has to be willing to support and be responsible for the family migrant during the first five years of residence. After those five years, the family migrant can apply for an independent residence permit. Once the family migrant has entered the country, a limited number of formal restrictions also apply, but these do not differ from those that apply to any TCN migrant. One major restriction is that no foreign residents, family migrants or others, can claim public financial assistance during the first five years of residence. If their income drops below the minimum wage level they can be forced to leave the country.

The family migrant's dependence on the sponsor has certain advantages: once arrived in the country the newcomer can easily become familiar with his or her new surroundings through the direct contact with the environment that the sponsor offers. In some cases, however, that dependence may constitute a constraint to integration, particularly if the relationship with the sponsor proves to be unstable. This adds to the one-sided relationship between family migrant and sponsor. To avoid such dependence, which may also entail financial risks – and ultimately extradition – should the sponsor lose his or her source of income, official Dutch government policy strongly encourages family migrants to participate actively in society once they have arrived. In the government's view, the ultimate form of participation is taking up employment. There are no formal obstacles to this, but in practice family migrants who try to enter the labour market do face difficulties, such

as a lack of adequate positions, linguistic deficiencies (in spite of the mandatory integration courses), non-recognition of diplomas, and discrimination. In addition, some family migrants tend to give priority to establishing a family, rather than taking up employment. Apparently, public policy priorities are not always in line with those of the family migrants themselves.

There is little empirical research to assess the effects of the increased strictness of Dutch TCN family migration policies over the past decade. Evidence exists that, at an individual level, family migration has been postponed or even cancelled altogether as a result of the stricter admission rules, which the authorities justify with an appeal to the need for a smooth integration process once the family migrant has settled in the country. At a macro level it can be observed that the overall numbers of TCN family migrants have gone down, and that on average the level of education of those who do come has gone up. Yet once TCN family migrants have arrived in the Netherlands it remains difficult for them to achieve full participation, not only because of certain legal restrictions, including their prolonged dependence on the sponsor, but also because of many other barriers they encounter, especially when trying to take up employment. More than was the case before, the Dutch authorities consider having a job as a sign of successful integration, but most specific policies that aim at encouraging this have meanwhile been discontinued.

1. INTRODUCTION

1.1 Aims of the project

This report provides an overview of the findings of the Dutch case in the IMPACIM project on the **Impact of Restrictions and Entitlements on the Integration of Family Migrants**. IMPACIM aims to map post-entry conditions that family migrants from third countries – that is, from outside the EU – face. It also aims to assess how these restrictions as well as the entitlements they encounter impact on their integration. The project compares four EU member states: Germany, the Netherlands, Spain and the United Kingdom. Its central focus is on non-EU, i.e. **third country nationals (TCNs)**, who may join either a citizen of the country to which they are migrating, or a foreign resident of that country, who may be an EU citizen or equally a TCN migrant.

This report summarises the relevant findings for **the Netherlands**, based on three national work packages. First, we provide a summary of the review of the academic and policy literature about family migrants in the Netherlands, which identifies and places the study within relevant scholarly and policy debates (see Heckmann 2013 for the full report). Secondly, we summarise the results of the exercise to map the conditions of stay for family migrants in the Netherlands, explaining their entitlements and restrictions as relating to employment, education, health, public housing, welfare benefits and democratic participation. We do so by consulting the relevant body of national legislation (see Ivanescu and Suvarierol 2013 for the full report). We then report on the results of the statistical analysis and the qualitative fieldwork exploring how these restrictions and entitlements are implemented in practice and what their impact is on the integration of family migrants (see Suvarierol 2013 and Ivanescu and Suvarierol 2013 for the full reports). Before we present our findings, we give an account of our research methodology and the resulting data.

We conclude with an overview of the most important results. One of our main conclusions is that rules for family migrants who wish to enter the Netherlands have become significantly stricter in the past ten years. This increased strictness is reflected not only by the conditions that a family migrant needs to fulfil before he or she is allowed into the country, but also by those that apply after settlement. An essential condition is that the partner of the family migrant has to act as his or her sponsor, usually for the first five years. During that period the family migrant's residential status is linked to that of the sponsor: if the latter leaves the country, the family migrant cannot stay on. The couple has to stay together as a family for the first five years. An exception is made only in situations of abuse. Only after five years will the family migrant become entitled to an individual residence permit, usually a permanent one. The sponsor also has to support the family migrant financially during the first five years, which implies that the family member has no individual rights to any form of public assistance. In spite of these restrictions – which have become more severe over the past few years – public opinion still perceives family migration as a financial burden for the state. This is a major reason why the government strongly encourages family migrants to speed up their efforts to achieve fuller participation in society, so that their dependence on the sponsor (and in the longer term also on the state, in some cases) can be reduced. In practice, this would mean finding a job. As we will see later, however, this is not so easy for a variety of reasons, while many family migrants also have other priorities during their first years in the country.

1.2 Research methodology and data

For sections 2 and 3 of this report (Work Packages 2 and 3 respectively), we have relied on desk research. The literature search included policy reports, reports by NGOs and independent agencies and scientific literature concerning family migrants that were published between 2000-2012. Furthermore, we have consulted national

legislation with respect to the entitlements and restrictions of family migrants in the domains of employment, education, health, public housing, welfare benefits and democratic participation (Ivanescu and Suvarierol 2013, 'Mapping the Conditions of Stay and the Rationale for Entitlements and Restrictions for Family Migrants, the Netherlands').

Section 4 relies on the demographic data of CBS (Netherlands Statistics), which are based on the municipality registers (*Gemeentelijke Basisadministratie persoonsgegevens* (GBA)). These have been used to compile the report by Suvarierol (2013) 'Statistics on Family Migration, the Netherlands'. The statistics on the migrants' nationalities and on the typology of migrants, in our case the family migrants in particular, are based on the yearly figures of the Dutch Immigration and Naturalisation Service (*Immigratie- en Naturalisatiedienst* (ND)) of the Ministry of Security and Justice. These figures are linked to the GBA by CBS, which enables more detailed analysis. These data are publicly available through the StatLine website (<http://statline.cbs.nl>). In line with the specified time framework of the project, we only use data from 2000 onwards. Our data cover the whole population of migrants unless otherwise indicated in the analyses.

Section 5 (Ivanescu 2013, 'Qualitative Fieldwork Findings') focuses on the qualitative research that aimed to reveal policy rationales, practices and processes from the point of view of national and local policy actors. Whereas the national interviews aimed to explore the rationales behind the current policies towards family migrants, the local interviews focused on discovering the impacts of these policies in practice, i.e. the factors influencing the integration of family migrants. The report also relies on policy documents and secondary sources where relevant. We chose two Dutch cities for our local case studies, one large (Rotterdam) and one medium-sized (Leeuwarden), with migrant populations that are substantially different in size and composition. The two cities differ considerably in terms of size, migrant population

concentration and integration policies. For a more detailed description of the two and for a list of interviews conducted see Appendix 1.

The interviews had the character of in-depth open interviews, even though they were guided by a topic list. This meant that the sub-questions deriving from these topics were adjusted to the respondents and their area of expertise. Most interviews took between one and two hours each and were recorded whenever possible, e.g. if the respondents authorised recording and if the location of the interview allowed recording. The recorded interviews were partially transcribed, and digital notes of all interviews are available. The resulting data were analysed, guided by the interview topic guideline and a common coding schedule used as an initial guide for all national teams involved in the research. Furthermore, we presented emerging findings to a selection of our respondents in Rotterdam and Leeuwarden in the framework of two local workshops. These workshops enabled us to validate and complement our analyses. Throughout our analysis, we also refer to policy documents and secondary literature where relevant.

2. FAMILY MIGRANTS IN THE DUTCH POLICY CONTEXT

In this section we first introduce the basic terminology in the legal field of family migration and the differentiation of rights in Dutch legislation. We then move on to how the issue of family migration has been problematised in the Dutch context, based on the existing literature.

2.1 Who are the family migrants in the Netherlands?

Whereas EU and international conventions classify all family migration as family reunification, the Dutch policy and legal context used to differentiate between family formation and family reunification. *Family formation* refers mostly to marriage migration and consists of durable relationships formed during the residence of the sponsoring migrant in the Netherlands. *Family reunification*, on the other hand, implies family bonds that existed before the first migrant moved to the Netherlands. Generally, family formation used to be subject to stricter rules than family reunification, but in 2010 the European Court of Justice ruled in its well-known Chakroun case (to be discussed in Chapter 3) that this distinction was unlawful. Since then the two types of family migrants have been treated in the same way.

Dutch policy differentiates between family migrants from EU/EEA countries (or joining those from other EU/EEA countries) and those from all other countries. The latter need to fulfil a considerable number of requirements, of which the possession of a long-term entrance visa (*Machtiging tot voorlopig verblijf* (MVV)) and passing a *pre-integration test* at the Dutch embassy in the country of origin are the major ones (De Hart, Strik and Pankratz 2013: 9). Citizens of Australia, Canada, Japan, Monaco, New Zealand, South Korea, Switzerland, the Vatican and the USA are exempt from the MVV requirement, as are potential family migrants originating in the Dutch Caribbean (who hold Dutch passports, but are not EU citizens), as well as Turkish

citizens on the basis of case law of the EU Court of Justice¹ and due to the Association Agreement between the EU and Turkey.² Furthermore, highly skilled migrants who are subject to a fast-track procedure (see below) are also exempt from the MVV requirement and do not need to take the pre-entry test. Finally, citizens of Suriname who have at least finished primary education are also exempt from that test, Dutch being the official language of instruction in that country.

In addition to the pre-entry test, potential family migrants need to fulfil some other conditions before an MVV can be granted. One is that they should be at least 21 years of age; another is that the family migrant and his or her spouse must be registered at the same address. These conditions will be further discussed in Chapter 3. Perhaps the most important condition is that the spouse who already lives in the Netherlands must be willing and able to act as the family migrant's *sponsor* (or *referent*). The sponsor must assume full responsibility, including financial responsibility, for the newcomer during first five years of settlement in the country. Dutch citizens, EU, EEA and TCN nationals can become a *sponsor* (*referent*) for family migrants but any sponsor applying for family reunification must live in the Netherlands. This means, for example, that Dutch expats need to settle in the Netherlands before their TCN family members can join them. While EU and EEA citizens can be joined by their nuclear family members even if they only have a temporary residence permit, TCNs may only act as sponsors if they have a permanent residence permit or a temporary one with a duration of at least one year, on the condition that the permit has been issued for a non-temporary goal.

Family reunification is generally not possible if the sponsor holds a residence permit related to *seasonal work*, as such temporary permits provide no automatic prospect of a permanent right of residence in the Netherlands. Seasonal workers also fall

¹ Sahin CJEU C-242/06, 17 September 2009.

² Regulation 1/80 and EC/Turkey Agreement.

outside the scope of the EU Directive on family reunification.³ *TCN students*⁴ can only have their partners and children join them for a period longer than three months. Parents, grandparents, aunts and uncles, etc. are not eligible; they may only visit the student for a maximum period of three months. Foreigners requiring a visa must first obtain a Schengen visa to visit their family member in the Netherlands.

TCN family members of EU citizens fall under the Free Movement of Persons Directive (2004/38/EC).⁵ This directive does not distinguish between EU and TCN family members as long as the sponsor is an EU citizen who uses his freedom of movement rights. TCN family members may join their EU sponsor as long as the sponsor has the right to reside in the Netherlands (European Migration Network 2008). As a consequence, the conditions for TCN migrants who join Dutch citizens are stricter than for those who join nationals of other EU countries living in the Netherlands.

Highly skilled migrants or 'knowledge migrants' can act as sponsors for family members immediately.⁶ Their family members can also enter the country with them through a fast-track procedure (European Migration Network 2007). TCN family members of highly skilled migrants enjoy a fast-track procedure for obtaining their entry visa only if their application is filed simultaneously with the sponsor. They are not subject to pre-entry and post-entry integration conditions. The current Dutch Coalition Agreement, concluded in November 2012, states that, like all other migrants, EU nationals and knowledge migrants are welcome if they are able to earn their own income by working, to integrate quickly and to contribute to society.⁷

³ TK 2008–2009, 32 052, nr. 3, p. 50; Directive on Family Reunification (2003/86/EC), Article 3, paragraph 1.

⁴ <http://www.nuffic.nl/toelating-verblijf/toelating/machtiging-tot-voorlopig-verblijf-mvw/gezinsleden>

⁵ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:229:0035:0048:en:PDF>

⁶ TK 2008–2009, 32 052, nr. 3: 6–7.

⁷ *Bruggen Slaan. Regeerakkoord VVD-PvdA*, 29 October 2012: 30.

All *refugees* in the Netherlands have the right to family reunification.⁸ Refugees who do not apply for reunification within three months after receiving their status and asylum seekers who are granted a residence status different from that of a refugee need to fulfil the regular financial requirements that other sponsors of family migrants need to meet. However, family members of these persons do not have to pass the pre-entry integration exams, but they do have to meet all other MVV requirements. At present the requirement that the family member must have the same nationality as the refugee and the length of the subsequent reunification period are discussed at policy level as being in need of revision.⁹

TCN sponsors can only reunify with members of their '*nuclear family*' in the Netherlands. The nuclear family refers to the spouse or registered partner and their children who are minors or children in their custody. However, the Western concept of family (nuclear family) is fundamentally different from some non-Western family concepts such as 'extended family' and polygamy. Furthermore, especially in certain African countries, it is not unusual for children to be placed (by the village head or another authority) under the authority of family members who provide the best care. Sponsors may not invoke a family bond that does not correspond to the family concept used in Dutch policies, which is based on nuclear families (composed of parents and children) and blood ties. This is especially relevant in the cases of family reunification with children, where the parental bond must be assessed, usually through official documents or DNA tests. If refugees cannot obtain the necessary documents, they can resort to DNA tests to prove their biological family ties. In case of polygamy, the only children who can be considered for family reunification are the children of the wife whom the sponsor wishes to bring to the Netherlands. The children of other wives cannot be considered for family reunification (Gelderloos, Sipkes and Verberk 2002: 40). Since 1 October 2012 extended family reunification has been allowed only if there are 'more than normal emotional ties' between the

⁸ *Vreemdelingenwet* 2000, Article 29 and European Convention of Human Rights.

