

**HUMAN RIGHTS,
DEMOCRACY
AND THE RULE OF LAW**

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

**DROITS DE L'HOMME,
DÉMOCRATIE
ET ÉTAT DE DROIT**



Council of Europe and ALTE Survey 2018

Introduction Data and Results (1)

Bart Deygers

Strasbourg, 16 October 2019



The only survivors of 150 people who walked from Lodz to Berlin. 1945



Belgian refugees awaiting transportation.1945

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.



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A society is judged by its treatment of its weakest and most vulnerable members.



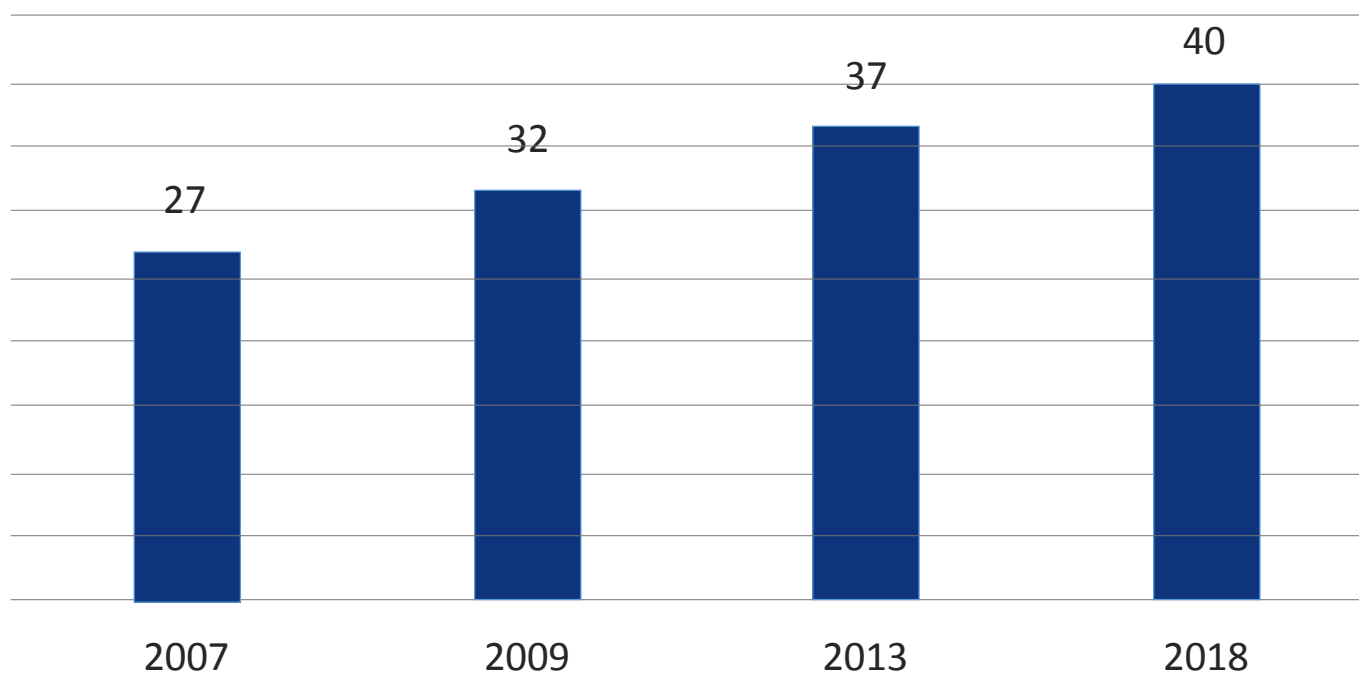
People walking from Aleppo, Syria to Röszke, Hungary. 2015



