

Index

- A employment permits, Belgium 253, 256
- A M (Somalia) v Entry Clearance Officer* (2009) 301
- Abdulaziz* case 281
- accelerated asylum procedures 85
- accommodation requirements 278, 285, 286, 350
- Act on Integration Abroad (2006), Netherlands 289–90
 - contribution to integration 344
 - discriminatory effects 341–4
 - effects on immigrant communities 326–33
 - effects on incoming Turkish and Moroccan family members 331–2
 - effects on Turkish and Moroccan family members in Netherlands 329–31
 - effects on Turkish and Moroccan socio-economic position 333
 - exemptions from 326–8, 342–3
 - as intentional discrimination 339–44
 - pass rates 332
- admission, integration measures as condition for 59–61
- advocacy organisations, Germany 179–80
- age requirements 277–8, 281–2
- ‘ageing crisis’, Finland 189, 201
- Aliens Act (1997), Finland 191
- Amsterdam Treaty (1999) 3, 24, 45, 46, 274, 355
- anti-discrimination judicial claims, Italy 122
- anti-discrimination, law, tackling tensions with asylum and migration law 41–4
- Appeals Committees, Greece 128, 133–4, 135, 141–2
- Arango, Joaquín 237
- Area of Freedom, Security and Justice (AFSJ) 6
- Association Law 309–11
- asylum applications
 - Greece 127, 128, 129
 - processing 95–7, 99–100
 - timeliness of 93, 94, 95, 104
 - Turkish and Moroccan nationals 331–2
- asylum interviews 129, 131–3, 141
 - right to 83–4
- asylum law, tackling tensions with anti-discrimination and migration law 41–4
- asylum procedures
 - access to 128–31, 141
 - detention 136–40
 - Greek context 124–6
 - national legal frameworks and asylum system reform 126–8
 - quality of 131–6
- Asylum Procedures Directive 2005/85
 - 82–7
 - Article 6 130
 - Article 8–11 132–3
 - Article 12 83, 84
 - Article 13 132–3
 - Article 15 135–6
 - Article 16 135–6
 - Article 18 78
 - Article 23 83, 84
 - Article 27 83–4
 - Article 28 84
 - Article 35 85
 - Article 39 85–6, 134
 - Article 46(5) 86–7
 - Greek context 124–6
 - Recast proposal 84, 86–7

- Asylum Seekers (Directive 2003/9) 147, 153, 155
- Asylum Seekers (Reception Conditions) Regulations (2005), UK 93–4
- Asylum Service, Greece 128, 131–2, 141
- Asylum Support (Amendment) Regulations (2005), UK 93–4
- Asylum Support Partnership 96
- asylum system reform, Greece 126–8
- asylum-seekers
- and Asylum Procedures Directive 82–7
 - labour market access 99–100
 - material reception conditions 93–9
 - reception conditions 75–82
 - Stockholm Programme 74–5
 - treatment of persons with special needs 100–104
 - see also* humanitarian migrants
- asylum, European Equality Directives 21, 36–41
- Austria, integration conditions 59, 290
- Autonomous Communities, Spain 241–2, 243, 244–5
- B employment permits, Belgium 253, 256, 262
- Bah v United Kingdom* (2011) 31–2
- Belgian Linguistics* case (1979–80) 301
- Belgium
- Flemish Region diversity plans 26
 - highly skilled worker access to employment 262
 - low skilled worker access to employment 256–8
 - non-economic immigrant access to employment 252–3, 254, 255
 - situation of economic immigrants 263–6
 - status awarded to long-term and permanent residents 250–52
- Bidar v London Borough of Ealing* (2005) 296–7
- Blue Card Directive (2009/50) 159–63
- Article 1 159
 - Article 2 159–60
 - Article 5 160
 - Article 6 160
 - Article 7 159
 - Article 8 160, 161, 163
 - Article 12 147, 161
 - Article 14 38, 161, 163, 228
 - Article 15 39, 162, 163
 - Article 16 39, 162, 163
 - Article 18 40, 161
 - Article 19 161
 - implementation in Germany 218–19, 224, 258, 260–62, 263
 - Preamble 159–60, 162
- Boeles, P. 148
- border applications, detention as deterrent to 138
- border procedures 85, 129–30, 135
- Boultif* judgement (2006) 10–11
- Bressol* case (2010) 296
- C permits, Belgium 253
- C. v Belgium* (1996) 30, 32
- Cachón, Lorenzo 236–7
- Care Insurance, Germany 168, 171, 174
- care needs, Germany 168–71
- care work
- efforts to regularise labour market 171–4
 - future of workers' rights 182–4
 - policies to meet emerging care needs 169–71
 - residence status and social rights of workers 174–8
 - workers' strategies to improve working and living conditions 178–81
- Carrera, Sergio 241, 246–7
- Catalonia, proposal for integration contracts 244–5
- Central and Eastern Europe migrants
- Finland 189–90, 197, 204
 - Germany 172–84
- Chakroun* case (2010) 233, 283, 286–7, 313–14
- Chapti* case 296–7
- commentary 300–301
 - discrimination issues 299–300
 - judgement 298–9
 - key issues and arguments 298