⁹ <http://www.vluchtelingenwerk.nl/actueel/gezinshereniging-op-aantal-punten-verbeterd.php>

sponsor and the family members applying for family reunification (De Hart, Strik and Pankratz 2013: 9). Furthermore, the Secretary of State for Security and Justice may admit individual cases of family members if there is a situation of "exceptional harshness" (idem).

Same sex partners are also entitled to family reunification in the same way as a cohabiting or married couple in the Netherlands if they form 'relationships akin to a family' (Kofman 2004: 245). Since 1 April 2001 it has been legal for two men or two women to get married in the Netherlands. Couples who wish to legalise their relationship can choose among three options: civil marriage, registered partnership or a cohabitation agreement. After 1 October 2012 unmarried partners of different sexes lost the right to family reunification, while same-sex partners must show evidence of a registered partnership. However, the new Modern Migration Policy Law (*Wet modern migratiebeleid*), which has been in operation since 1 June 2013, again allows family reunification for unmarried partners who have a permanent and exclusive relationship; unmarried partners once again qualify for an MVV and a residence permit for the purpose of family reunification.

TCN children can be adopted by individuals, different and same sex couples if they fulfil the following conditions:

- The adoptive parent(s) take(s) full financial responsibility for the child.
- The age difference between the parent(s) and the child is not more than 40 years.
- The adoptive parent(s) comply/ies with the required medical and legal conditions.¹⁰

If the adoptive parents have Dutch citizenship the adopted child also receives Dutch nationality. However, if only one adoptive parent is Dutch, the child has to be under

¹⁰ <http://www.rijksoverheid.nl/onderwerpen/adoptie/vraag-en-antwoord/wanneer-kom-ik-in-aanmerking-voor-adoptie-van-een-kind-uit-het-buitenland.html>

the care of the Dutch parent and has to live in the Netherlands for at least three years before s/he can receive Dutch citizenship.¹¹

As this section has shown, there is a huge diversity in terms of types of family migrants and sponsors and their socio-economic characteristics. How and why has this group attracted political attention in the Netherlands? This is the question the following section aims to address.

2.2 The problematisation of family migration

In the Netherlands family migration has been increasingly constructed as a policy problem. This section is based on previous research on this topic and discusses the changes in the way family migrants and their integration have been perceived in the Netherlands in recent years, highlighting the main changes in the social and political discourse.

In the 1980s, the general consensus among Dutch politicians was that family migration should be facilitated. Family migration was considered both a moral right and an obligation, and was expected to contribute to the government's policy goal of integrating resident migrants into Dutch society. From the 1990s onward, this has changed (Bonjour 2008). On 12 January 1993, the government sent a letter to Parliament, setting out its proposal for reform of the income requirement for family reunification. Conditions remained unchanged for holders of a temporary residence permit: the statutory minimum income was required. For Dutch citizens, holders of a permanent residence permit and refugees, family migration would only be possible if the migrant earned at least 70% of the minimum income, which was considered a sign of financial independence. Exempt from the income requirement were the elderly, single parents caring for young children and permanently disabled persons. For applicants between 18 and 23 years of age, the minimum youth wage would be

¹¹ <https://zoek.officielebekendmakingen.nl/stcrt-2010-10196.html>

accepted as sufficient. Moreover, welfare benefits would not count as earned income, but unemployment benefits would (Bonjour 2008).

Van Walsum points out that in those days the focus of Dutch policies shifted from “disadvantaged ethnic groups to those individuals of foreign origin who might lack the necessary skills and moral qualities required to succeed in an increasingly competitive, market-oriented society” (2004:14). In 1994, a new government was formed which would remain in office until 2002, composed of members of the Social Democrat (PvdA), right-wing Liberal (VVD) and left-wing Liberal (D66) parties. During this cabinet, the ‘rights and duties’ and ‘personal responsibility’ paradigm remained dominant in the field of migration and integration, while the right to family life was only conditional. This new approach reflected the fact that, for the first time in almost a century, the Christian Democrats, traditionally strong advocates of the family, were left outside the cabinet. With an appeal to serving the general interests of society and the integration of migrants, family migration could thus be restricted by the state. Government policies were focussed on socio-economic issues while cultural ones remained private (Bonjour 2008).

The coalition agreement of 1998 stated that for family migration an income of at least the public welfare level was required (TK 1997-1998 26024 nr. 10: 70.), while no differentiation was made between income requirements for different residence statuses. The new Aliens Act of the year 2000, which specifically targeted asylum migrants, introduced qualitative policy goals next to the aim of quantitatively reducing the inflow of family migration. Entrance policies were devised so as to select family migrants likely to ‘fit’ into Dutch society, while barring those with ‘characteristics adverse to good integration’, particularly marriage migrants from Turkey and Morocco (Bonjour 2006). The broad political consensus for pre-integration and integration policies has been analysed by scholars as the outcome of an issue linkage between civic integration and the emancipation of (especially Muslim) migrant women (Entzinger, Saharso and Scholten 2011).

There has been increased attention on family migrants in the last decade due to the belief that a significant number of marginalized and non-integrated immigrants have entered through this channel (Bagameri 2011: 18). During the assessment of the bill tightening the conditions for family migration, in 2004, the Dutch government stated that almost half of migrants in the preceding years consisted of family migrants (Human Rights Watch 2008: 17). The Dutch government introduced stricter conditions for 'family forming migration' on 1 November 2004. The Balkenende II Cabinet, which had taken office after a considerable shift to the right in the 2002 and 2003 parliamentary elections, argued that a more restrictive policy was needed because of:¹²

- a lagging integration of migrants;
- the "not unlimited societal support" for the reception of new migrants;
- the (too) low social-economic position of most of the 'non-Western' family migrants.

Although clear research evidence for this is lacking, the tightening of policies and legislation regarding entry and residence of TCN is assumed to have played an important role in the conceptualization and control of family migrants, and in the subsequent decrease in their numbers. Dutch statistics indicate a 37% decrease in entry applications in the years after 2004 (WODC 2009). The conditions for family reunification, and in particular the introduction of the pre-entry tests have had a very strong effect on making family reunification much more difficult and have deterred family members from applying for family reunification (Pascouau and Labayle 2011: 105).¹³

¹² Nota van Toelichting, Staatsblad, 2004, nr. 496.

¹³ ACVZ Signalering Gezinsmigratie, <http://www.acvz.org/publicaties/signaleringGezinsmigratie09-2012.pdf> (accessed on 3 June 2013).

As a result, the 'European route', whereby migrants first reside in another (less restrictive) EU country before they migrate to the Netherlands, has become popular as a way of circumventing the stricter Dutch rules. This can be interpreted, as one of our commentators in an interview expressed, as "a 'waterbed effect', since we can presume that the same group of migrants come to the Netherlands, but only via a different route".¹⁴ If this is really the case, the stricter pre-entry conditions would thus not have led to less family migration.¹⁵

As we will see in more detail in Chapter 4, a significant drop in the numbers of TCN family migrants occurred during the years 2004-2007. Yet, more family migrants arrived from other EU countries on the basis of the EU Free Movement Directive (2004/38/EC) during that period, though not enough to compensate for the drop in TCNs. Thus, the restrictions introduced in 2004 have certainly had some impact on the inflow, although it could be argued that indeed some family migrants have circumvented the new rules through the 'European route', while others may have postponed settling in the Netherlands. Evidence for this may be found in the fact that family migration again picked up after 2009, even though as a percentage of all immigration family migration still is considerably lower than it was ten years ago.

¹⁴ Interview at the IND, Rijswijk, 17 January 2013.

¹⁵ Interview at the IND, Rijswijk, 17 January 2013.

3. CONDITIONS, ENTITLEMENTS, RESTRICTIONS AND RATIONALES

This section covers the entitlements and restrictions TCN family migrants encounter after they have come to the Netherlands, as well as the rationales the Dutch government has provided to justify these measures. Because there are certain links between these and the conditions of entry family migrants face before they actually move to the Netherlands, we will also pay some attention to those.

3.1 Conditions of entry for TCN family migrants to the Netherlands

The aims of the new restrictions of the Dutch government on family migration have been summarized by Ruffer (2011: 936) as (i) combatting fraudulent marriages and adoptions, (ii) curbing the application of eligible family members by making a closer link through sponsorship, (iii) increasing the applicants' own financial responsibility, (iv) reducing the age at which children may apply, and (v) regaining control over immigrant communities. To achieve this, four types of new measures have been introduced: establishing family connections, increased income and age requirements for the sponsoring migrant and integration tests in the country of origin.

3.1.1 Establishing family connections

The family relationship must be proven by original notarized documents with certified translation if the documents are not in Dutch, English, French or German. The application must be an original extract from the municipal administration showing the residence address, the family composition and (if applicable) the registration of marriage. If the application is rejected, an objection can be submitted within four weeks. In the case of a successful application, the family receives an invitation to come and collect it in person at the regional IND desk. The maximum statutory decision period is six months.

The EU Directive on Family Reunification (2003/86/EC) allows the use of genetic testing, for example in order to prevent fraud (La Spina 2012: 42). The Netherlands is one of the countries that have introduced genetic testing to prove family links in cases where applicants cannot provide identification documents or family certificates (La Spina 2012: 44). The Dutch Ministry of Justice has stated that DNA tests have considerably reduced unfounded applications and helped speed up decisions (idem). Asylum-related family reunification also falls under this close scrutiny (Defence for Children International 2003: 6), which often makes family reunion for refugees a very difficult affair. From 2008 onwards, the Dutch Children's Ombudsman has suggested that the rights of children to reunify with their asylum seeker parents who are already in the Netherlands may have been violated, as reunification has in most cases not been allowed.¹⁶ The National Ombudsman has expressed the same view.¹⁷

3.1.2 Age limit

For family formation and family reunification, both the sponsor and the partner have to be at least 21 years old. The difference between family reunification and formation was engrained in Dutch law in terms of divergent conditions of entry (WODC 2009, Wiesbrock 2010, Pascouau and Labayle 2011). Initially, the age limit for family reunification was 18 and, for family formation, 21. Yet, the European Court of Justice has rejected this differentiation, as a result of which the Dutch authorities raised the age limit to 21 for both sorts of applications (Pascouau and Labeyle 2011).

The minimum age limit for marriage migration, according to one of our interviewees, rests on the rationale that the older you are the more mature and better informed you are.¹⁸ The current cabinet would like to raise the age limit to 24, as this would make the migrant even more independent from the sponsor. According to another

¹⁶ <http://nieuwsuur.nl/onderwerp/514679-nederland-schendt-regels-gezinshereniging.html> (accessed on 28 June 2013)

¹⁷ <http://nieuwsuur.nl/onderwerp/514679-nederland-schendt-regels-gezinshereniging.html> (accessed on 28 June 2013)

¹⁸ Interview at Unit Integration and the Rule of Law, Ministry of Social Affairs and Employment, 12 December 2012.

source, at 24, the argument runs, one has concluded her/his education and obtained a job.¹⁹ The rationale rests on the social and economic independence from the sponsor. Yet, for this amendment the EU Directive on Family Reunification would have to be modified.²⁰ The Netherlands has sent a request to the Commission to put this on the agenda, but the process can take a long time.²¹

The age limit is also considered important as a safeguard against forced marriages, one of the policy priorities of the Dutch government. As an integration policy official explains, "There are young girls being married off. The higher the age, the more we think that the girls can offer resistance to it. Of course it is not the ultimate solution, but it will indirectly have an effect on it."²² Even though the IND screens all applications for potential cases of forced marriage, these are difficult to prevent. That is why family migrants are also informed of the right to self-determination, of gender equality and of genital mutilation within the framework of the pre-integration exam. The aim is now to have early signals of potential violence recognized by paediatricians, schoolteachers and the like, so that the victims can get help early. Family migrants who become victims of forced marriage or domestic violence (including honour-related violence) may obtain an independent residence permit regardless of their length of residence (Korteweg 2012).

3.1.3 Income requirements

The sponsor of a new family migrant has to prove a "reliable, sustainable and independent" income which is at least as high as the statutory minimum income, which currently amounts to €1562.33 per month including vacation bonus. This condition also applies to short-stay visas (MVVs) for other family members. The income needs to be stable, which means that the sponsor has to have earned this monthly income for at least three years or must have an employment contract for at

¹⁹ Interview at Directorate Migration Policy, Ministry of Security and Justice, 3 April 2013.

²⁰ Interview at Directorate Migration Policy, Ministry of Security and Justice, 3 April 2013.

²¹ Interview at Directorate Migration Policy, Ministry of Security and Justice, 3 April 2013.

²² Interview at Unit Integration and the Rule of Law, Ministry of Social Affairs and Employment, 12 December 2012.

least one more year. In order to remain eligible family members must meet the general requirements for admission and have sufficient financial resources when applying for a (renewal of the temporary) residence permit. The following persons are exempt from the income requirement:

- persons who have been demonstrably permanently and fully unable to work;²³
- persons who are 65 years or older.²⁴

The income requirement ensures the financial responsibility of the sponsor for the family member in question so as to warrant that migrants will not become a burden to the state. During the first five years a family migrant is not entitled to receive public assistance (*bijstandsuitkering*) and the same holds for the sponsor (WODC 2009: 8). By increasing the required income to 120% of the minimum income in 2004, the cabinet aimed to further reduce the chance that this would happen. An additional argument for this was that the higher income requirement would facilitate the family migrant's integration by ensuring that the sponsor had a good starting position at the time of family migration.²⁵

Initially, the Dutch income requirements for family reunification and family formation differed. Whereas family reunifiers were required to earn 100% of the statutory minimum income, family formers were required to earn 120% of it (*idem*). However, the European Court of Justice also rejected this in the 2010 Chakroun case (C-578/08J). Since then the income requirement for all family sponsors has been levelled to 100% of the minimum income (WODC 2009). The Dutch income requirement for family reunification was identified in 2008 as the highest in the EU (Human Rights Watch 2008: 23). As a result, family reunification is often delayed or abandoned altogether, which has been interpreted as an infringement on the right to family life (Human Rights Watch 2008: 7).

²³ Vb2000, Article 3.22, Paragraph 3.

²⁴ Vb2000, Article 3.22, Paragraph 3.

²⁵ Nota van Toelichting, op. cit., p. 13.