Syrian family in Passau, Germany. 2015

LINGUISTIC INTEGRATION OF ADULT MIGRANTS: REQUIREMENTS AND LEARNING OPPORTUNITIES

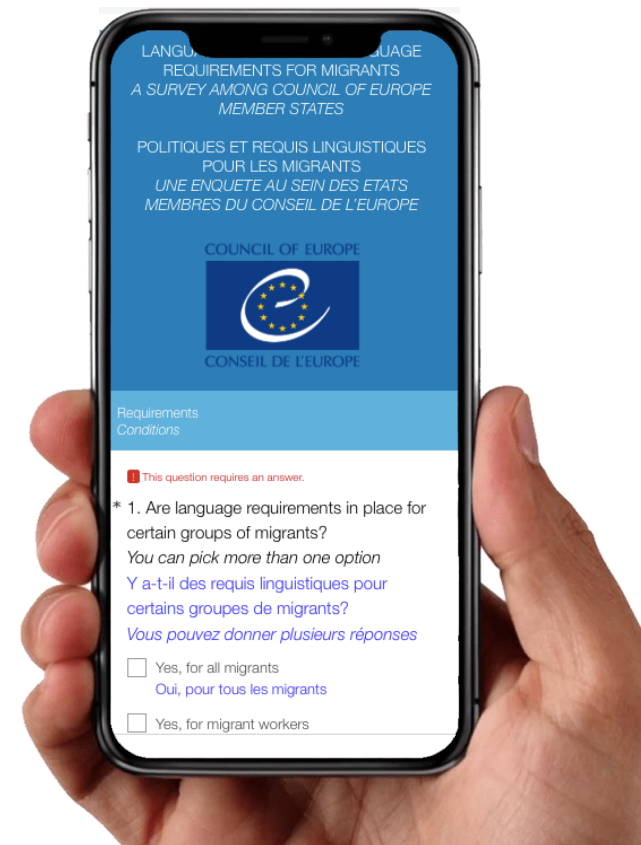




September – December 2018

government-affiliated respondents
40 member states (41)

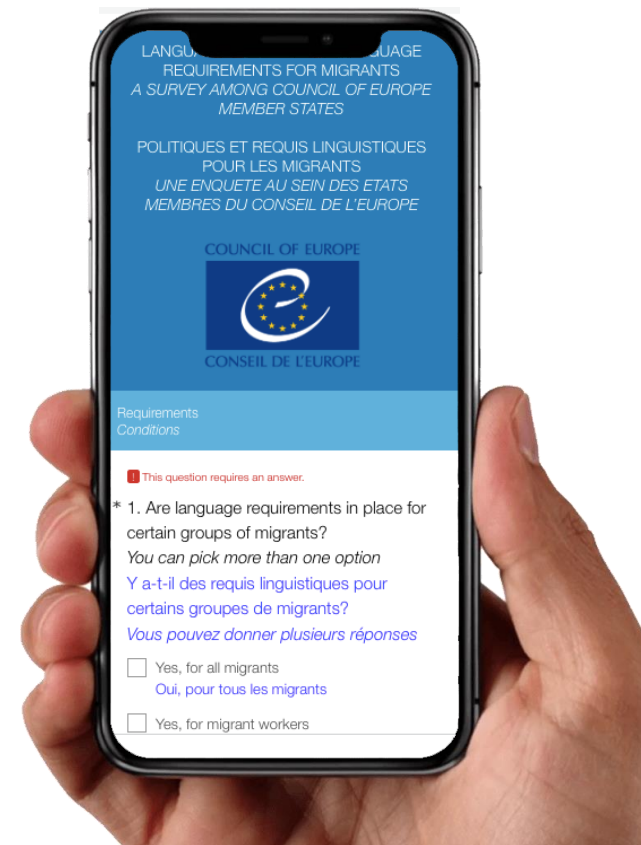
non-government-affiliated respondents
21 member states



September – December 2018

A-set: government-affiliated respondents
40 member states (41)