- Charter of Fundamental Rights of the European Union
- Article 4 140
 - Article 6 76–7, 139
 - Article 7 13, 353, 354
 - Article 18 130
 - Article 21 16, 18, 27–9, 34, 35, 44, 333, 334
 - Article 24 61, 353, 354
 - Article 33 283, 354
 - Article 45 7–8, 40
 - Article 47 85, 135–6
 - Article 52 28, 42
- as change to nature and meaning of citizenship 3–4, 8–14
- impact on ECtHR case law 42
- inclusion of non-EU nationals in non-discrimination principle 27–9
- key aspects 5–8
- Preamble 17–18
- child benefit
- entitlement to 225–6, 228
 - Finland 199–200
- childcare
- Finland 186–7, 200, 203
 - Germany 168, 170–71
- childless asylum-seekers 94–5
- children
- detention of 79, 139
 - integration requirements 277–8
 - obligation to protect 61, 274, 312–13
 - qualification for reunification 303–4, 314, 358, 359–61
 - right to parental contact 354
 - rights under ECHR 280–84
- (Union) Citizens Directive (2004/38)
- 38, 39, 146–7, 153, 275, 287–8
 - Article 7 149
 - Articles 9–11 285
 - Articles 12–14 273, 285
 - Article 18 273
 - Article 23 273
 - Article 24 276–7
 - Recitals 285–6, 288–9
- civic integration model 45, 61, 63, 64–5, 66
- see also* Act on Integration Abroad (2006)
- Coleman v Attridge Law and Steve Law* (2008) 18–19
- Common Agenda for Integration (2005) 48
- Common Basic Principles for Immigrant Integration Policy (2004) 242–3
- Common Basic Principles on Integration (CBPI) 47, 48, 54, 56
- Common European Asylum Policy (CEAS) 71
- Common European Framework of Reference for Languages (CEFR) 290, 305–6
- Common Immigration Policy for Europe (2008) 49
- Communication on immigration, integration and employment (2003) 46
- community care rights and access 100–103
- community method 52, 54
- 'community preference' rules 149, 151–6, 160, 254–5, 264, 266
- Constitution
- Finland 194
 - Germany 299
 - Italy 112, 115, 119, 121–2
 - Spain 356
- constitutionalism, failure of 12
- contested immigration, Finland 192–3, 201–5, 206–7
- Convention Against Torture 89
- Convention on the Rights of the Child (CROC) 353
- Council of State, Greece 127
- country of origin information 133
- country of origin marriages 330–31, 343
- Court of Justice of the European Union (CJEU)
- case law on family reunification 233, 312–13, 316, 353–4
 - case law on national and racial discrimination 18–19, 20–21, 23–4, 34–6, 41–4, 335–7, 340, 341
 - case law on pre-entry integration 294–5
 - and Charter of Fundamental Rights 3, 12–13

- interpretation of ECHR Article 8 282–3
- ruling on income requirements 286–7
 - and stand-still clause 310–11
- cultural assimilation 45, 63, 64–5, 66
- ‘culturally close/distant’ migrants, Finland 190, 197, 200, 203
- Cyprus, integration conditions 59
- D.H. and others v Czech Republic* (2007) 336, 337
- Da Silva v Netherlands* (2007) 284
- deportation 10–11, 118–19, 150
 - case law 30, 32
 - as threat to family life 3, 10–11, 118, 119, 352
 - under ECHR Article 8 283–4
- derived residence status 273–4, 275–6, 285–6
- destitution 94–5, 96, 101, 121
- detention
 - access to legal representation 135, 136
 - conditions in 129–30, 139–40, 141
 - divergent treatment of asylum seekers in the EU 76–9
 - Greek context 124–6
 - reasons for 137–8, 141
 - vulnerable persons 103–4
- development projects, use of researcher residence permits 212–13
- direct discrimination 25, 34, 35, 229, 299–300
- disability exemptions 309, 316, 320, 321
- dispersal policy, asylum-seekers 97–8, 104, 105
- diversity 26, 49, 62, 65, 237, 247, 364
- divorce, residence rights in event of 273–4, 275–6, 285–6
- domestic work
 - efforts to regularise labour market 171–4
 - future of workers’ rights 182–4
 - residence status and social rights of workers 174–8
 - workers’ strategies to improve working and living conditions 178–81
- ‘Dublin II’ Regulation (343/2003) 72–3, 76, 91
- ‘earned’ citizenship 291–3
- economic cohesion 61–2
- economic crisis
 - Finland 188, 192, 202–3, 204, 207
 - Italy 115–16
- economic marginalisation, Finland 188–9, 198–201, 206
- economic migrants
 - labour market access 254–66
 - labour market access under EU law 157–64
 - Finland 187–8, 190, 191–2
 - see also* researcher’s residence permits
- economic obligations model, Finland 188–9, 193–8
- economic relations, as criteria for exemption from integration requirements 306–8
- education access
 - asylum-seekers 98
 - case law 31, 32–4
 - European Economic Area (EEA) 276
 - in Equality Directives 37–8
 - Finland 196, 203
 - Italy 108, 115
 - monitoring 54
- educational qualifications, recognition of 160, 228–30
- effective remedy, right to 85–6 133–4
- elder care, Germany 168, 171
- Employers’ Sanctions Directive (2009/52) 147
- Employment Equality Directive (2000/78) 16, 18, 25–6
- employment services, Finland 199
- entry rights
 - guidelines of ECHR 279–82
 - jurisprudence of CJEU 282–3
- equal treatment principle 17, 43, 46, 55, 63, 66
- ethnic discrimination
 - legal case for Act on Integration Abroad as 339–44
 - legal framework 333–9
- ethnic monitoring 26