3.1.4 Pre-entry tests

Another requirement for family migrants wishing to settle in the Netherlands has been the introduction of a pre-entry test for spouses and other family members from most countries outside the EU/EEA. According to the Civic Integration Abroad Act (*Wet inburgering in het buitenland*),²⁶ only candidates who pass this test on basic knowledge of the Dutch language (A1 level) and society are allowed to obtain an entry visa (MVV) to the Netherlands. The test includes comprehension, speaking, listening and reading components that require all applicants to be literate in Dutch. One can be exempted from this requirement for health reasons, for which a medical certificate is required. Family members of highly skilled migrants are also exempt from this condition (European Migration Network 2007). For family migrants who have passed the test, reunification must take place within a year; otherwise the test needs to be retaken.²⁷ The new Coalition Agreement proposes to raise the level of the integration exam abroad even further.²⁸

In principle, the EU Directive on Family Reunification allows integration measures, not integration conditions (Nessel 2008: 1300). When Austria, Germany, and the Netherlands proposed, in 2003, to replace the term 'measures' by 'conditions', other member states explicitly rejected the proposal (idem). The Dutch legal scholar Kees Groenendijk thus argues that pre-entry integration tests, as practised by the Dutch government, are prohibited under the Directive (Ruffer 2011: 947). Dutch government officials, however, explain that the pre-entry exam in the country of origin has been designed as a policy measure promoting integration.²⁹ Learning the language prior to migrating constitutes good preparation. When migrants prepare for the exam and pass, they are more motivated and ready for integration courses

²⁶ <http://maxius.nl/wet-inburgering-in-het-buitenland>.

²⁷ <http://www.buitenlandsepartner.nl/archive/index.php/t-52093.html>.

²⁸ *Bruggen Slaan. Regeerakkoord VVD-PvdA*, 29 October 2012, p.30 .

²⁹ This paragraph is based two interviews: Interview at Unit Integration and the Rule of Law, Ministry of Social Affairs and Employment, The Hague, 12 December 2012; Interview at Directorate Migration Policy, Ministry of Security and Justice, The Hague, 3 April 2012.

they have to attend once in the Netherlands. Furthermore, the government claims that the pre-entry test requirements are not too demanding in the sense that those who are really unable to meet them can always obtain an exemption.

3.2 Conditions of residence for TCN family migrants in the Netherlands

There is a hierarchy of family migrants and sponsors in terms of their nationality and their purpose of stay. TCN family migrants from certain Western countries, particularly the richer ones, do not need a long-stay entry visa (MVV) upon their arrival. The Dutch government has justified this on two grounds. First, it argues that 'Western' countries are socio-economically comparable to the Netherlands, so that admitting migrants from these countries "does not lead to undesirable and uncontrollable migration flows to the Netherlands and to substantial integration problems in Dutch society" (Strik, Luiten and Van Oers 2010: 19). Secondly, imposing pre-entry conditions would be "potentially harmful to [Dutch] foreign and economic relations".³⁰ The list of prospective migrants who do not need to file an MVV application³¹ is a political choice. These are countries outside the EU/EEA with which the Netherlands has strong economic connections. Through a similar political choice and economic reasoning, highly skilled migrants and their families are in a preferential position because their presence is meant to address the special needs of the Dutch economy.

As we have demonstrated in the previous paragraphs, the *pre-entry conditions* serve integration goals in the Netherlands.³² Pre-entry and post-entry conditions are intertwined. The most important distinction in terms of *integration conditions* is the intended length of residence of the migrant. Family migrants mostly intend to stay

³⁰ TK 2004-2005, 29700, nr. 6: 32.

³¹ See Work Package 3, The Netherlands.

³² The following two paragraphs are based two interviews: Interview at Unit 'Integration and the Rule of Law', Ministry of Social Affairs and Employment, The Hague, 12 December 2012; Interview at Directorate Migration Policy, Ministry of Security and Justice, The Hague, 3 April 2012.

permanently, while highly skilled 'knowledge migrants' (*kennismigranten*) and their families are assumed to be staying temporarily. If and when, however, their stay proves permanent, they also need to fulfil integration conditions. The Dutch government has argued that this preliminary selection is conducive to integration or to an "effective participation in society, for example, by active participation in employment, education and voluntary work".³³

The same logic cannot be applied to EU citizens, as EU legislation forbids imposing any conditions on them that relate to their integration: they must be treated the same as Dutch citizens. In terms of pre-entry conditions for TCN family migrants, EU law is less restrictive than Dutch national law. This is why family migrants sometimes prefer the 'European route'. For example, for family migrants falling under the EU Free Movement Directive (2004/38/EC), there is no mandatory integration exam. This issue is currently being discussed at the European level. The Netherlands would like to see integration conditions imposed for all permanent migrants, including EU citizens. In the end, if one decides to stay, one needs to learn the language.

During the first five years the rights of residence of a TCN family migrant depend on the sponsor.³⁴ This means that family migrants are subject to certain restrictions, such as the situation of the sponsor, which may affect the renewal of the temporary residence permit.³⁵ The renewal of the temporary residence permit can be refused:

- if the migrant or the sponsor does not have sufficient and lasting means of subsistence;³⁶
- if the migrant is not willing to cooperate with medical research to protect public health;³⁷ TCN migrants who require an MVV need to undergo a

³³ TK 2003–2004, 29 700, nr. 3: 6.

³⁴ TK 2008–2009, 32 052, nr. 3: 32

³⁵ Vreemdelingenwet 2000, Article 14.

³⁶ Vreemdelingenwet 2000, Article 16.1c.

³⁷ Vreemdelingenwet 2000, Article 16.1e.

tuberculosis (TBC) examination shortly after arrival in the Netherlands and, if they test positively, tuberculosis treatment;³⁸

- if the migrant fails to comply with the Foreign Nationals Employment Act³⁹ and with the restrictions stemming from the residence permit;⁴⁰
 - if the migrant has not proven a basic knowledge of Dutch language and society;⁴¹ within three years after they have arrived TCN migrants between the ages of 18-65 need to pass an integration test evaluating their spoken and written knowledge of the Dutch language (A2 level according to the Common European Framework of Reference) and a basic knowledge of Dutch society.⁴²
- Since 1 January 2013, the amended Integration Act has been valid, which stipulates that failing to pass the integration exam within three years may lead to withdrawal of the residence permit. It remains to be seen, however, if this new rule is in compliance with Article 8 of the European Convention on Human Rights (ECHR) and the EU Family Reunification Directive, while for refugees the residence permit cannot be withdrawn anyway. The new Dutch cabinet has stressed in their Coalition Agreement that knowledge of the Dutch language and society offers the best perspective for a successful integration, and that insufficient integration on these grounds can become a basis of exclusion from social benefits for all migrants, EU and EEA citizens and TCNs alike.⁴³

When the sponsor of a family migrant no longer meets the conditions required for obtaining a residence permit – whether temporary or permanent – the dependent family migrant can also lose his or her residence status. The dependent status of family migrants can also end with a change in the family relationship on the basis of

³⁸ http://www.indklantdienstwijzer.nl/KnowledgeRoot.aspx?knowledge_id=SubintentiesHuwelijkEnGezin (accessed on 7 February 2012).

³⁹ Vreemdelingenwet 2000, Article 16.1f.

⁴⁰ Vreemdelingenwet 2000, Article 16.1g.

⁴¹ Vreemdelingenwet 2000, Article 16.1h.

⁴² Wet Inburgering, Article 7.

⁴³ *Bruggen Slaan. Regeerakkoord VVD-PvdA*, 29 October 2012: 30.

which the residence permit was given. Generally, a sponsorship lasts for a period of five years. After that period an independent individual permit can be granted to the family migrant. After five years of residence as a family migrant, provided the family's ties have been kept intact and the person in question has had his/her domicile in the Netherlands, the family migrant may also apply for a regular permanent residence permit. TCNs who apply for a permanent residence permit have to meet the following conditions:

- five years of legal residence;
- financial independence based on own income or lasting and sufficient means of subsistence provided by the sponsoring family member;⁴⁴
- adequate health insurance coverage;⁴⁵
- pass the integration exam.⁴⁶

The conditions for the revocation of a permanent residence permit are much stricter than for a temporary permit. While the income requirement is no longer an issue for a permanent permit, fraud or long-term stay abroad may be. If legal residence has been refused, the migrant needs to leave the country within four weeks.⁴⁷ In exceptional cases, this period may be extended.⁴⁸

If a family migrant's stay is of permanent nature, that person can also apply for naturalization after five years of uninterrupted legal residence. The current Dutch government wishes to extend this period to a minimum of seven years.

⁴⁴ Vreemdelingenwet 2000, Article 20.d.

⁴⁵ Vreemdelingenwet 2000, Article 20.g.

⁴⁶ Vreemdelingenwet 2000, Article 20.k.

⁴⁷ Vreemdelingenwet 2000, Article 62.1.

⁴⁸ Vreemdelingenwet 2000, Article 62.3.

3.3 Entitlements and restrictions for TCN family migrants in the Netherlands

As we have seen in the preceding sections, TCN family migrants are faced with a considerable number of restrictions not only before they are allowed to enter the country, but also during the first five years in the country. The Dutch government justifies the former restrictions with an appeal to the migrants' integration potential: only those family migrants are allowed in who it can be assumed will integrate successfully into Dutch society. The latter restrictions, however, are meant to limit the risk that family migrants have to take recourse to the provisions of the welfare state during their first years of residence. During that period, the sponsor has to take full responsibility for the dependent family migrant's subsistence. In fact, all TCN migrants – with the exception of refugees – have limited or no access to public social security during the first five years in the country, so there is no real difference here between family and other TCN migrants.

The same is the case in virtually all other areas of interest to the IMPACIM project. Once a TCN family migrant has been admitted to the country he or she has the same entitlements and meets the same restrictions as any TCN migrant. The only additional constraint for the family migrant is that his or her residence permit is dependent on that of the sponsor. If the sponsor leaves the country, whether voluntarily or not, the family migrant must do the same. This, of course, may create strong dependency relations within migrant families, which we will come back to later.

The Dutch government expects family migrants to work on their integration into Dutch society from the day of arrival, and it strongly believes that labour participation is one of the best facilitators of integration. It argues that not allowing family migrants to fall back on social assistance during the first years of their residence serves an additional incentive to them for entering the labour market quickly. Formally, they are allowed to do so, like any other TCN migrant with a residence permit, though priority has to be given to non-TCN workers. Until recently

family migrants wishing to take up employment were faced with a maximum waiting period of six months, due to the fact that they first had to wait for their residence permit. This only remaining form of differential treatment between family and other TCN migrants came to an end with the recent introduction of the Modern Migration Policy Law on June 1st, 2013.

Otherwise, TCN migrants, once admitted to the country, are not faced with any formal labour market restrictions. For a limited number of positions in the public service (e.g. armed forces, police, government, legal professions) Dutch citizenship is required, which means that these positions are closed not only to TCN, but also to nationals of other EU countries. No specific restrictions exist for TCN migrants wishing to become self-employed: the conditions are the same as for anyone else in the Netherlands. Problems do arise when it comes to recognising foreign diplomas, but this issue is certainly not exclusive for TCN migrants, and we will come back to it later.

All TCN migrants who become unemployed after a period of work activity are entitled to unemployment benefits on the same conditions as any employee in the Netherlands who loses his or her job. The duration of the entitlement is linked to the length of the employment period (Careja and Emmenegger 2012). In the case of recently arrived migrants this can be fairly brief. When the migrant is no longer eligible for employment benefits he or she would have to fall back on public assistance (*bijstand*). However, as stated earlier, TCN migrants with a residence record of less than five years do not have access to this and they have to leave the country when their temporary residence permit expires. This applies not only to family migrants, but also to their sponsors in situations where the sponsor also has a temporary permit. A sponsor who has been in the country for more than five years is entitled to a permanent residence permit and, if needed, also to public assistance. If, under such circumstances, the sponsor claims public assistance this will not affect the dependent family migrant as long as he or she does not claim anything in his or her

own capacity. However, if a dependent family migrant does claim public assistance within the first five years, the temporary permit may not be renewed and the family migrant will have to leave the country. In practice, however, this rarely happens.

All legal residents of the Netherlands who qualify for the conditions have access to *social housing* and other forms of social benefits and allowances supplied by the government except for public assistance, as we have just seen. This is irrespective of their nationality or the nature of their permit. As discussed above, access to employment-based benefits depends on the duration of paid employment history (Gran and Clifford 2000: 424). The public and private pension schemes are open to all legal residents; benefits of the public pension scheme (AOW) are related to the number of years of residence in the Netherlands. Health care for family migrants is covered through family insurance, supplemented by the state for the lower income groups. Family allowance programs, on the other hand, are based on a universal or means- or income-tested approach (Gran and Clifford 2000: 424). The requirement for citizens and non-citizens is to be acting as a child's primary care taker (ibid: 425).

The Linkage Act (*Koppelingswet*) of 1998 has made all security benefits dependent on the immigrant's legal status, and this also applies to the right to education (except for those of mandatory schooling age, who always have access to schooling), housing, rental subsidies, disability benefits, and healthcare. As the state has retreated from providing provisions to undocumented migrants, other institutions such as local governments, churches, social work agencies and private individuals have come forward to guarantee certain services that were no longer covered by the state (Bruquetas-Callejo et al. 2007: 7).

As soon as TCN migrants become permanent residents, the legal restrictions to certain entitlements cease to exist. From that moment on, their rights are equal to those of citizens, except in the domain of political participation. (The elections for the regional water regulatory authority (*waterschap*) are an exception here as every legal

resident who is 18 years or older may vote in these elections.⁴⁹⁾ Every Dutch citizen who is 18 years or older has the right to vote in all elections. All other legal residents who have lived in the Netherlands for at least five years in a row may vote in local elections. The current Coalition Agreement has announced plans to increase the residence requirement for voting rights for foreign residents in municipal elections from five to seven years.⁵⁰ EU residents have the right to vote in European elections for Dutch European Parliamentarians immediately. Whereas the Netherlands allows all migrants access to the local elections after five years of residence, TCN migrants can only take part in national and European elections after they have become Dutch citizens. A similar logic applies to being elected for office in the respective political levels.

In many respects TCN migrants in the Netherlands have the same rights and entitlements as any other person residing in the country. However, it is especially those TCN migrants who have a temporary residence permit who also encounter certain restrictions, particularly in their entitlements to social security benefits and in terms of political participation. These restrictions apply to all TCN migrants, irrespective of their reason for coming. Family migrants face additional restrictions as long as their residence status depends on that of the sponsor. It is not so easy to assess the impact of the restrictions on the migrants' integration. Integration is a long-term process, the results of which are not immediately visible. Our statistical and fieldwork findings thus only approximate the impacts of recent policies on the basis of the quantitative and qualitative data, which both have their limitations.