B-set: non-government-affiliated respondents
21 member states

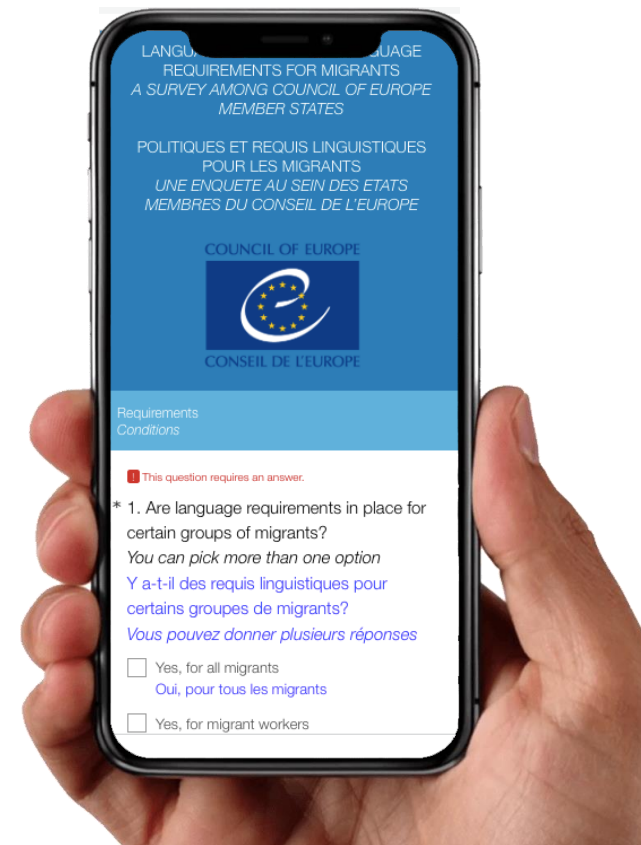


A-set

≠