- ethnicity, identification of 329
- Eurodac system (Regulation No 2725/2000) 73
- Europe 2020 strategy 36, 62
- European Agenda for Integration of Third-Country Nationals (2011) 51–2, 53, 65–6, 67
- European Commission against Racism and Intolerance (ECRI) 20
- European Convention on Human Rights (ECHR)
- Article 1 333
 - Article 3 94–5, 140
 - Article 5 76–7, 137–8
 - Article 8 10–11, 58–9, 278–84, 296–7, 298, 299, 311–12, 314, 322, 351–2, 353, 356
 - Article 12 281, 297, 298
 - Article 13 134, 135–6
 - Article 14 31–2, 33, 296–7, 299–300, 301, 333
 - Article 39–46 8
 - Article 52 7–8
- and Charter of Fundamental Rights 15
- on entry and residence 278–84
 - Member States obligations 6
 - on nationality and race 33–4, 35
- European Court of Human Rights (ECtHR)
- case law on detention 77, 85, 86
 - case law on family reunification 311–12, 314–15, 351–2
 - case law on national and racial discrimination 19, 30–34, 41, 42–4, 335–8, 340, 342–3
 - and Charter of Fundamental Rights 6, 10–11, 12, 15
 - interpretation of ECHR Article 8 279–82
- European Economic Area (EEA)
- differential treatment of EEA and non-EEA citizens and family members 284–93
 - family reunification with EEA citizens 273–4
 - family reunification with non-EEA citizens 274–8
 - human rights framework on family unity 278–84
- European Fund for the Integration of Third-country Nationals 53
- ‘European modules’ 52
- European Pact on Immigration and Asylum (2008) 49–50, 64
- European Parliament v Council of the European Union* (2006) 353–4
- European Parliament, powers of 14–15
- European Refugees Fund 53
- European Regional Development Fund 53
- European Union citizenship
- Bill of Rights for EU citizens 5–8
 - transformation of rights 11–14
- European Union Directives equality clauses
- case law on nationality and race discrimination 30–36
- Charter of Fundamental Rights on nationality discrimination against TCNs 27–9
- Directives on migration and asylum 36–41
- Directives on nationality and race discrimination 25–6
- nationality and race under in TFEU 22–5
- setting the framework 17–21
 - tackling tensions between EU anti-discrimination and migration and asylum law 41–4
- European Union law
- integration exemptions required by 308
 - protection of family life in 311–16
 - right to family reunification 354–6
- European Union law on market access economic migrants 157–64
- European citizens and long-term residents 148–52
- non-economic migrants 152–6
- European Union level integration policy
- constraints and potentialities of EU Common Integration Policy 52–6
 - evolution of EU policies 46–52
 - integration requirements in Member States 56–61
- EUROSTAT 129

- family life
 - protection in EU Law 311–16
 - right to 10–11, 58–9, 182–4, 279–84, 347–8, 352–4, 356
 - in ECHR 311–12
- family members
 - effects of Dutch integration tests 326–33
 - inequalities between EEA and non-EEA citizens 285–9
 - rights conferred by researcher's residence permit 225–30
- family reunification
 - EEA citizens 273–4
 - effects of integration testing 317–19, 328–32, 343
 - 'elsewhere' approach 280
 - in equality directives 38–9
 - in EU law 312–15, 354–6
 - human rights framework 278–84
 - international human rights bodies' approach to 350–54
 - international legal framework 347–50
 - non-EEA citizens 274–8
 - restrictive effects of Organic Law 2/2009 359–61
 - rights under Family Reunification Directive 312–15
 - Spanish legislation 239, 240–41, 356–8
- family reunification and language skills
 - language requirement
 - implementation and effects 317–22
 - language requirement
 - implementation into law 305–11
 - protection of family life in EU law 311–16
- Family Reunification Directive (2003/86/EC) 274–8
 - Article 3 38
 - Article 4 240, 277, 287, 294, 312, 314, 353–4, 359
 - Article 5 313
 - Article 7 39, 57, 59, 61, 233, 278, 286, 287, 289–93, 294, 312–13, 314, 315–16
 - Article 8 240–41, 285, 313, 315, 353–4
- Article 12 39, 277
- Article 14 38, 147, 154, 155, 254, 276, 277, 288
- Article 15 275
- Article 17 283, 313
- on integration requirements 58–9, 162
- on labour market access 153, 222
- Recitals 275, 276, 278–9, 284–5
- restrictive nature of 355, 359–61
- and subsidiary protection 40–41
- FeMiPol project 168
- Filipino migrant workers 180
- financial instruments 53
- financial support, asylum-seekers 96–7
- Finland
 - policy phases 189–93
 - residence-based welfare regime and immigration 186–9
 - social dependence problems 198–201
 - three paths integration plan and contested immigration 202–5
 - work integration problems 193–8
 - Firma Feryn NV* (2008) 18–19, 34, 35
 - first instance claims, Greece 127, 128, 131–3, 141
- First Report on Immigration and Integration (2004) 47
- first-degree ascendants
 - labour market access 277
 - qualification for reunification 358
- forced marriages 281–2, 306, 321, 322
- France
 - integration conditions 59, 60
- free movement
 - Blue Card holders 161–2
 - Central and Eastern European migrant workers 175–7, 177, 178, 183
 - in equality directives 39–40
 - limitation of 76–7, 85
 - long-term residents 150–52
 - provisions for 46, 66, 251–2, 266
 - researchers 212, 213
- Friuli Venezia-Giulia Law 24/2009 114–15
- Fundamental Law, Germany 316
- Fundamental Rights Agency 129