⁴⁹ This is a separate administrative layer in the Netherlands.

⁵⁰ *Bruggen Slaan. Regeerakkoord VVD-PvdA*, 29 October 2012: 31.

4. STATISTICAL OVERVIEW OF FAMILY MIGRANTS IN THE NETHERLANDS

We begin this section by giving a statistical overview of the trends since 2000 concerning family migration. Before we move on to presenting the quantitative integration outcomes, we first explain how integration is defined and measured in the Dutch policy context.

4.1 *Family migrants: a profile*

According to the latest official figures in 2009 (see Table 1), labour migration has been the most common motive for immigration to the Netherlands since 2006, followed by family migration and migration for study purposes. This has not always been the case. Between 2003-2005, family migration was the commonest reason for immigration. The decrease in the arrival of family migrants from over 30,000 per year in the early 2000s to around 25,000 in the mid-2000s has been attributed to the new legislation, which has introduced more stringent pre-entry conditions for family migrants (WODC 2009). The absolute number of family migrants has been rising again since 2008, however, which suggests that the initial drop may be explained as a temporary adaptation to the new law.

TABLE 1: Immigrants by migration motive, 2000-2009 (absolute numbers and percentages)

Years	Family migrants	Labour migrants	Asylum seekers	Students	Au pairs / trainees	Other migrants	TOTAL
2000	33673 (37%)	19039 (21%)	27070 (30%)	6707 (7%)	1234 (1%)	3646 (4%)	91379 (100.0%)

2001	35648 (38%)	19890 (21%)	25303 (27%)	8211 (9%)	1160 (1%)	4283 (5%)	94501 (100.0 %)
2002	35173 (41%)	18480 (21%)	18247 (21%)	9653 (11%)	1227 (1%)	3835 (4%)	86613 (100.0 %)
2003	33965 (46%)	16762 (23%)	8244 (11%)	9324 (13%)	1156 (2%)	4114 (6%)	73560 (100.0 %)
2004	27541 (42%)	16018 (25%)	2682 (4%)	10611 (16%)	1300 (2%)	6973 (11%)	65114 (100.0 %)
2005	25041 (39%)	17454 (28%)	2216 (3%)	11113 (18%)	1102 (2%)	6502 (10%)	63416 (100.0 %)
2006	25960 (38%)	22342 (33%)	2648 (4%)	10519 (16%)	1341 (2%)	4819 (7%)	67652 (100.0 %)
2007	25121 (31%)	31970 (40%)	3772 (5%)	11704 (15%)	1729 (2%)	5988 (7%)	80257 (100.0 %)
2008	32095 (31%)	41690 (41%)	6021 (6%)	14652 (14%)	2151 (2%)	6274 (6%)	102872 (100.0 %)
2009	33859 (32%)	37757 (36%)	9601 (9%)	14070 (13%)	2043 (2%)	7093 (7%)	104411 (100.0 %)

Source: CBS StatLine 2012

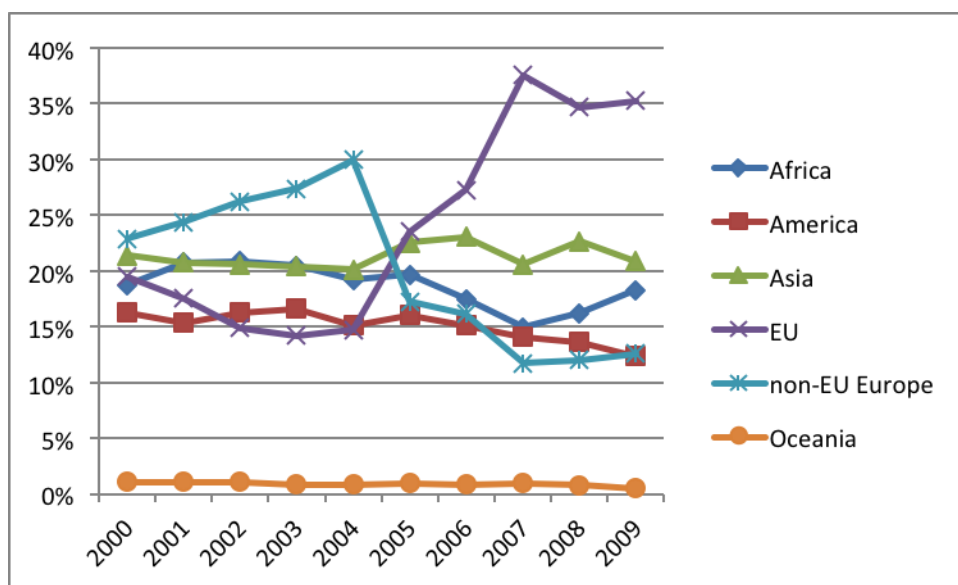
TABLE 2. Family migrants by continent of origin, 2000-2009 (absolute numbers and percentages)

Years	Africa	America	Asia	EU	non-EU Europe	Oceania	TOTAL
2000	6303 (19%)	5498 (16%)	7210 (21%)	6574 (20%)	7704 (23%)	384 (1%)	33673 (100.0%)
2001	7400 (21%)	5483 (15%)	7408 (21%)	6256 (18%)	8693 (24%)	408 (1%)	35648 (100.0%)
2002	7346 (21%)	5746 (16%)	7236 (21%)	5239 (15%)	9226 (26%)	380 (1%)	35173 (100.0%)
2003	6953 (20%)	5669 (17%)	6942 (20%)	4826 (14%)	9280 (27%)	295 (1%)	33965 (100.0%)
2004	5284 (19%)	4170 (15%)	5538 (20%)	4059 (15%)	8253 (30%)	237 (1%)	27541 (100.0%)
2005	4920 (20%)	4029 (16%)	5649 (23%)	5890 (24%)	4310 (17%)	243 (1%)	25041 (100.0%)
2006	4542 (17%)	3927 (15%)	5995 (23%)	7079 (27%)	4188 (16%)	229 (1%)	25960 (100.0%)
2007	3759 (15%)	3542 (14%)	5172 (21%)	9451 (38%)	2946 (12%)	251 (1%)	25121 (100.0%)
2008	5213	4365	7274	11127	3854	262	32095

	(16%)	(14%)	(23%)	(35%)	(12%)	(1%)	(100.0%)
2009	6197	4180	7075	11956	4261	190	33859
	(18%)	(12%)	(21%)	(35%)	(13%)	(1%)	(100.0%)

Source: CBS StatLine 2012

FIGURE 1. Family migrants by continent of origin, 2000-2009 (as a % of all family migrants)



Almost half of all family migrants to the Netherlands come from other European countries. This proportion has remained quite constant throughout the first decade of this century, notwithstanding a significant drop in the absolute numbers of family migrants, particularly in the years 2004 to 2007. As can be seen from Tables 2 and 3 and from Figures 1 and 2, during those same years a major shift occurred in the distribution between EU and TCN family migrants originating in Europe. The proportion of the latter went down, while the former went up. This is partly an effect of the accession of new member states, whose citizens lost their TCN status, but it can be assumed that the increase is also an effect of more TCN migrants using the 'Europe route' in order to circumvent stricter immigration rules in the Netherlands.

This phenomenon was already discussed in Chapter 3. In 2009, 35% of all family migrants arriving in the Netherlands came from other EU countries (which does not necessarily mean that they are all EU nationals), as against only 20% in the year 2000, and even less than that during the first years of the new century. The share of family migrants from non-EU countries changed from 80% of all family migrants in 2000, to 86% in 2003 and a mere 65% in 2009. The origins of the TCN migrants from other continents than Europe have remained fairly stable during those years: Asia is the largest supplier, followed by Africa and the Americas.

TABLE 3. Percentages of EU and TCN family migrants, 2000-2009

Years	EU family migrants	TCN family migrants
2000	20%	80%
2001	18%	82%
2002	15%	85%
2003	14%	86%
2004	15%	85%
2005	24%	76%
2006	27%	73%
2007	38%	62%
2008	35%	65%
2009	35%	65%

Source: CBS StatLine 2012

FIGURE 2. EU and TCN family migrants, 2000-2009 (as a % of all family migrants)

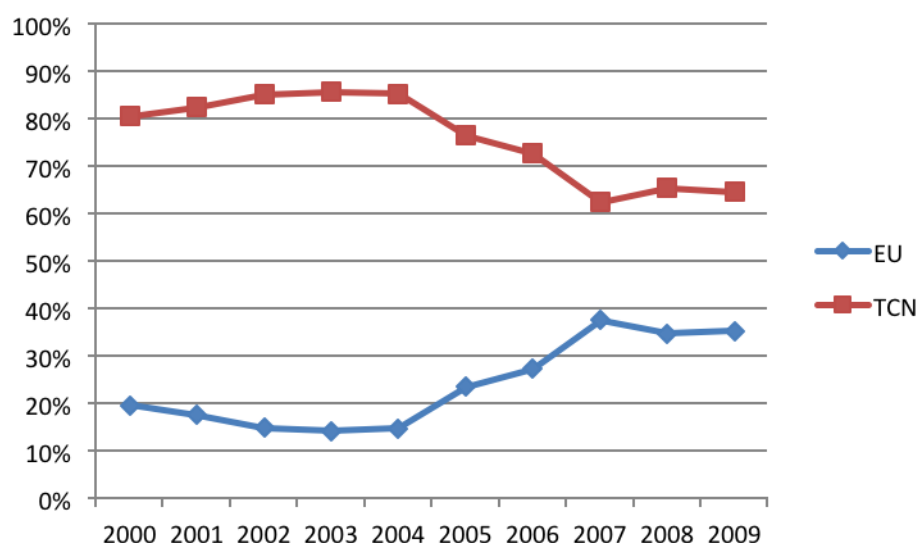


Table 4 shows the top 13 countries of origin of family migrants in 2010. It is interesting to note how diverse their origins are: no single country even reaches a 10% share. In this list only three countries are EU members: Poland, Germany and Bulgaria. Focusing on TCN countries, we see that Turkey is the largest source of family migration, followed by Somalia and the former Soviet Union. Whereas Turkey's share is now mostly due to marriage migration of 'second-generation migrants', the flow of Somalis presumably reflects recent asylum/refugee migration from this country. Netherlands Statistics (CBS) still uses the category 'former Soviet Union', which includes all nationals from ex-Soviet republics. In terms of family migrants, most have their origins in Russia, Ukraine and the Caucasian republics. Russian and Ukrainian family migrants are often women coming to marry Dutch men, while most family migrants from the Caucasian republics come to join their spouses who had initially arrived as asylum seekers (Chkalova et al. 2008: 23).

TABLE 4. Family migrants by country of origin, 2010 (absolute numbers and percentages)

Country of origin	Frequency	Percent
Poland	3225	9%
Turkey	2365	7%
Germany	2343	7%
Somalia	2298	6%
Soviet Union (former)	1677	5%
Morocco	1572	4%
Bulgaria	1205	3%
USA	1176	3%
India	1060	3%
Iraq	1037	3%
Brazil	818	2%
China	813	2%
Suriname	662	2%
TOTAL: All countries	35743	100%

Source: CBS StatLine 2012

4.2 Measuring integration

Integration of immigrant communities in the Netherlands has long been measured by the Netherlands Institute for Social Research (SCP), mostly on the basis of the immigrants' ethnic origins, rather than their nationality. This makes it possible to follow migrants and their children over a long period, even long after they may have become Dutch citizens. Ethnic origin is measured through country of birth. If a person has at least one parent who was born abroad, that person is counted as ethnically non-Dutch or *allochtoon*, even if the person himself or herself was born in the Netherlands. In this case that person counts as a member of the 'second generation'. Following this definition, more than 3.5 million people in the Netherlands are labelled as ethnically non-Dutch, which corresponds to 21% of the population. Integration discourses and integration policies usually target 'traditional' migrants, sometimes also referred to as 'ethnic minorities' (Turkish, Moroccan, Surinamese and Antillean), 'new migrants', refugee groups (Iranian, Iraqi, Somali, Afghan), and Central and Eastern Europeans (Verweij and Bijl 2012). The goal of integration policy is defined in this context as achieving proportional participation (ibid: 242): immigrants/ethnic minorities should participate in key institutions such as the labour market, education, and housing, in proportion to the share of the population that they comprise. In this respect migrants are set against comparable native population categories (low-skilled migrants versus low-skilled natives), while the residual leftover from socio-economic integration is often explained in cultural terms.

Labour market participation is an important issue because migrants from non-Western countries have low participation and high unemployment rates (Zorlu and Hartog 2008). Studies have pointed out that 'non-Western' migrants experience many disadvantages in the labour market. This was very different when the first workers arrived from Turkey and Morocco in the late 1960s to do the low-skilled work, but since then much of this work has disappeared. Although their children have made a certain amount of progress, many of them still hold low quality jobs. Labour participation rates among these communities are low, much lower than those, for example, among Caribbean migrants, especially Caribbean women. Hartog and Zorlu (2008: 9) contend that most 'non-Western' family migrants need time to obtain full access to the labour market and their skills are not easily transferred. Migrants'

education and qualifications determine their chances in the labour market. In order to enhance the possibilities of migrant employment, more attention has been paid recently to recognizing the training needs of migrants and to addressing the issue of over-qualification. However, in contrast to the formal recognition of credentials, the more general accreditation of prior learning is still limited (OECD 2008: 6). In contrast to labour migrants, family migrants are usually admitted not because they have qualifications that are needed in the labour market, but rather because of family ties. This is one reason why many of them experience difficulties during their initial years in the country.

Immigrants entering on humanitarian grounds may also lack qualifications that make them desirable in the labour market. Studies on the years 2001-2006 indicate that the Netherlands was among the few OECD countries where the employment situation of immigrants did not improve (OECD 2008: 2). Whereas labour migrants and their family members had high labour market participation following their immigration, five years later one fifth of all labour migrants had no paid work anymore and labour participation among the family members had dropped even more sharply (WODC 2010: 18). This goes for migrants of all nationalities, even for those that do not need a work permit (ibid: 139). Within the group of family migrants, TCNs have the lowest level of participation (idem).