- Gelmini Regulation (Circolare Gelmini) 27
- gender contract 169–71
- gender equality, Finland 186–7, 189, 190, 194–5, 206, 207
- General Practitioners' (GPs), UK 99, 105
- Geneva Convention (1951) 71, 74, 108, 130, 137
- Article 1A 87
- Article 23 113
- Article 31 77–8
- Geneva Protocols (1967) 71
- Germany
- Courts' challenges to pre-entry language requirement 315–16
 - family reunification applications 58
 - future of rights of domestic and care workers 182–4
 - highly skilled worker labour market access 260–62
 - labour market access for low skilled migrants 256, 257–8
 - labour market access for non-economic migrants 252–5
 - labour market regularisation for domestic and care work 171–4
 - language requirement
 - implementation effects 317–22
 - language requirement implementation into law 305–11
 - low skilled worker labour market access 256, 257–8
 - policies to meet emerging care needs and modification of gender contract 169–71
 - researcher's residence rights and labour market access 222–4
 - researcher's residence permit procedures 214–22
 - residence status and social rights of domestic and care workers 174–8
 - rights conferred by Researcher's Residence Permit 225–30
 - situation of economic immigrants 263–6
 - status awarded to long-term and permanent residents 249–50, 251–2
 - women's strategies to improve working and living conditions 178–81
- Global Consultations on International Protection 81–2
- Global Migration Approach (2005) 47–8, 50
- Goethe Institutes 305–6, 319–20, 321
- Greece
- asylum procedures 128–36
 - asylum procedures and detention in Greek context 124–6
 - detention of asylum-seekers 136–40
 - equality concerns 140–42
 - integration conditions 59, 60
 - national legal framework and asylum system reform 126–8
- Greek Action Plan on Migration Management (2010) 127
- Greek Council for Refugees 135
- Green Paper on Family Reunification (2011) 58–9, 294–5, 314
- Green Paper on Managing Economic Migration (2004) 158
- Groenendijk, Kees 231–3
- Grzelczyk* case (2002) 296
- Hague Programme (2004) 47
- Hailbronner, K. 148
- health care, access to 88, 92, 93, 98–9, 100, 106, 108, 113–14, 121
- health exemptions, language requirement 309, 316, 320, 321
- health insurance requirements 149, 160, 249, 251, 278, 285
- researchers 215, 216, 219–20
- Hellenic Police, as first-instance decision-making authority 130, 131–3, 134
- highly skilled migrants
- exemption from pre-integration requirements 308
 - labour market access 164, 157–63, 258–66
- housing benefits, Spain 239, 240
- housing provision
- asylum-seekers 93–5, 96, 97–8, 101, 104, 106, 201
 - case law 31–2

- refugees and subsidiary protection
 - beneficiaries 109–13
- human rights framework, family
 - reunification 278–84
- human rights monitoring 350–51
- human trafficking 202, 204
- humanitarian criteria, family
 - reunification 359
- humanitarian migrants 188–93
 - integration and contested immigration 202–5
 - social dependence 198–201
 - work integration 193–8
- I.M. v France* (2012) 85
- Immigration Act (2005), Germany 174
- Immigration and Asylum Act (1999), UK 93–4, 96, 100, 101
- immigration dynamics
 - Finland 186–93
 - Spain 234–8
- Imran v Minister van Buitenlandse Zaken* (2011) 294–5, 313, 314, 316
- income requirement 149, 249, 251, 260, 262, 278, 285–6, 291–3, 313
 - relying on Family Reunification Directive 291–3
- researchers 211, 214, 215–16, 220
- independent residence status 273–4, 275–6, 285–6
- indirect discrimination
 - against Turkish and Moroccan migrants 341
 - case law 33–5
 - in Charter of Fundamental Rights 27–9
 - in equality directives 25–6
 - Finland 196
 - on grounds of nationality 226–30
 - legal framework 334–9
 - possibility for justification and margin of appreciation 338–9
- informal labour market, Germany 171–4
- Inheritance Law, Germany 171
- institutional competences, Italy 121–2
- institutional reforms, Finland 192, 199
- integration, exemptions due to absence of need for 308–9
- Integration Act (1999), Finland 191
- integration models 45, 61–7
- integration monitoring 53, 54, 60, 194–5
- integration policy
 - constraints and potentialities of EU Common Integration Policy 52–6
 - evolution of EU policies 46–52
 - requirements in Member States legislation 56–61
- integration-led restrictions, EEA 275–8, 281–2
- intentional indirect discrimination
 - Act on Integration Abroad as 339–41
 - legal framework 335–6
- International Convention on the Elimination of all forms of Racial Discrimination (ICERD) 20, 333–4, 336, 340–41, 342
- International Covenant on Civil and Political Rights (ICCPR) 138, 140, 351
- international human rights bodies, approach to family reunification 350–54
- international human rights treaties 12, 19–20
- international labour agreements 256, 262, 265
- International Labour Organization 182–3
- international legal framework, family reunification 347–50
- international protection, rights of people granted 87–90
- interpretation requirements 84, 99, 105, 129, 132–3
- intra-corporate transferees 158–9
- irregular entry 77–8, 127, 137–8
 - criminalisation of 118–19
- irregular workers, Germany 174–84
- Italian Office for the Elimination of Racial Discrimination (UNAR), Italy 111
- Italy
 - Circolare Gelmini 26
 - refugee access to key social goods 109–17
 - refugee integration 119–23

- Security Law and government strategy 118–19
- Kamberaj v IPES* (2012) 17, 19, 34–5, 43
- Küçükdeveci v Swedex GmbH & Co.* (2010) 18–19
- labour market access
 - asylum-seekers 80–82, 99–100, 104–5, 195
 - economic migrants 157–64, 254–66
 - European Economic Area 276, 277, 285, 288–9
 - European citizens and long-term residents 148–52
 - highly skilled economic immigrants 258–66
 - long-term residents and permanent residents 249–52
 - low-skilled economic migrants 254–8
 - non-economic immigrants 152–6, 254, 255
 - refugees 115–17
 - researchers 220, 263
 - researcher's spouses 222–4
 - students 250–51, 262
- labour market access, domestic and care workers
 - future of worker's rights 182–4
 - labour market regularisation 171–4
 - policies to meet care needs 169–71
 - worker's residence status and social rights 174–8
 - workers strategies to improve working and living conditions 178–81
- labour market subsidies, Finland 196, 198
- labour market tests 151, 152–6, 160–61, 162–3
 - Belgium, Germany and UK 252, 256, 257, 259, 264, 266
 - exemptions 260, 262, 265
- labour shortage lists 100, 256–7, 259, 261, 264–5, 266–7
- labour shortages, Finland 191–2, 203–4
- language certificates 305–6, 319–20
- language courses
 - availability of 317–19
 - evaluation of 319–22
- language requirements
 - asylum-seekers 84, 196
 - challenges to 315–16
 - exemptions 306–9
 - implementation and effects 317–22
 - Italy 119
 - Spain 243–6
 - UK 251
 - see also* pre-entry integration tests
- language tests 49, 51, 56–61, 305–6
- Latin alphabet 317–19, 320
- Law 12/2009, Spain 356–7
- Law 133/08, Italy 112
- Law 189/02, Italy 110–11
- Law 30/1992, Spain 358
- Law 3907/2011, Greece 127–8, 131–2, 137, 141, 142
- Law 94/2009, Italy 118–19
- Law for Alimonies (2008), Germany 170
- legal assistance, right to 135–6, 142
- legally binding rights 12–13
 - need for 6–7
- Legislative Decree 140/05 Italy 115
- Legislative Decree 215/2003, Italy 122
- Legislative Decree 251/07, Italy 108, 111, 112, 113–14, 115, 116
- Legislative Decree 286/98, Italy 109–10
- liberty, right to 76–7, 85
- Lisbon Strategy 53
- Lisbon Treaty (2009) 3–5, 6–7, 9, 14–15, 22, 41–2, 62, 63, 355
- Lithuania, integration conditions 59
- live-in migrant care workers 175–84
- living conditions, migrant care workers, 174–8
 - strategies to improve 178–81
- local authorities, provision of support 101–3, 104, 106
- local integration projects, Italy 119–20
- long-term residents
 - enjoyment of rights 239–41
 - exemption from pre-integration requirements 308
 - family reunification in EEA 274–8
 - housing provision 110, 112–13

- immigration dynamics and laws 234–8
- integration as means to acquire residence rights 241–6
- labour market access 249–52
- labour market access under EU law 148–52
- status awarded to 249–52
- Long-Term Residents Directive (2003/109/EC) 148–52
 - Article 3 39, 149
 - Article 4 149
 - Article 5 39, 60, 150, 232–3
 - Article 7 149
 - Article 9 150
 - Article 10, 150
 - Article 11 38, 150
 - Article 14 40, 147, 150, 151, 154, 155
 - Article 15 40, 57, 151
 - Article 16 150, 151
 - Article 17 151
 - Article 18 151
 - Article 21 151, 152, 154
 - Article 22 151
 - Belgian interpretation of 251, 252, 256–7
 - free movement restrictions 155, 251
 - German interpretation of 250
 - Preamble 146, 149, 150
 - Recitals 55
 - Spanish implementation of 234, 235, 241, 245–6, 247
- low skilled migrants, labour market access 164, 254–8
- Maastricht Treaty (1992) 3, 9
- McColgan, Aileen 301
- managed integration, Finland 191
- Mangold v Helm* (2005) 18–19
- ‘manifestly unfounded’ claims 83–4
- ‘marriage migration’ 189–90
- Marshall, T.H. 8–9, 11
- Maruko v Versorgungsamt der deutschen Bühnen* (2008) 18–19
- Member State nationals
 - differential treatment 72–87, 90, 92, 98–9
 - differentiation with long-term residents in EU law 148–52
- Member States
 - discretion in labour market access 148–57, 159–63
 - integration requirements 56–61
 - international responsibilities on family reunification 354–6
 - obligation to deliver Charter rights 12–14
- Migration Advisory Council, UK 292–3
- migration law, tackling tensions with anti-discrimination and asylum law 41–4
- ‘migration marriages’ 330–31, 343
- Migration Policy Group 293
- Migration Policy Index (Mipex) 187, 193, 194
- migration policy, interplay with integration goals 45, 47, 50–51, 56–61, 63–5
- migration, European Equality Directives 21, 36–41
- ‘minor employment’, Germany 172–3
- Moroccan ethnic minorities
 - discriminatory effects on 341–4
 - effects of integration tests on family members in Netherlands 329–31
 - effects of integration tests on incoming family members 331–2
 - intentional discrimination against 339–41
 - as ‘non-western’ migrants 326–8
 - pass rates for integration test 332
 - socio-economic position 333
 - ‘most adequate means’ formula 280–81, 312, 322
- mother–worker contract, Nordic countries 186–9, 193, 200, 207
- Moustaquim* (1996) 30, 32
- MSS v Belgium and Greece* (2011) 136, 140
- multidimensional integration model 45, 63, 65–7
- Muslim immigrants 276
- National Assistance Act (1948), UK 101
- ‘national constitutional settlements’ 12, 13–14