4.3 Integration outcomes of family migrants

It is difficult to assess the impact legislation on family migrants has on their integration, as so many factors play a role besides the entitlements and restrictions in force. In 'Statistics on Family Migration, the Netherlands' (Suvarierol 2013), we have explored various factors that may affect socio-economic integration (gender, age, level of education, knowledge of the Dutch language, length of residence, discrimination), as well as the outcomes in various domains of integration (e.g.

education, healthcare, housing, civic and political participation). In this report, we focus only on labour market participation and welfare benefit reliance, as these have been identified as the most relevant aspects of integration in the literature and by our respondents (see qualitative findings below).

The scope of our analysis has also been limited by the availability of data on family migrants. To be able to approximate the effect of different regimes of family migration on integration, we have used CBS data on the sources of income for two panels of family migrants, who migrated to the Netherlands in 1995 and 2000 respectively. Please note that these data include the entire population of family migrants and not only TCN family migrants. Furthermore, the 1995 cohort in particular may have become citizens along the way, which means that they have obtained full rights.

Looking at the incomes of the 1995 cohort, we see a quite stable pattern of earnings between the fifth and the tenth years of residence in the Netherlands. On average 47% of this cohort are working, 43% as employees and 4% self-employed. Between 14% and 19% have relied on welfare benefits in the same period, in most cases on public assistance (*bijstand*) given to families who cannot cater for their livelihood and are not entitled to any other benefits. During the years studied, reliance on unemployment benefits has also gone up, which indicates that more family migrants have lost their jobs.

TABLE 5. Sources of income of family migrants who arrived in 1995, 2000-2005

Source of income	Type of income	2000	2001	2002	2003	2004	2005
Work	Employee	43%	44%	44%	43%	42%	42%
	Self-employed	3%	4%	4%	4%	4%	4%
	TOTAL	46%	48%	48%	47%	46%	46%
Welfare benefits	Incapacity benefit	2%	2%	3%	3%	3%	3%
	Unemployment benefit	1%	1%	2%	3%	3%	3%
	Public assistance	9%	9%	10%	10%	11%	11%
	Other benefits	2%	2%	2%	2%	2%	2%
	TOTAL	14%	15%	16%	18%	19%	19%
Pension		0%	0%	1%	1%	1%	1%
Pupil/student		10%	10%	10%	11%	11%	11%
Other		30%	26%	25%	23%	24%	23%

Source: CBS StatLine 2012

Comparing the 1995 cohort (see Table 5) with the 2000 cohort (see Table 6) over the same period (2000-2005), we see that after five years of residence the employment figures are similar, yet slightly lower for the 2000 cohort: 46% in 2000 for the 1995 cohort and 42% in 2005 for the 2000 cohort. The latter cohort's reliance on welfare benefits increases substantially during the first three years, after which the increase slows down, but does not stop. The 1995 cohort has a welfare reliance of almost 20% after ten years of residence. It is also interesting to note that during the first two or three years of residence labour participation, welfare dependency and also the number of students go up among family migrants. This may indicate that it takes

some time for family migrants to find their way in the system. Besides, in the mid 90s family migrants were not entitled to any publicly financed benefits during the first three years of residence; this period has now been raised to five years.

The other remarkable figure in the sources of income statistics is the category 'other'. This category is the highest in the years following migration and decreases over time. This may reflect an initial situation of dependence on the income of the sponsor. To explore the effect of dependence, we undertook a gender analysis (see Tables 7 and 8).

TABLE 6. Sources of income of family migrants who arrived in 2000, 2000-2005

Source of income	Type of income	2000	2001	2002	2003	2004	2005
Work	Employee	22%	35%	39%	40%	39%	39%
	Self-employed	1%	1%	1%	2%	2%	2%
	TOTAL	22%	36%	41%	41%	41%	42%
Welfare benefits	Incapacity benefit	0%	0%	0%	0%	1%	1%
	Unemployment benefit		0%	0%	1%	1%	1%
	Public assistance	3%	5%	6%	8%	9%	10%
	Other benefits	0%	1%	1%	2%	1%	2%
	TOTAL	4%	7%	8%	11%	12%	13%
Pension		0%	0%	0%	0%	0%	0%
Pupil/student		7%	8%	9%	10%	11%	12%
Other		67%	49%	42%	37%	35%	33%

Source: CBS StatLine 2012

TABLE 7. Sources of income by gender in 2000 (5 years after family migration): 1995 cohort

Source of income	Type of income	Female family migrants	Male family migrants	TOTAL
Work	Employee	32%	55%	43%
	Self-employed	5%	5%	3%
	TOTAL	37%	60%	46%
Welfare benefits	Incapacity benefit	1%	2%	2%
	Unemployment benefit	1%	1%	1%
	Public assistance	10%	8%	9%
	Other benefits	2%	2%	2%
	TOTAL	15%	13%	14%
Pension		0%	0%	0%
Pupil/student		8%	12%	10%
Other		39%	15%	30%

Source: CBS StatLine 2012

The gender analysis indeed shows that in 2000 60% of the male family migrants in the 1995 cohort (see Table 5) were employed, while 15% relied on other sources of income. The corresponding percentages for female family migrants were 37% employed and 39% relying on other sources of income. These results point to a gender gap in terms of labour participation. The 2000 cohort (see Table 8) gives a similar picture for female migrants (36% employed), but lower labour participation for male migrants (54%) after five years of residence. Gender as a factor of labour market participation is explored further with the help of survey data below (see section 3b).

How do labour market participation and welfare reliance among family migrants compare to other categories of migrants? The comparison also reveals interesting results (see Table 9).

TABLE 8. Sources of income by gender in 2005 (5 years after family migration): 2000 cohort

Source of income	Type of income	Female family migrants	Male family migrants	TOTAL
Work	Employee	34%	50%	2%
	Self-employed	2%	3%	39%
	TOTAL	36%	54%	42%
Welfare benefits	Incapacity benefit	1%	1%	1%
	Unemployment	1%	2%	1%

	benefit			
	Subsistence assistance	10%	8%	10%
	Other benefits	2%	1%	2%
	TOTAL	14%	12%	13%
Pension		0%	0%	0%
Pupil/student		9%	16%	12%
Other		41%	17%	33%

Source: CBS StatLine 2012

TABLE 9. Sources of income by migration category in 2000: 1995 cohort

Source of income	Type of income	Family migrants	Labour migrants	Asylum seekers	Students	Other migrants	Total migrants
Work	Employee	43%	61%	37%	24%	12%	44%
	Self-employed	3%	6%	1%	9%	3%	4%
	TOTAL	46%	67%	38%	33%	15%	48%
Welfare benefits	Incapacity benefit	2%	2%	0%			2%

	Unemployment benefit	1%	2%	1%		1%	1%
	Public assistance	9%	4%	32%		7%	14%
	Other benefits	2%	1%	1%			2%
	TOTAL	14%	9%	34%		9%	18%
Pension		0%	0%	0%		3%	2%
Pupil/student		10%	1%	10%	19%	2%	9%
Other		30%	23%	18%	46%	72%	22%

Source: CBS StatLine 2012

For the 1995 cohort of all migrants we see that students and asylum seekers have the lowest employment levels in 2000 (33% and 38% respectively), while labour migrants have the highest employment level at 67%. Family migrants lie in between with 46%, slightly below the overall level of participation of 48%. The patterns of reliance on welfare benefits show a similar trend: 14% of family migrants rely on welfare benefits compared to the 18% reliance figure for all migrants. The reliance on public assistance is 9% for family migrants and 14% for all migrants. Asylum seekers rely on welfare benefits the most (34%) and labour migrants the least (9%).

TABLE 10. Sources of income by migration category in 2005: 2000 cohort

Source of income	Type of income	Family migrants	Labour migrants	Asylum seekers	Students	Other migrants	Total migrants
Work	Employee	39%	61%	16%	24%	34%	39%
	Self-employed	2%	4%	1%	1%	2%	2%
	TOTAL	42%	65%	17%	25%	36%	41%
Welfare benefits	Incapacity benefit	1%	1%	0%			1%
	Unemployment benefit	1%	2%	1%			1%
	Public assistance	10%	2%	34%	1%	7%	14%
	Other benefits	2%	1%	1%	0%	3%	1%
	TOTAL	13%	6%	35%	1%	11%	18%
Pension		0%	0%	0%		2%	2%
Pupil/student		12%	1%	15%	16%	4%	12%
Other		33%	27%	33%	58%	47%	27%

Source: CBS StatLine 2012

The figures for the 2000 cohort (see Table 10) are almost the same, with the most remarkable difference observed for the asylum seekers. The labour participation of

the 2000 asylum cohort is 17%, which is less than half that of the 1995 asylum cohort (38%). This difference is probably due to the changes in the asylum regime, whereby the labour market participation of asylum seekers was heavily restricted during the first two years of residence to seasonal work for a maximum of twelve weeks (Sprangers et al. 2005: 32). The period of absence from the labour market could further be extended if their asylum application was not finalized (e.g. when rejected and subsequently an appeal is made). Since then the rules have changed many times, but it is still very difficult for asylum seekers to be integrated into the labour market once they have a legal residence status. Furthermore, due to stricter asylum regulations, the newer cohorts of asylum seekers are presumably a "more traumatised group" with more health problems that prevent them from working (idem).

The results thus reveal that family migrants are doing slightly better than the average migrant in terms of their labour participation and welfare reliance, but not as well as those who initially came as labour migrants, nor as well as the population of the Netherlands as a whole, even when we control for educational level. On the other hand, migrants in general and family migrants in particular have higher rates of reliance on public assistance than the native Dutch. Only 6% of native Dutch relied on public assistance in 2000 and 2005, as opposed to 14% for family migrants in 2000 and 13% in 2005. While there is no difference for the native Dutch population in terms of gender, the reliance of female family migrants is 2 percentage points higher than that of male family migrants. It should be noted, however, that the extent to which labour participation rates of male and female TCN family migrants is seen as a problem also depends on their nationality (WODC 2010: 144). The low participation of Japanese women, for example, is not seen as a problem by policy-makers (idem), whereas that of Turkish and Moroccan women is generally considered a sign of their lack of integration into "Western cultural values" (Schinkel 2007).

5. QUALITATIVE FIELDWORK FINDINGS

In this section, we present the findings of our qualitative fieldwork on the implementation of restrictions and entitlements and their impact on the integration processes of TCN family migrants. The analysis is based on interviews with national and local policy makers and practitioners working with migrants as well as document analysis. The findings have been limited by the choice of respondents: as the primary focus of the research project was on state and civil society actors working on migrant integration, the analysis reflects the limits of the policy frames and tools at their disposal. We have incorporated the experience of migrants by interviewing participants at migrant organizations and a small number of family migrants.

We will summarize our results under the following four headings:

- *Advantages and disadvantages for family migrants:* This subsection addresses the question whether family migrants differ from other migrants in terms of their integration process.
- *Family migrants and national integration policy:* In this subsection we explain whether family migrants are affected by national integration policies and, if so, how.
- *Local integration and participation policies and programs:* This subsection explores local policies and programs targeting all migrants in Rotterdam and Leeuwarden, as well as their perceived impact.
- *Obstacles to integration and participation:* The last subsection focuses on the obstacles all migrants face to their integration and participation, many of which are of a socio-economic and structural nature.

5.1 Advantages and disadvantages for family migrants

In certain respects family migrants are better off than other migrants coming to the Netherlands. Their advantage is that their sponsor takes care of some of their basic needs.⁵¹ When family migrants arrive, they do not need to worry about their residence permit, their basic income, housing, health insurance, etc.⁵² This enables the migrant initially to settle down at his or her own pace.⁵³

During the first five years the sponsor carries the financial responsibility and not the family migrant herself or himself. However, this financial dependence may also put a strain on the relationship.⁵⁴ Family migrants are not only dependent on their sponsor financially and for their residence status, but also "for obtaining information about society".⁵⁵ This is sometimes difficult for the sponsor, even if he or she is a Dutch citizen, "as most people do not know anything about laws and rules for migrants before they are really in a situation where they have problems and have to find the way to solve these".⁵⁶

Under such conditions it is difficult to have a sincere and unbiased family relationship. The relationship between sponsor and migrant often is an unequal one. If any problems emerge in that relationship, the practical implications for the right to stay also need to be taken into consideration. It can easily be that one of the partners takes advantage of this unequal relationship. This is a recurrent problem signalled by churches and religious organizations. Many migrants keep their problems hidden from the authorities and try to cope in informal ways. In such situations, migrant churches may offer support and information, while church members may provide temporary housing.

⁵¹ Informal interview with official at MFC de Verbinding, Leeuwarden, 8 November 2012.

⁵² Informal interview with official at MFC de Verbinding, Leeuwarden, 8 November 2012.

⁵³ Informal interview with family migrant at MFC de Verbinding, Leeuwarden, 14 November 2012.

⁵⁴ Interview at Dona Daria, Rotterdam, 27 November 2012.

⁵⁵ Interview at Dona Daria, Rotterdam, 27 November 2012.

⁵⁶ Interview with Foreign Partner Foundation, Rotterdam, 5 April 2013.

On the other hand, family migrants may also be in a favourable position since their family may help them with the integration process. They have someone to help them to learn the Dutch language and about Dutch society. Especially if the partner is Dutch, the family migrant has the advantage of being automatically incorporated into a Dutch family.⁵⁷ But a family can also have a negative effect on integration, as one can lock oneself up in it and never have contact with society at large.

Thus, the role of the family is not always positive. The family may provide support and information, but it can also be a "constraining factor", consciously or unconsciously. For example, "migrant women may opt to care for their children instead of paying the costs of childcare or may choose to stay at home instead of doing unpaid volunteer work, but they may also be pressured to do so by the family."⁵⁸ This also depends on the social-economic position of the migrant: "Highly skilled migrants may be able to find a way out of their situation more easily, for example by finding a job suited to their level of expertise. For unskilled migrants this is almost impossible."⁵⁹

The disadvantage of being a family migrant is that "you have not chosen for the country, but rather for a partner and for his or her family".⁶⁰ Partners and their families also have certain expectations. Often, the family migrant has no family of his or her own, nor friends or networks, while the partner already has his or her own contacts. Newly arrived family migrants often wish to start a family of their own, and some see certain advantages to this: "The young parents are ready to do everything for their children, so having a family may help their integration. Especially for women, surviving for the sake of the future of their children is a major drive for succeeding in their new environment. On the other hand, when the children are still small, women

⁵⁷ Informal interview with family migrant at MFC de Verbinding, Leeuwarden, 14 November 2012.