- national football regulation, Italy 117
- National Institute for Social Security (INPS), Italy 114
- nationalism, tensions with
Europeanisation 60, 64–5
- Nationality Act (1981), UK 290–91
- nationality and discrimination
case law 30–36
non-discrimination principles under
Charter of Fundamental Rights 27–9
non-discrimination principles under
EU Equality Directives 25–6
non-discrimination principles under
TFEU 22–5
overview 17–21
- Nationality, Immigration and Asylum Act (2002), UK 94–5, 291, 293
- nationality, integration exemptions on basis of 306–8
- Netherlands
family reunification applications 58
integration conditions 59, 60, 61, 294, 305, 309–10, 313–14
integration tests and effects on
immigrant communities 326–33
legal and ethnic discrimination in
discrimination tests 339–44
non-discrimination principle 17–21, 92, 354
extension to include non-EU
nationals 27–9
- non-economic migrants
Finland 187–93
labour market access 152–6, 254, 255
labour market access under EU law 152–6
residence and work permits 252–3
work integration 193–208
- non-economic movement, long-term residents 150–52
- non-EU nationals, loopholes relevant to protection of 21–9
- non-refoulement* principle 87, 119, 133, 134, 141
- non-governmental organisations (NGOs), Greece 129–30, 132, 135
- non-judicial phase, legal assistance 135–6
- ‘non-western’ immigrants
capacity for integration 326–8, 339
Finland 190, 197, 200, 203
as racial/ethnic categorisation 340
Nordic welfare regime 185–9, 193–201, 206–9
Nordic work ethic 193, 196–9
Norway, migration policies 187
- Odysseus Academic Network report 75–6, 136
- Open Method of Coordination (OMC) 53–4
- ‘ordinary residence’ establishing 102–3
- Organic Law 2/2009, Spain 357, 358
restrictive effects on right to family reunification 359–61
- Oršuš and others v Croatia* (2010) 33–4
- parent benefit entitlement 226
- parental leave 170–71
- Parliament v Council* (2006) 282–3, 312–13
- Partido Popular, Spain 244–5
- Patmalniece v Secretary of State for Work and Pensions* (2011) 293
- Peers, S. 148
- pension entitlements 228
- permanent residents, status awarded to 249–52
- pluralistic integration model 18, 63–4
- points-based immigration system, UK 257, 258–60
- Polish domestic workers, Germany 175–6, 180
- political sensitivities, economic migration 157
- Ponomaryov v Bulgaria* (2011) 31, 32
- post-doctoral scholars, residence permits 219–22
- pre-entry integration tests
challenges in German courts 315–16
contesting 294–301
demonstration of basic language skills 305–6
effects on immigrant communities 326–33
evaluation by German government 319–21
exemptions 306–9

- legal case for racial and ethnic discrimination 339–44
- and protection of family life 311–16
- relying on Family Reunification Directive 289–91
- statistics of impact 317–19
- Turkish nationals and family members 309–11
- Turkish study of effects of 321–2
- Presidential Decree 114/2010, Greece 127, 128, 131, 132, 133, 135, 137, 139, 141
- Presidential Decree 220/2207, Greece 126
- Presidential Decree 81/2009, Greece 126–7
- Presidential Decree 90/2008, Greece 126, 127
- private research institutions, use of residence permits 212–13, 218
- procedural fairness, asylum-seekers 82–7
- proportionality principle 59–60, 164, 245, 289, 295, 298–9, 314, 316, 343–4
- public sector employment, Italy 116–17
- Qualification Directive 2004/83 87–9
 - Article 2 87
 - Article 4 133
 - Article 12–14 273
 - Article 15 87–8
 - Article 26 117, 147, 155
 - Article 29–30 88
 - Italian transposition and implementation of 109–19
 - Recast Directive (2011/95) 88, 123
 - quota employment system 151, 153, 155, 160, 165, 167, 210
 - UK 257, 258–60, 266
 - quota refugee system 191, 204
- R (Chong Meui Ooi) v Secretary of State for the Home Department* (2007) 295–6
- R (Limbuella) v Secretary of State for the Home Department* (2006) 94–5
- R (Quila) v Secretary of State for the Home Department* (2011) 281–2
- R v Wandsworth LBC* (2000) 101
- R v Westminster City Council* (1997) 101
- Race Relations Act (1976), UK 297
- racial discrimination
 - case law 30–36
 - legal case for Act on Integration Abroad as 339–44
 - legal framework 333–9
 - non-discrimination principles under EU Equality Directives 25–6
 - non-discrimination principles under TFEU 22–5
 - overview 17–21
- Racial Equality Directive (2000/43) (RED) 33, 34–5, 117, 344, 336–7
 - Article 2 334
 - Article 3 18, 19, 25, 35, 334
 - Article 13 21
 - Article 15 35
 - Preamble 25
- racially motivated violence claims 32–3
- reception centres 127–8, 136–40
- reception conditions 79–80
 - health care services access 98–9
 - provision of 93–5
 - recommendations for reform 104–6
 - timing and adequacy of 95–8
- Reception Conditions Directive (2003/9) 75–82
 - Article 7 77, 138
 - Article 11 81, 92, 99–100, 105, 106
 - Article 13 79, 92, 93–9, 104, 140
 - Article 14 93, 97–8
 - Article 16 93, 104
 - Article 17 80, 92, 100–104, 105
 - Greek context 124–6
 - implementation in UK 91–104
 - Recast proposal (2011) 78–80, 81
 - recommendations for reform 104–6
- Reception Law (2010), Catalonia 245
- reciprocity 239, 291–3
- Recommendation 2005/761 (visas for researchers) 209–10
- Recommendation 2005/762 (conditions for scientific research) 210
- Recruitment Stop 173–4, 175, 176–7
- refugees
 - access to key social goods 109–17

- difference in status with asylum-seekers and subsidiary protection beneficiaries 40–41
 - exemption from pre-integration requirements 308
 - general constraints, divergent practices and anti-discrimination scenarios, Italy 119–23
 - recent legal developments 118–19
- Régimen Comunitario*, Spain 235–6
- Régimen General*, Spain 236
- regional legislation
 - Italy 114–15, 121–2
 - Spain 244–5
- Regulation 1612/68 (1968) 273, 274
- Regulation on Visa-Kodex of the Union (810/2009) 209–10
- research institutions
 - accreditation 211, 212, 214
 - admission agreements 210–12, 214–16
 - involvement in immigration law assessment procedure 212
 - legal relationship with researchers 215, 219–20
- research projects, duration of/changes to 217–19
- Researcher Directive (2005/71)
 - Article 2 214
 - Article 3 220
 - Article 5 147
 - Article 6 147, 157–8, 216, 218, 219
 - Article 7 214–15
 - Article 9 39
 - Article 10 228
 - Article 11 157–8, 225
 - Article 12 38, 225
 - Article 13 212
 - Article 14 40
 - Article 18 225
- researcher's residence permits
 - advantages and disadvantages of 212, 213
 - grounds for refusal 214–15
 - issuance of permits and duration of residence 216–19
 - overview 209–13
 - procedural issues 214–22
 - residence right and labour market access for spouses 222–4
 - rights conferred by 225–30
 - 'silence procedure' 217
- Residence Act, Germany 316
- residence duration, researchers 216–19
- Residence Ordinance (AufenthG), Germany 210–13, 14–15, 218–24, 225–6, 228–9
- Residence Ordinance (AufenthV), Germany 210–11, 214, 215–18
- residence permits
 - differential treatment 88–9
 - non-economic migrants 252–3
 - as requirement for reunification 358, 359–61
 - see also* researcher's residence permits
- residence registration, denial of 121
- residence rights
 - jurisprudence of CJEU 282–3
 - jurisprudence of ECHR 279–82
 - researcher's spouses 222–4
- residence security, in equality directives 39
- residence status
 - long-term and permanent residents 249–52
 - migrant care workers 174–8
- residence-based welfare regimes 186–9, 193–201, 206–9
- returnees, Finland 189–90
- Returns Directive (2008/115) 10–11, 78
- rights-based integration model 45, 46–7, 62, 63–4
 - Spain 231–2, 235–6, 238–41
- riots, Italy 117
- Roma 32–3, 34
- Rome Treaty (1957) 3, 9, 22
- Royal Decree (1999), Belgium 253, 256, 257, 262, 263
- Royal Decree 557/2011, Spain 357, 358, 359
- 'safe third country' rule 83
- salary requirement, highly skilled workers 160, 259, 262, 263, 264, 267
- scholarship holders, residence permits 219–22

- Seasonal Workers' Directive 257
- seasonal workers 37, 117, 158–9, 275
- Security Law 94/2009, Italy 118–19
- self-employment
 - Finland 196
 - non-economic migrants 152–7
 - right to access 223–4
- self-help groups, Germany 179–80
- self-reliance 81
- self-study, language learning through 320–21
- Sen* case 280–81, 282
- separation, residence rights in event of 273–4, 275–6, 285–6
- 'serious harm' risk 87–8, 92
- service vouchers, Germany 172
- Services Directive (96/71) 175–6
- 'Single Permit' Directive (Directive 2011/98) 21, 36–8, 54–5, 66, 147, 159, 163–4
 - Article 2 153
 - Article 4 163, 272–3
 - Article 5 163
 - Article 6 163
 - Article 10 164
 - Article 11 57
 - Article 12 38, 153, 157–8, 164
 - Preamble 38, 54–5
- social cohesion 61–2, 64–5
- social constructs, race and ethnicity as 20, 340
- social dependence/independence 198–201, 286–8, 291–3
- social goods access
 - in equality directives 36–41
 - refugees and subsidiary protection beneficiaries 109–17
- social rights 9
 - migrant care workers 174–8
 - future of 182–4
- social security coordination 9, 227–8
- social security reform, Finland 193–4
- social welfare access
 - asylum-seekers case law 30, 31, 34–5
 - in equality directives 37–8
 - Finland 188–9, 193–8
 - Germany 249
 - refugees 113–14
 - researchers 225–8
 - subsidiary protection beneficiaries 88
- socio-economic status
 - Turkish and Moroccan households 333, 339–41
 - 'western' and 'non-western' migrants 326–8
- soft-law instruments
 - family reunification 349–50
 - integration 47, 52–4
- solidarity principle 17, 54–5, 71–2, 204–5
- Spain
 - changes in immigration dynamics and laws 234–8
 - family reunification law 356–8
 - long-term resident integration and rights 238–46
 - restrictive effects of Organic Law 2/2009 on right to family reunification 359–61
 - 'special legal order' argument 30–31
- spouses
 - alignment of status with sponsors' status 307–8
 - impact of pre-entry language requirement 317–19
 - pre-entry language requirement 289–93, 303–11
 - qualification for reunification 357, 359–61
 - residence rights and labour market access 222–4
 - rights conferred by researcher's residence permit 225–30
- SPRAR integration projects, Italy 119–20
- stand-still clause 310–11
- Statistics Netherlands 327–8, 329
- Stec v United Kingdom* (2006) 299
- stereotyping 328, 329–31, 342
- Stockholm Programme (2009) 36, 50, 58, 62, 66–7, 74–5, 235
- Strategic Plans for Citizenship and Integration, Spain 234, 240, 242–3, 247
- strict scrutiny 30, 31, 32, 338
- Student Directive (2004/114) 10, 40, 147, 154, 220–21