⁵⁸ Interview at Dona Daria, Rotterdam, 27 November 2012.

⁵⁹ Interview at Rotterdam Knowledge Centre on Diversity, Rotterdam, 10 December 2012.

⁶⁰ Interview at SKIN, Rotterdam, 9 January 2013

tend to focus on their upbringing, rather than on their own personal development, which causes delay in their integration and labour market participation.”⁶¹

5.2 Family migrants and national integration policy

The specific situation of family migrants received lots of political attention during the previous Dutch cabinet, but this is much less the case under the current cabinet.⁶² The emphasis of the previous cabinet was on limiting immigration, an explicit demand from Geert Wilders’ Freedom Party, which was willing to ensure a parliamentary majority for that cabinet, but only under certain conditions, one of which was pursuing a strict immigration policy. Four measures were on the political agenda, all meant to curb TCN migration in general, but family migration in particular:

1. *Policy on partners*: It was proposed that unmarried partners should not be allowed to join as family migrants. This policy was never introduced and is off the agenda for the present cabinet.
2. *Uninterrupted residence requirement*: The requirement of uninterrupted residence in order to qualify for public assistance (*bijstand*) was raised from three to five years. The aim of this was to prevent bogus marriages and to raise the incentive to work.
3. *Waiting period of one year before filing an application for family migration*: This measure has been introduced.
4. *No family reunification for extended family and adult children*: This policy has been enforced since October 2012.

These measures affect all TCN migrants (except ‘knowledge workers’ and students), not just family migrants. They relate to immigration rather than to integration, but

⁶¹ This paragraph is based on an interview at Bureau Zelfstandigen Fryslân, 6 November 2012.

⁶² This paragraph is based on an interview at Directorate Migration Policy, Ministry of Security and Justice, The Hague, 3 April 2013.

they certainly do have an impact on the integration process of individual migrants. As before, once family migrants have entered the Netherlands, policy-makers no longer regard them as a separate category either at the national or at the local level, except that for the first five years their residential status depends on their sponsor's readiness to support them. This fact, as we have seen in the previous section, affects their integration potential, sometimes positively, but sometimes also in a negative manner.

The national integration policy approach can be summarized as follows:

"We do not see [family migrants] as a separate category. We do not monitor them.... You have requirements before you come to the Netherlands; you have integration abroad. Then you must integrate in the Netherlands, and then we look at 'Can everyone participate? Are certain groups disadvantaged? What should we do in the generic policy so that any shortcomings can be overcome?' We thus try not to approach the issue in terms of different types of migrants anymore."⁶³

In the words of the current government, "Integration means being ready to release people and to let them find their own way. This is necessary to become part of this society."⁶⁴ The new integration approach emphasizes the migrants' own responsibilities, their duty "to participate and to share the basic principles of society"⁶⁵ and to contribute to society by being self-reliant. Knowledge of the Dutch language is essential for this and "newcomers are expected to embrace and internalise the values and rules that apply in the Netherlands."⁶⁶ Pre-entry requirements have an important role in preparing a successful integration process:

⁶³ Interview at Unit Integration and the Rule of Law, Ministry of Social Affairs and Employment, 12 December 2012.

⁶⁴ <http://www.rijksoverheid.nl/documenten-en-publicaties/kamerstukken/2013/02/19/kamerbrief-agenda-integratie.html> (accessed on 10 June 2013)

⁶⁵ <http://www.rijksoverheid.nl/documenten-en-publicaties/kamerstukken/2013/02/19/kamerbrief-agenda-integratie.html> (accessed on 10 June 2013)

⁶⁶ <http://www.rijksoverheid.nl/documenten-en-publicaties/kamerstukken/2013/02/19/kamerbrief-agenda-integratie.html> (accessed on 10 June 2013)

"We must prevent the intake of low-skilled migrants who are inadequately prepared for a successful future in the Netherlands. This applies to all migrants, whether it concerns marriage and family migrants subject to compulsory integration or migrants from the European Union (who are exempt from compulsory integration)."⁶⁷ The reasoning behind these measures is to "avoid that the integration process starts all over again with parents passing on their disadvantages to their children".⁶⁸ "The pre-entry conditions that are currently in force for family migrants function as problem filters."⁶⁹ "Due to the financial criteria that the sponsor has to meet to qualify for family migration as well as to the subsequent financial dependence of family migrants on their sponsor in the first five years of their stay in the Netherlands, family migrants do not pose problems that require public assistance."⁷⁰ In this respect, "they have become invisible"⁷¹ to policy makers and practitioners.

The new national integration policy began to take shape in 2002-03, a turbulent period in Dutch politics that followed the killing of Pim Fortuyn and the rise of his anti-immigrant party. Rita Verdonk, Minister for Immigration and Integration from 2003 to 2007, rejected specific policies for migrants:⁷² "The current government also wants to work within generic policies (e.g. employment, education, etc.), but still asks the question: Do generic policies work for specific groups? In this respect it is an advantage that integration is now part of the Ministry of Social Affairs, as labour and participation get extra attention. The national and local governments interpret participation broadly. It includes not only participation in the labour market, but also the involvement of parents at the school of their children, as one of the major problems is that migrant parents are too little involved with the upbringing and

⁶⁷ <http://www.rijksoverheid.nl/documenten-en-publicaties/kamerstukken/2013/02/19/kamerbrief-agenda-integratie.html> (accessed on 10 June 2013)

⁶⁸ <http://www.rijksoverheid.nl/documenten-en-publicaties/kamerstukken/2013/02/19/kamerbrief-agenda-integratie.html> accessed on 10 June 2013

⁶⁹ Interview at Rotterdam Knowledge Centre on Diversity, Rotterdam, 10 December 2012.

⁷⁰ Interview at the Municipality of Rotterdam, Rotterdam, 10 December 2012.

⁷¹ Interview at the Municipality of Rotterdam, Rotterdam, 22 November 2012.

⁷² The following three paragraphs are based on an interview at Unit Integration and the Rule of Law, Ministry of Social Affairs and Employment, 12 December 2012.

education of their children. This current cabinet is pragmatic. The focus is on ensuring economic self-reliance and on reducing reliance on public benefits."

So government policies as well as concrete projects of the Ministry no longer differentiate between specific migrant groups or categories. "Family migrants are not monitored as a separate group. The statistics reveal that there are obstacles to integration, but it is still a puzzle why and how to tackle these without making group-specific policies. Furthermore, family migrants are a very diverse group of migrants."⁷³ "It is difficult to develop policies that fit the whole group so as to stimulate participation and prevent exclusion for everyone."⁷⁴ It is complicated if not impossible to have a discussion in terms of family migrants that addresses the characteristics and needs of families of refugees with those of highly skilled migrants at the same time. On the five major themes – employment, education, child welfare, health matters and crime – national integration officials connect with the responsible ministries and units to ensure that the generic policy also works for migrants, given their disadvantages. As such, integration is currently a policy aspect that should be incorporated into all social policy domains, rather than an all-encompassing independent policy domain at the national level."⁷⁵

As a consequence of the generic approach, policy-makers and practitioners at the national and local levels proved to have limited knowledge about the specific case of family migrants. Policy-makers thus rely on their general knowledge on migrants (and their offspring), whereas practitioners we interviewed spoke about migrants with families ("If you are talking about family migrants, you are just talking about families"⁷⁶), whose legal status they were not always sure about. They argued that, regardless of their migration status, migrants tend to face similar problems.⁷⁷

⁷³ Interview at Directorate Migration Policy, Ministry of Security and Justice, The Hague, 3 April 2013.

⁷⁴ Interview at Directorate Migration Policy, Ministry of Security and Justice, The Hague, 3 April 2013.

⁷⁵ Interview at ACVZ, Den Haag, 25 February 2013.

⁷⁶ Interview at the Municipality of Leeuwarden, Leeuwarden, 5 November 2012.

⁷⁷ Informal interviews with family migrants at *Taalpunt*, Leeuwarden, 13-14 November 2012; interview at Partoer, Leeuwarden, 13 November 2012.

Consequently, much of the following sections discusses the way **all** migrants, including TCN family migrants, are addressed by local integration and participation policies and programmes.

5.3 Local integration and participation policies and programmes

In line with the national trend, most municipalities currently work by pursuing generic policies as opposed to the earlier group-focussed policies. However, local policies still need to ensure that all groups and all problems receive the attention they need. At the local level, specific projects have been set up to promote integration.

Rotterdam currently works with migrants in four policy domains: integration, emancipation, diversity/anti-discrimination and participation. Participation policies focus on language and integration. Whereas the ultimate goal of participation in society is to work, participation in volunteer work is seen as a first step towards social and economic independence. Economic participation is now the most important aspect, in contrast to the earlier focus on cultural and civic participation. The current policy strategy of Rotterdam is to invest in the talents of individuals. As such, there is no specific attention for families.

Until recently, integration policies in Rotterdam had been focussed on disadvantaged groups. For example, migrants needed to be assisted through civic integration courses. This approach had been pursued for quite some time, yet it "has been observed that things have not improved and real integration has not taken place. However, it is possible that the organisations and institutions that took part in this process have a different opinion and that they believe that they have promoted integration. Now the idea is that migrants have to be treated similarly to other

people in Rotterdam and migrants have the responsibility to become integrated into Dutch society and Rotterdam.”⁷⁸

The greatest change in Rotterdam’s integration policies has been the decreasing budget available for these issues, a direct consequence of the financial crisis. The municipality needs to focus on its statutory tasks and has decided to take away resources also from its integration programme. Up until 2013, the municipality provided substantial subsidies to institutions and organisations that work in the domain of integration, many of them migrant organisations. As a result, many different projects could be set up – neighbourhood projects, buddy projects and projects for newcomers. Even though there is still a demand for this sort of activity, the subsidies available for these projects have now all been reduced.⁷⁹

Earlier political discussions in Rotterdam about family migrants had focussed on values and norms of behaviour, but this has now become an obsolete theme. The real question now is whether migrant families are able to be self-reliant and independent in the face of a shrinking welfare state. If we look at migrants and their families in Rotterdam, we can make the following distinction:

“On the one hand, there are families that are doing well and thus are invisible to officials as they do not constitute a problem. On the other hand, families who have problems mostly have an accumulation of problems and for them it is very difficult to find their way through the different provisions that are available. For example, family coaches were introduced under earlier security-focused policies. These coaches now report back that general policies do not provide enough support for families with problems. This is exactly the problem the municipality is struggling with now in a time of economic retrenchment: What can one do to reach those families who need help and support if one only has a generic policy? Both the complexity of the issues and

⁷⁸ Interview at the Municipality of Rotterdam, Rotterdam, 10 December 2012.

⁷⁹ This paragraph and the next are based on an interview at the Municipality of Rotterdam, Rotterdam, 10 December 2012.

the ways politicians face them change regularly. Consequently, people do not really know where they have to go with their problems. When they are in need they do not like to be blamed for not being self-reliant, but they would rather get help.”⁸⁰

In contrast to Rotterdam, the city of Leeuwarden has officially formulated an integration and participation policy that deals with the problems migrants face. The current policy has been set out in the Memorandum ‘Colouring outside the Lines’ (*Buiten de lijntjes kleuren*) (Gemeente Leeuwarden 2008). The Memorandum reflects the transition from a specific integration policy to one better integrated with other policy fields. The policy official in charge of this transition explains its rationale as follows: “I saw that a lot of the policies on migrants were being formulated from a perspective of disadvantage or problems. In this Memorandum we stated that migrants are also citizens of Leeuwarden. So from the perspective of equality and diversity policy, you should move towards an integrated policy. At some point, you need to stop making a separate integration policy, and make sure that policies are the same for all Leeuwarden citizens.”⁸¹ Leeuwarden is currently in the concluding phase of this transition period. Local policy observers point out that it is an advantage to have integration as a part of integrated policy, but one should keep investing in it: “If it only remains on paper, and no one is actually working on it, the current expertise on integration might soon be lost.”⁸²

In most of the Netherlands, migrant integration is now predominantly addressed under the much broader label of ‘participation policies’, both at the national and the local levels: “Participation policies bring together the budgets of employment, migrant integration, civic integration and education under one umbrella.”⁸³ The underlying idea is to promote self-reliance of individuals, first socially and then

⁸⁰ Interview at the Municipality of Rotterdam, Rotterdam, 22 November 2012.

⁸¹ Interview at the Municipality of Leeuwarden, Leeuwarden, 5 November 2012.

⁸² Interview at Partoer, Leeuwarden, 13 November 2012.

⁸³ Interview at the Municipality of Rotterdam, Rotterdam, 22 November 2012.

economically, which actually constitutes the ultimate participation goal. The instrument used to guide and measure the impact of participation policies and tools is the so-called participation ladder (*participatieladder*) (Van Gent et al. 2008).

The participation ladder has been developed for and by municipalities with the aim of helping them to implement participation policies.⁸⁴ The participation ladder in its current form is a joint product of the research institute Regioplan, the Association of Dutch Municipalities (*Vereniging van Nederlandse Gemeenten* (VNG)) and twelve local authorities: Alkmaar, Almelo, Amsterdam, Deventer, Eindhoven, Rotterdam, Schiedam, Sneek, The Hague, Utrecht, Venlo and Zwolle. The ladder does not make municipalities accountable to the national government; it is rather a streamlining tool allowing different municipalities to learn from each other in the domain of participation. As such, the participation ladder also has a benchmarking function whereby municipalities can be compared with each other with regard to the results they have achieved (Gemeente Leeuwarden 2009: 4). Its different levels correspond to the goal that needs to be attained at every step of the ladder and they allow for a broad focus on different groups in need. The participation ladder works with a broad definition of participation that ranges from social participation as an antidote to isolation at the initial stage, to economic participation in the labour market as its most desirable goal. This instrument is developed as a general and elastic tool for measuring "effective participation"⁸⁵ and it targets different segments of the population and diverse forms of social participation. This also means that municipalities have a certain freedom about what types of social problems and which target groups they include under this policy.