- students
 - labour market access 250–51, 262, 265
 - residence permits 213, 219–22
- subsidiarity principle 52, 59, 206, 295, 314
- subsidiary protection applicants 87–90
 - access to key social goods 109–17
 - difference in status with asylum-seekers and refugees 40–41
- subsistence requirements 149, 249, 251, 260, 262, 278, 285–6, 291–3, 313
 - researchers 211, 214, 215–16, 220
- substantive equality 140, 343
- suspensive effect rule 86–7, 134
- Sweden, migration policies 187

- Tampere Conclusions 36, 45, 46, 55, 146, 232, 235, 276
- Temporary Protection Directive 2001/55/EC 72–3, 91, 153
 - Article 12 154
- Thlimmenos v Greece* (2001) 301
- Tier 1 immigration, UK 258–9, 260, 266
- Tier 2 immigration, UK 259, 260, 266
- Tier 3 immigration, UK 257
- torture survivors, detention 103–4
- trade unions, response to irregular migrants 180–81
- traditional division of labour, Germany 169–71
- transit centres 85
- Treaty on the European Union (TEU) 7, 41
- Treaty on the Functioning of the European Union (TFEU)
 - Article 18 16, 18, 21–9, 34
 - Article 19 16, 18, 21–9
 - Article 45 22
 - Article 67 71–2
 - Article 78 37
 - Article 79 37, 52–3, 65
 - Article 289 24
 - nationality and race under 22–5
- True Finns Party 192
- Tuquabo-Tekle* case (2005) 281, 282
- Turkey, study into language requirement effects 321–2
- Turkey–EU Association Agreement 304, 309–11
- Turkish migrants
 - discriminatory effects on 341–4
 - effects of integration tests on family members in Netherlands 321–2, 329–31
 - effects of integration tests on incoming family members 331–2
 - intentional discrimination against 339–41
 - as ‘non-western’ migrants 326–8
 - pass rates for integration test 332
 - pre-entry language requirement in Germany 309–11
 - socio-economic position 333
 - visa applications 317–18

- UK
 - attainment of civil rights 9
 - ethnic monitoring 26
 - highly skilled worker labour market access 258–60
 - implementation of right to employment 99–100
 - income requirement 291–3
 - integration requirements 277–8, 290–93
 - low skilled worker access to employment 257–8
 - non-economic immigrant access to employment 253–4, 255
 - provision of material reception conditions 93–9
 - recommendations for reform in treatment of asylum-seekers 105–6
 - reunification requirements 281–2
 - situation of economic immigrants 263–6
 - status awarded to long-term and permanent residents 251–2
 - treatment of persons with special needs 100–104
- UK Border Agency (UKBA) 94, 95–6, 98, 100, 101, 104, 105–6
- UK courts
 - rulings on post-entry language requirements 295–6

- rulings on pre-entry language requirements 296–300
- unemployment benefits, Finland 198–9
- unintentional indirect discrimination, legal framework 336–8
- United Nations (UN)
 - Committee on the Elimination of Discrimination against Women (CEDAW) 351
 - Committee on the Elimination of Racial Discrimination (CERD) 351
 - Committee on the Rights of the Child (CRC) 351
 - Human Rights Committee (CCPR) 350–51
 - Resolution on Protection of Migrants (2010) 346
 - UNDP gender empowerment index 189
 - UNHCR 15, 74–5, 77–8, 81–2, 83, 89, 108, 126, 129, 132, 133–4
- unlimited leave to remain, UK 251
- unpaid family labour, Germany 169–71
- urban refugee populations, Italy 121
- US Supreme Court 335
- ver.di 181
- Victims of Trafficking (Directive 2004/81) 147, 153, 154
- visa applications
 - Moroccan and Turkish nationals 331–2
 - researchers 209–10, 216–17
- voting rights 239–40, 242
- vulnerable asylum-seekers
 - community care services 100–103
 - and family reunification 351
 - Greece 128, 130, 140
 - in detention 103–4, 105–6
 - Italy 112
 - waiting period
 - family reunification 315
 - labour market access 151–3, 154–5, 156, 160, 162, 165, 266, 365
 - wards, qualification for reunification 358
 - Weberian state 13–14
 - ‘weighty reasons’ test 30, 31–2, 298, 300
 - welfare universalism 185, 193–4, 199–200, 205, 206–7, 231
 - ‘western’ migrants
 - capacity for integration 326–8, 339–41
 - exemption from integration requirements 306–8
 - Westminster CC v the National Asylum Support Service* (2002) 101
 - widowhood, residence rights in event of 273–4, 275–6, 285–6
 - Wiesbrock, A. 148
 - women migrants, Finland 195–7, 198–201, 203
 - women’s organisations, Germany 179–80
 - work contract requirement 160, 175, 177, 197, 256, 259, 262–3, 264, 265
 - researchers 218, 215, 221, 226
 - work integration
 - problems with 193–208
 - three paths integration plan and contested immigration 202–5
 - and social dependence 198–201
 - work permits, non-economic immigrants 252–3
 - working conditions, migrant care workers 174–8
 - strategies to improve 178–81
 - working hours, Germany 176
- ZH (Tanzania) v Secretary of State for the Home Department* (2011) 284