⁸⁴ This paragraph is based on <http://www.participatieladder.nl/faqs.html> (accessed on 18 April 2013)

⁸⁵ <http://www.participatieladder.nl/faqs.html> (accessed on 18 April 2013)

5.4 Obstacles to integration and participation

As we have seen earlier, TCN family migrants do not experience specific legal restrictions that prevent them from participating in society in general or in the labour market in particular. However, like other migrants, TCN family migrants do encounter obstacles to integration and participation that are of a more informal nature. The first of these obstacles, often mentioned by the local authorities we interviewed, is that the barrier to paid employment is too great for many newly arrived family migrants. Official policy claims that participating in volunteer activities may be an adequate first step towards paid employment, but in practice this second step rarely follows. Training and (re-) education are much better ways of providing access to employment. However, these are costly and time consuming activities and many (family) migrants who have followed this route still end up in a low position in the labour market, probably also as an effect of discrimination.

Without further education, (family) migrants tend to take up simple jobs, which do not require a diploma or linguistic skills. This may leave more time for family and childcare activities, but the Dutch government does not consider care within one's family as participation in society. The argument here is that this reduces the opportunities for participation through volunteer work outside of the house or for participation in the labour market.⁸⁶ Migrant families, however, often attach great importance to providing care within the extended family, "but they are being criticised for not being integrated because of the time they invest in caring for their families."⁸⁷ Furthermore, in the case of family migrants, caring is not always a fall-back option if finding a job is impossible, but in many cases it can be a deliberate choice.⁸⁸ Since many family migrants have come to the Netherlands to set up a family or to be reunited with their family, their primary concern lies with them. As a

⁸⁶ See <http://www.participatieladder.nl/faqs.html> (accessed on 18 April 2013)

⁸⁷ This section is based on an interview at FORUM, Utrecht, 3 May 2013.

⁸⁸ This paragraph is based on informal interviews with family migrants at *Taalpunt*, Leeuwarden, 13-14 November 2012 and an interview with Dona Daria, Rotterdam, 27 November 2012.

result, family migrants may be less interested in formal participation in Dutch society and may focus more strongly on their family.

Another major obstacle that many family migrants wishing to enter the labour market encounter is their insufficient knowledge of the Dutch language. Almost everyone considers knowledge of the local language to be essential. However, in practice language training is very expensive (€ 5,000 or more for a course) and since the recent policy changes migrants have to pay for it out of their own pockets. Subsidies have been almost completely discontinued, but newcomers may qualify for loans on 'soft' conditions, guaranteed by the state. A lack of knowledge of Dutch is a handicap that migrants seem to be facing in various areas of life, from setting up a business to monitoring their children's education. A weak command of Dutch can also be a barrier to accessing information, as most official websites and most flyers are available in Dutch only (and occasionally in English).

While finding paid employment and insufficient linguistic skills were the barriers most often mentioned by the officials we interviewed, the most often heard complaint among migrants themselves was the non-recognition of diplomas obtained in the country of origin. The following examples illustrate the nature of the issues they face:

BOX 1. Migrant accounts on the issue of recognition of foreign qualifications

Case 1:⁸⁹ An Afghan woman with eighteen years of work experience as a history teacher in Afghanistan had her original papers and diplomas burnt by the regime before she fled the country and she could not obtain copies. When she wanted to study in the Netherlands in her own area, her age was an obstacle. She worked for some time as a class assistant but later on chose to continue as a volunteer.

Case 2 (De Witte 2010: 48-50): An Iranian woman had completed her training as a hairdresser and a beauty specialist and had a successful business in Iran before migrating. When she wanted to start a hairdressing salon in the Netherlands, the authorities told her that she would have to obtain a Dutch diploma in order to start her business, as her Iranian diploma was not recognized. When she decided to re-do her education, she could not obtain any financial support as the local authorities considered her 'too old'. It took a lot of effort to convince the authorities and to finally get accepted to the education program, so that she could open her business.

Case 3:⁹⁰ The discrimination hotline in Leeuwarden has received a complaint from a Dutch woman who helps migrants on a volunteer basis by accompanying them to their appointment at the employment agency UWV. People at that agency do not even bother to copy foreign diplomas. "They ask for Dutch diplomas. And if the foreign diploma has been translated, you see a denigrating look", the lady said. The UWV argued that they "would not manage to get people to work with those qualifications."

Case 4:⁹¹ One of the respondents had previously worked at the Dutch Central Agency for the Reception of Asylum Seekers (*Centraal Orgaan Opvang Asielzoekers* – COA) and told the story of a refugee surgeon: "This man said 'You can cut off my hands because I am not allowed to work'. Why? Because his papers were not recognised."

⁸⁹ Informal interview with family migrant at *Taalpunt*, Leeuwarden, 13 November 2012.

⁹⁰ Interview at Tûmba, Leeuwarden, 8 November 2012.

⁹¹ Interview with a member of *Kleurrijk Beraad*, 14 November 2012.

He even had papers from the UNHCR [the UN Refugee Agency], confirming that he had helped various interventions and had worked very well as a surgeon in his own country during the war period. And here in the Netherlands they say 'Yes, but gosh your papers are worth nothing.'"

Case 5:⁹² An Iraqi midwife with about 15 years of experience in her country of origin was not even allowed to work as a maternity care assistant. An interviewed anti-discrimination official in Leeuwarden expressed the irony of the situation as follows: "There [in Iraq], babies are born in a different way or so? Coming through the mouth maybe?"

The partial or non-recognition of foreign diplomas is a problem that affects more migrants than just TCN family migrants, but it was mentioned surprisingly often by highly skilled family migrants in particular. In cases where the diplomas are officially accepted, they are not considered equal to a degree obtained. As a result, lots of potential gets lost. Local officials point out that this is due to a mismatch between the norms of the Dutch system and those that prevail in the country of origin.⁹³ Respondents who have worked with migrants⁹⁴ as well as migrants themselves⁹⁵ call for the need to evaluate people on what they are capable of doing and not merely on their formal qualifications.

Labour market participation is a major issue that our respondents identified as an obstacle to integration. When one has a part-time job or a job that does not pay well, it is difficult to overcome poverty.⁹⁶ This problem is not specific to migrants, but

⁹² Interview at Tûmba, Leeuwarden, 8 November 2012.

⁹³ IMPACIM Local Workshop, Leeuwarden, 14 June 2013.

⁹⁴ Interview with Tûmba, Partoer, *Kleurrijk Beraad* in Leeuwarden and with Spior and Dona Daria in Rotterdam.

⁹⁵ Informal interviews with family migrants at *Taalpunt*, Leeuwarden, 13-14 November 2012; De Witte (2010).

⁹⁶ Interview at Partoer, Leeuwarden, 13 November 2012.

is common to all people who find themselves in a precarious position.⁹⁷ For migrants in the Netherlands, "the consequence of not having a job is having no place in society."⁹⁸ For most migrants this is a vicious circle. Once they are unemployed, all other problems begin to accumulate.

Our respondents have identified discrimination in the labour market as a main obstacle to the participation and integration of migrants. Even when there are no legal restrictions, migrants have difficulties finding a job, staying at it, and rising above the level of low-skilled jobs or low-rank positions in companies. This is caused by the fact that migrants are seen as having 'small CVs', as their education and work experience is often limited. Some migrants do possess relevant qualities, but as these have been obtained in the country of origin, employment agencies and companies are slow to recognize these as relevant. Language is mentioned as a barrier to integration. Some respondents question whether this is really an issue or whether some people are too picky about migrants speaking Dutch with an accent. Lack of knowledge of the Dutch system is a shortcoming that migrants may also face in various areas of life. For example, migrants are surprised to find out the extent of rules and laws they need to take into consideration if they want to set up a business.

⁹⁷ Interview at Partoer, Leeuwarden, 13 November 2012.

⁹⁸ Interview at FORUM, Utrecht, 3 May 2013.

6. DISCUSSION

This project aims at mapping the relevant literature, legislation, policies and local practices with regard to family migrants who are Third Country Nationals (TCNs). We have observed that, in the Netherlands, a number of restrictions apply to TCN family migrants, not only with regard to their stay but also concerning their admission. In principle, the IMPACIM project only deals with the former and it tries to assess the impact that specific restrictions TCN family migrants are faced with may have on their integration process. However, in this report we have also given some attention to the conditions of admission. Over the past ten years these have gradually become stricter. The major argument put forward by the Dutch authorities to justify this is that more strictness forces family migrants to prepare themselves better for life in the Netherlands. The idea is that this will facilitate their integration once they have arrived in the country.

Before TCN family migrants can obtain a long-stay visa (MVV) to the Netherlands they must take a pre-entry test in the Dutch embassy in their country of origin. In order to pass this test they need to have an elementary knowledge of the Dutch language as well as of Dutch society. After the test was first introduced in 2006, only relatively few potential family migrants failed to pass. However, the implicit idea behind the test is its selectivity: potential migrants who fear that they may not pass probably will not take the trouble of taking the test, which is also a rather expensive affair. Consequently, only the more highly educated or those who already have some familiarity with the country and its language attempt it, and this has made the test an effective instrument to assess a candidate's integration potential.

Besides taking the pre-entry test, a potential family migrant also has to find a sponsor in the Netherlands. Usually this is the (future) spouse, but in principle it can be anyone residing in the Netherlands who is willing to guarantee that the newcomer will not claim any public benefits during the first five years of residence. During that

period the family migrant is only entitled to a temporary residence permit, which can be renewed annually as long as the conditions continue to be fulfilled. The rationale of both restrictive measures – the temporariness of the residence permit and the non-access to public funds – is that they encourage the new family member to enter the labour market and to find a job. The government sees this as the best guarantee for a smooth integration of the family migrant.

In addition to the measures already mentioned, a potential TCN family migrant is faced with more restrictions. Some of these relate to the migrant himself or herself, others to the sponsor. First, age restrictions apply in admission to the country: both the family migrant and the sponsor must be at least 21 years of age. This is meant to prevent forced and arranged marriages, particularly among the second generation, and to combat trafficking of young people. The Dutch government has tried repeatedly to increase the minimum age to 24, but this is against the EU Directive on family migration, and it is not very likely that this Directive will be changed. Potential sponsors are also faced with income requirements. Formerly, they needed to earn at least the statutory minimum income in order to take up a sponsorship. In 2004, the Dutch government raised this to 120% of that amount, with the argument that a higher family income would provide better integration perspectives for the newly arrived family migrant. However, this proved to be a violation of the EU Directive on family migration and in 2010 the European Court of Justice ruled that it had to be abandoned.

It is interesting to note that time and again the Dutch government has expressed concerns about the slow integration of TCN family migrants, and that it tries to prevent these problems by enforcing stricter entry rules for new family migrants. The government's idea behind this is that a more selective admissions policy will discourage those with a weak integration potential from coming. Yet, to many ears the idea that stricter rules for entry – and also for residence – facilitate the integration of family migrants may sound somewhat paradoxical.

Once TCN family members have been admitted to the Netherlands they acquire certain entitlements, but they are also faced with some additional restrictions. We found, however, that most of these entitlements and restrictions are not specific to family migrants but apply to all TCN citizens residing in the Netherlands and, indeed, in some cases to all Dutch and EU citizens alike. TCN family migrants, for example, have access to education, health care, housing and entrepreneurship under the same conditions as everyone else. They also have access to the labour market, even though employers must give priority to Dutch and other EU citizens. They can claim employment-related benefits, but may not fall back on public assistance. TCN migrants also have fewer political rights than other persons: they can neither vote nor be elected in provincial, national and European elections, but they do have voting rights in local elections after five years of residence.

What differentiates TCN family migrants from other TCN migrants is the fact that they are dependent on their sponsors for their residence status for a specific period after their arrival. At present this period lasts five years, but it was three years in the past, while the current government wishes to extend it to seven years. This may affect their entitlements and their socio-economic situation, though often indirectly. The income requirement that the sponsor needs to fulfil serves to prevent reliance on public assistance by the family migrant, who is not allowed to claim any public benefits during the sponsorship period. This is likely to have an impact on the integration process of the family migrant. Official government policy argues that the impossibility of recourse to public funds will speed up the family migrant's integration. The government encourages the family migrant to enter the labour market quickly, which it considers the best and the quickest road towards integration in the Netherlands. Besides, having a job enables the family migrant to earn a personal income. This reduces dependence on the sponsor, even though the latter continues to be formally responsible during the first five years.

Research data to testify how realistic this expectation is are very scarce. Those that are available seem to indicate that most family migrants find it very difficult to find a job during their first years of residence. After three years in the Netherlands the numbers of gainfully employed go up, but it is unrealistic to expect that more than half of all TCN family migrants will ever participate in the labour market (even though the research on which this expectation is based dates from before the introduction of stricter family immigration policies). Our interviews indicate that, for many TCN family migrants, entering the labour market is a step too far. They may have the right to do so, but in practice they encounter many additional barriers, such as the non-recognition of foreign diplomas, a lack of networks, an insufficient knowledge of Dutch, and discrimination. Of course, the current economic crisis with its rising unemployment has reduced job opportunities even further. As a consequence of all this, quite a few family migrants see themselves obliged to take up a job well below their level of education, which often is a frustrating experience.

In addition, during the first three years of residence, family migrants also need to prepare themselves for the civic integration exam, which they must pass in order to put an end to the sponsorship period and to have their temporary residence permit changed into a permanent one. Many family migrants also prefer to give priority to establishing a family. Birth rates are high during the first years after arrival, and childcare may take a lot of the family migrant's attention, particularly among female family migrants. At best, family migrants find some form of volunteer work, which the authorities consider to be a first, but insufficient, step in the integration process. Unfortunately, this first step is not always followed by paid activities in the labour market.

Family migrants, however, also have certain advantages in comparison to other newcomers. First, they can rely on their sponsors, who are financially responsible for them, and who usually provide housing, health insurance as well as their much needed experience and knowledge acquired through a longer stay or through having

been born in the Netherlands. Since family migrants are usually accommodated by their sponsor, they may have better opportunities than other migrants to concentrate on the initial steps of their integration, such as learning Dutch and familiarizing themselves with their new surroundings and with life in the Netherlands. They already have the networks of the sponsor to rely on. Particularly if the partner is a Dutch native, the migrant has the advantage of being automatically incorporated into a Dutch family. While having a family can provide newly arrived migrants with a social environment and with some basic knowledge, social networks and information, their new surroundings can also exercise control and withhold information and knowledge. Thus, while some families may support the migrants towards a fuller participation in society, other families may do exactly the opposite.

The family migrant's dependence on a sponsor can also become a disadvantage as it may put a strain on the couple's relationship. If any problems arise in that relationship, the family migrant is not free to step out of it, since this will have immediate consequences for his or her right to stay. The only family migrants who are allowed to obtain an independent status before having fulfilled the five-year period are those who experience forms of relational abuse, such as forced marriages, domestic or honour-related violence. Thus, many family migrants with relationship problems that do not come under one of these categories keep these hidden from the authorities and try to cope with them through informal channels, often provided by ethnic and religious communities.

Government not only decides on the rules of admission and residence that affect TCN migrants in general and family migrants in particular, it also has a responsibility to make sure that assistance can be provided in situations where residents, including TCN migrants, are no longer able to look after themselves. In the past, the national government of the Netherlands as well as most local governments used to have extensive policies to promote migrant integration. These have rapidly disappeared over the past years. Austerity policies have led not only to the shrinking of the

welfare state, but also to decreasing budgets for local government and civil society. These changes also affect migrant associations and other organizations providing assistance to migrants (and other citizens) in need. Austerity policies have gone hand in hand with a major change in the dominant political discourse. The emphasis is now on self-reliance of citizens, and targeted integration policy has thus been replaced by generic participation policies, which aim to ensure labour market participation for everyone and, as a consequence thereof, to decrease reliance on public assistance. As the national and local governments have moved from a group-oriented to a generic/integrated policy approach, the challenge for policy-makers with limited means is to find out if these policies succeed in addressing the specific problems of migrants, including family migrants.

Our conclusion is that, in recent years, the Dutch authorities have imposed more restrictions on TCN family migrants – both before and after their entry – in order to encourage them to integrate more quickly. Integration is primarily understood by the authorities as having a job, earning an income by oneself and not having to rely on the provisions of the welfare state. Although the impression is that, on average, the new rules have positively influenced the educational level of newly arriving family migrants, there is insufficient research evidence to determine whether this approach has really worked. Besides, a tension may be observed between the concept of self-reliance on the one hand – a cornerstone of current government policy – and the continuing dependence of TCN family migrants on their sponsors during the first five years of residence. In addition, the authorities seem to ignore that the ambitions of most family migrants differ from those of labour migrants. Many family migrants have different priorities than finding a job, and unlike labour migrants they have not been admitted because the labour market needs their qualifications. This, in combination with the economic crisis, makes it difficult for family migrants to enter the Dutch labour market. From our analysis it has become clear that, although legal restrictions do play a role for TCN family migrants, these interact quite often with difficulties of a socio-economic nature. Thus, stricter rules, informal constraints in the

labour market and the abolition of targeted policy efforts to support migrant integration, constitute a real challenge for TCN family migrants in their efforts to find themselves a place in the Netherlands.

7. APPENDIX 1: THE FIELDWORK

The fieldwork for IMPACIM was carried out in two cities: Rotterdam and Leeuwarden.

Rotterdam is the second largest city in the Netherlands, with 616,260 inhabitants. 48% of the population of Rotterdam consists of persons with migrant origins, which amounts to one of the highest concentration of migrants in the Netherlands. 42% of the migrant population of Rotterdam has TCN origins (including second generation migrants). It is situated in the Dutch province of Zuid-Holland, which is also the region with the highest migrant population. Rotterdam is a forerunner in terms of restrictive integration policies. In the past it had 23 priority neighbourhoods (*krachtwijken*), later reduced to seven (much larger) priority neighbourhoods (*aandachtswijken*). These receive extra policy attention targeting the alleviation of socio-economic problems concentrated in these neighbourhoods, which also have high concentrations of migrants. Currently, the local government of Rotterdam is run by a liberal-left coalition, consisting of PvdA, VVD, D66 and CDA.

Leeuwarden is a relatively small city with its 95,321 inhabitants. 18% of the population of Leeuwarden consists of migrants (including second generation migrants), which amounts to one of the lowest concentration of migrants in a Dutch medium-sized city. 13% of these migrants have TCN origins. Leeuwarden is the capital city of the province of Friesland (*Fryslân*), which is the region with the second lowest migrant population. Until recently, Leeuwarden had an openly multicultural integration policy. Whereas Leeuwarden had just one priority neighbourhood (*krachtwijk*), it currently has ten priority neighbourhoods (*aandachtswijken*).⁹⁹ Currently, the local government of Leeuwarden is run by a left-wing coalition, consisting of PvdA, PAL Groen Links and CDA.

⁹⁹ There has been a move from *krachtwijken* to *aandachtswijken* as municipality resources have been shrinking. Designating more neighbourhoods as *aandachtswijken* allows the municipality to reach more people.

In addition to the local interviews, interviews were also held at the national level with ministries, governmental agencies and some civil society organisations. A total number of 30 interviews have been conducted: 8 for the national level, 12 in Rotterdam and 10 in Leeuwarden. As we have conducted the interviews under the condition of confidentiality and anonymity, we provide below an overview of the institutional affiliations of our interviewees:

National:

- Ministry of Security and Justice (*Ministerie van Veiligheid en Justitie*)
- Ministry of Social Affairs and Employment (*Ministerie van Sociale Zaken en Werkgelegenheid*)
- IND, Immigration and Naturalisation Service (*Immigratie- en Naturalisatie Dienst*)
- ACVZ, Advisory Committee on Migration Affairs (*Adviescommissie voor Vreemdelingenzaken*)
- The Netherlands Institute for Human Rights (*College voor de Rechten van de Mens*)
- ProDemos – House for Democracy and the Rule of Law (*Huis voor Democratie en Rechtsstaat*)
- FORUM, Institute for Multicultural Affairs (*Instituut voor Multiculturele Vraagstukken*)
- Foreign Partner Foundation (*Stichting Buitenlandse Partner*)

Rotterdam:

- Municipality of Rotterdam (*Gemeente Rotterdam*)
- Rotterdam Knowledge Centre on Diversity (*Rotterdams Kenniscentrum Diversiteit*)
- SPIOR, Islamic Organizations Platform Foundation Rijnmond (*Stichting Platform Islamitische Organisaties Rijnmond*)

- DONA DARIA, Knowledge Centre on Emancipation (*Kenniscentrum Emancipatie*)
- SKIN, Together Church in the Netherlands, Rotterdam (*Samen Kerk in Nederland, Rotterdam*)
- Immanuel Church Rotterdam (*Immanuelkerk Rotterdam*)
- Residents Association Oosterflank (*Stichting Bewonersorganisatie Oosterflank*)
- SONOR, Foundation for Community Work Rotterdam (*Stichting Onderneming Opbouwwerk Rotterdam*)

Leeuwarden:

- Municipality of Leeuwarden (*Gemeente Leeuwarden*)
- Welfare Centre (*Welzijn Centraal*)
- Self-Employed Bureau Friesland (*Bureau Zelfstandigen Fryslân*)
- Tûmba, Frisian Centre for Global Citizenship and Equal Treatment (*Fries Centrum voor Wereldburgerschap en Gelijke Behandeling*)
- Partoer – Frisian Bureau for Socio-Economic Issues (*Fries Bureau voor Sociaal-economische Vraagstukken*)
- Colourful Reflection Foundation (*Stichting Kleurrijk Beraad*)
- Advisory Board Multicultural Leeuwarden (*Adviesraad Multicultureel Leeuwarden - MEVEZ*)
- Colourful Friesland (*Kleurrijk Fryslân*)
- Frontline team Heechterp Schieringen (*Frontlijnteam Heechterp Schieringen*)

8. REFERENCES

- BAGAMERI, D. 2011. *Changing integration policy towards Third Country Nationals in the European Union: integration conditions*. Masters Thesis submitted to Central European University, Department of International Relations and European Studies. Budapest, Hungary.
- BONJOUR, S. 2006. Who's in and who's out? The postwar politics and policies of family migration in the Netherlands. Paper prepared for the ESSHC Conference, Amsterdam, 22-25 March.
- BONJOUR, S. 2008. The restrictive turn in Dutch family migration policies, 1993-2005. Paper prepared for the ESSHC Conference, Lisbon, 26 February-1 March.
- BRUQUETAS-CALLEJO, M., B. GARCÉS-MASCAREÑAS, R. PENNINX AND P. SCHOLTEN 2008. Policy-making related to immigration and integration: the Dutch case. IMISCOE Working Paper: Country Report, Working Paper No. 15.
- CAREJA, R. AND P. EMMENEGGER 2012. Making democratic citizens: the effects of migration experience on political attitudes in Central and Eastern Europe. *Comparative Political Studies* 45(7): 875-902.
- CHKALOVA, K., L. MULALIC, R. VAN DER VLIET, K. OUDHOF AND C. HARMSSEN 2008. Herkomst en kenmerken van immigranten uit de voormalige Sovjet-Unie. In: *Bevolkingstrends, 4e kwartaal 2008*. CBS - Centraal Bureau voor de Statistiek Den Haag/Heerlen.
- DEFENCE FOR CHILDREN INTERNATIONAL, THE NETHERLANDS 2003. 'General Document'. To be accessed on <http://www.childoneurope.org/issues/unaccompanied/A%201.12.1%20Olanda.pdf>.

- DEHART, B., T. STRIK AND H. PANKRATZ 2013. *Family reunification: A barrier or facilitator of integration*. Country Report of the Netherlands. Family Reunification Project. Nijmegen: Radboud University.
- DE WITTE, T. 2010. *Stille Strijders*. Leeuwarden: Partoer CMO Fryslân.
- ENTZINGER, H., S. SAHARSO AND P. SCHOLTEN 2011. *Shaping immigration for integration? The Dutch migration-integration nexus in perspective*. Netherlands Country Report. EIF Project PROSINT (Promoting Sustainable Policies for Integration of TCNs).
- EUROPEAN MIGRATION NETWORK 2007. *Small Scale Study III. Third country highly skilled migrants in the EU. Entry and residence conditions in the Netherlands*. Dutch National Contact Point: IND (Immigratie- en Naturalisatiedienst)/INDIAC, Rijswijk, the Netherlands.
- EUROPEAN MIGRATION NETWORK 2008. *Family reunification report*. Brussels: European Commission.
- GEMEENTE LEEUWARDEN 2008. *"Buiten de lijntjes kleuren" Herijking visie op integratie van de Gemeente Leeuwarden*, 15 mei 2008.
- GEMEENTE LEEUWARDEN 2009. *Participatieladder: Gemeente Leeuwarden Een stap vooruit*. Implementatieplan Participatieladder Oktober 2009-April 2010, Definitieve versie, 13 november 2009.
- GELDERLOOS, W., L. SIPKES AND S. VERBERK 2002. *DNA-onderzoek in het kader van gezinshereniging*. B&A Groep Beleidsonderzoek & -Advies: Den Haag.
- GRAN, B. AND E. CLIFFORD 2000. Rights and ratios? Evaluating the relationship between social rights and immigration. *Journal of Ethnic and Migration Studies* 26(3): 417-447.

- HUMAN RIGHTS WATCH 2008. *The Netherlands: Discrimination in the name of integration. Migrants' rights under the Integration Abroad Act*. New York, USA.
- KOFMAN, E. 2004. Family-related migration: a critical review of European studies. *Journal of Ethnic and Migration Studies* 30(2): 243-262.
- KORTEWEG, A. 2012. Understanding honour killing and honour-related violence in the immigration context: implications for the legal profession and beyond. *Canadian Criminal Law Review* 16(2): 33-58.
- LA SPINA, E. 2012. DNA testing for family reunification in Europe. *Migraciones Internacionales* 6(3): 39-74.
- NESSEL, L. 2008. Families at risk: how errant enforcement and restrictionist integration policies threaten the immigrant family in the European Union and United States. *Hofstra Law Review* 36(4): 1271-1302.
- OECD 2008. Summary and recommendations: The Netherlands. In: *Jobs for Immigrants (Vol 2.): Labour Market Integration in Belgium, France, the Netherlands and Portugal*. Paris, France.
- PASCOUAU, Y. AND H. LABAYLE 2011. *Conditions for family reunification under strain – a comparative study in nine EU member states*. Brussels: European Policy Centre.
- RUFFER, G. 2011. Pushed beyond recognition? The liberality of family reunification policies in the EU. *Journal of Ethnic and Migration Studies* 37(6): 935-951.
- SCHINKEL, W. 2007. *Denken in een tijd van sociale hypochondrie: Aanzet tot een theorie voorbij de maatschappij*. Kampen: Klement.
- SPRANGERS, A., H. NICOLAAS, A. ZORLU AND J. HARTOG 2005. Vluchtelingen en gezinsmigranten vinden moeilijk werk. *Sociaal-economische trends 4^e kwartaal*: 29-37. Den Haag/Heerlen: Centraal Bureau voor de Statistiek.

- STRIK, T., M. LUITEN AND R. VAN OERS 2010. Country report: the Netherlands. *The INTEC Project: integration and naturalisation tests: the new way to European Citizenship*. Nijmegen, the Netherlands.
- VAN GENT, M., C. VAN HORSSSEN, L. MALLEE AND S. SLOTBOOM 2008. *De participatieladder: Meetlat voor het participatiebudget*. Amsterdam: Regioplan Beleidsonderzoek.
- VAN WALSUM, S. 2004. The dynamics of emancipation and exclusion. Changing family norms and Dutch family migration policies. In: *IMIS-Beiträge* 24: 119-128.
- VERWEIJ, A. AND R. BIJL 2012. Monitoring integration in the Netherlands. In: R. Bijl and A. Verweij (eds) *Measuring and Monitoring Immigrant Integration in Europe: Integration Policies and Monitoring Efforts in 17 European Countries*. Den Haag: SCP. 239-252.
- WIESBROCK, A. 2010. The right to family reunification of Third-Country Nationals under EU law; Decision of 4 March 2010, Case C-578/08, *Rhimou Chakroun v. Minister van Buitenlandse Zaken*. *European Constitutional Law Review* 6: 462-480.
- WODC (WETENSCHAPPELIJK ONDERZOEK- EN DOCUMENTATIECENTRUM) 2009. *Internationale gezinsvorming begrensd? Een evaluatie van de verhoging van de inkomens- en leeftijdseis bij migratie van buitenlandse partners naar Nederland*. Den Haag: Ministerie van Justitie.
- WODC (WETENSCHAPPELIJKE ONDERZOEK- EN DOCUMENTATIECENTRUM) 2010. *Arbeidsmigratie naar Nederland: De invloed van gender en gezin*. Den Haag: Ministerie van Justitie.
- ZORLU, A. AND J. HARTOG 2008. Employment assimilation of immigrants in the Netherlands. Tinbergen discussion paper TI 2008-057/3.