>> Publicly available documentation

B-set

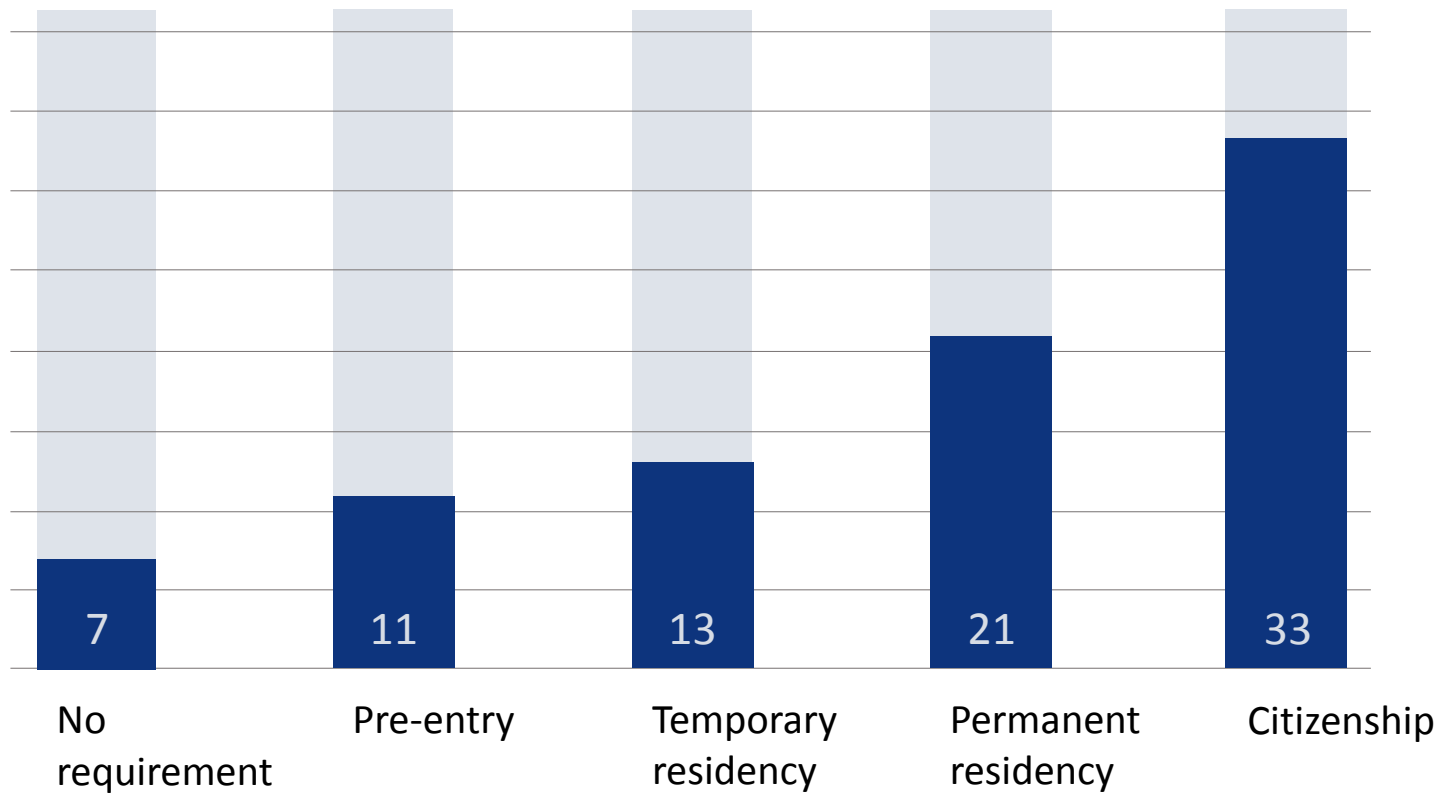


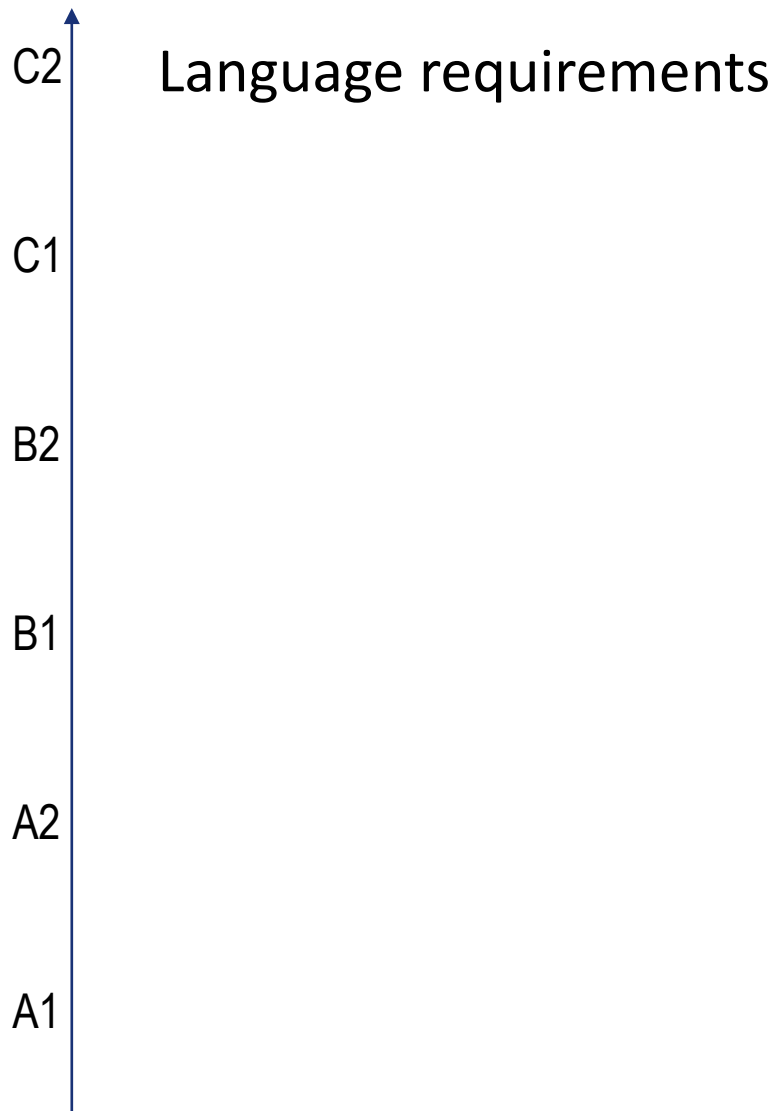
Beware:

The total number of responses may differ from one requirement to the next.

The data we present show the situation in December 2018.

Of the 41 contexts surveyed:





- C2 Can understand with ease virtually everything heard or read.
Can express him/herself spontaneously, very fluently and precisely

- C1 Can understand a wide range of demanding, longer texts, and recognise implicit meaning.
Can use language flexibly and effectively for social, academic and professional purposes

- B2 Can understand the main ideas of complex text on both concrete and abstract topics
Can interact so fluently that it allows for a natural conversation with native speakers

- B1 Can understand the main points of clear standard input on familiar matters
Can deal with most situations likely to arise whilst travelling

- A2 Can communicate in simple and routine tasks
Can use simple language to describe his/her background and matters of immediate need.

- A1 Can use everyday expressions and very basic phrases to satisfy concrete needs
Can interact in a simple way if the other person talks slowly and clearly and is ready to help.

C2

C1

B2

B1

Listening proficiency

A2

Speaking proficiency

A1

Writing proficiency

C2

C1

B2

B1

Listening proficiency

A2

Speaking proficiency

A1

Writing proficiency

C2

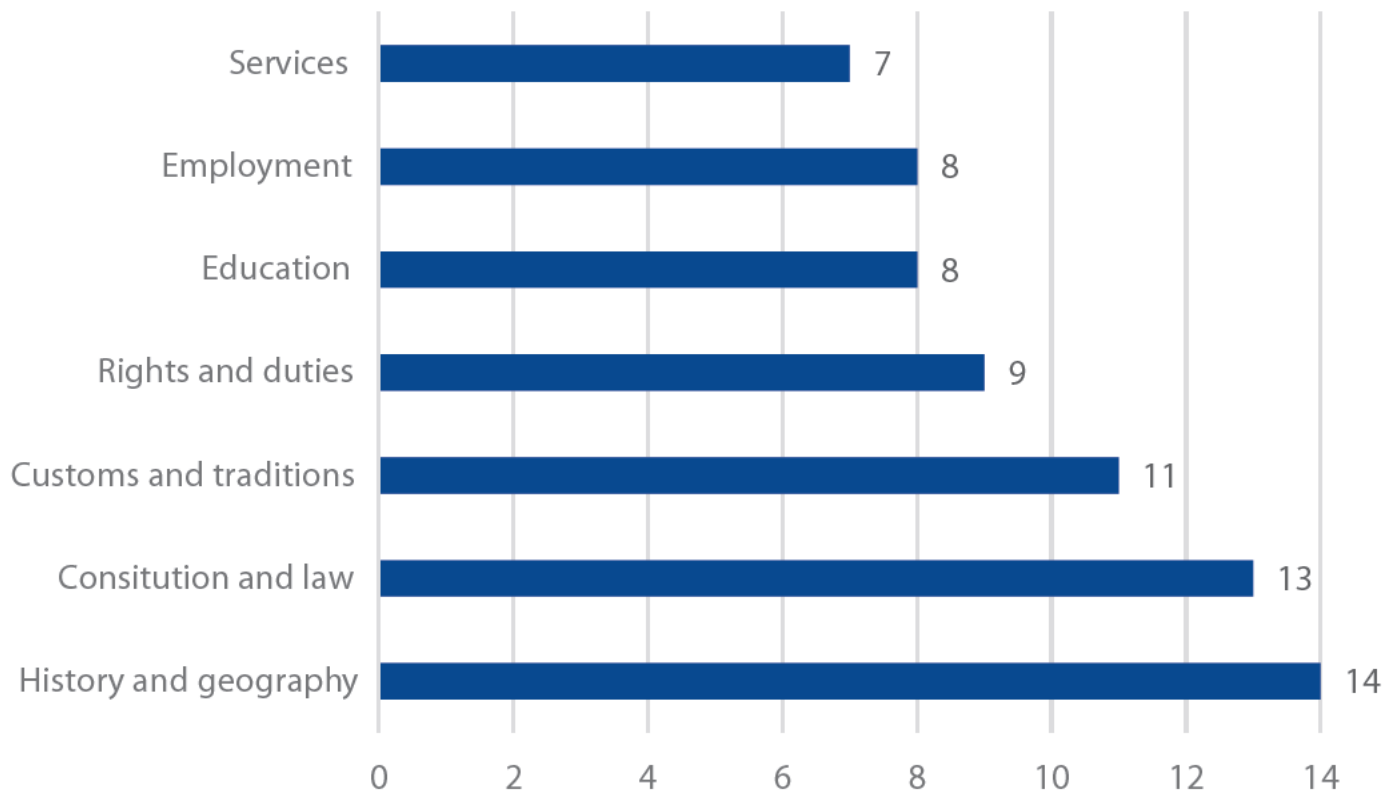


B1

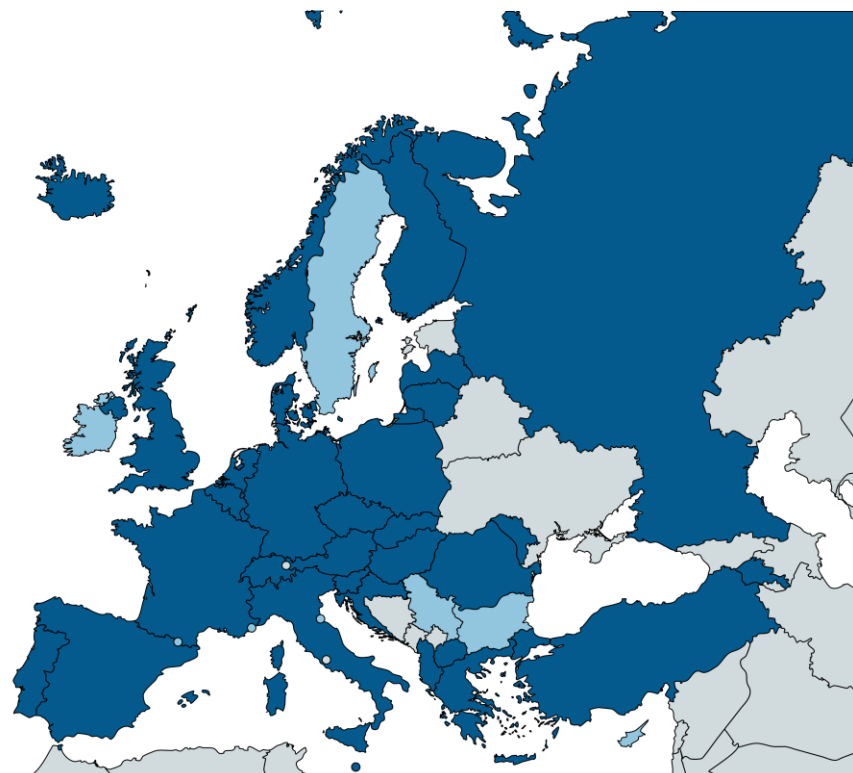


A1

Knowledge of Society requirements

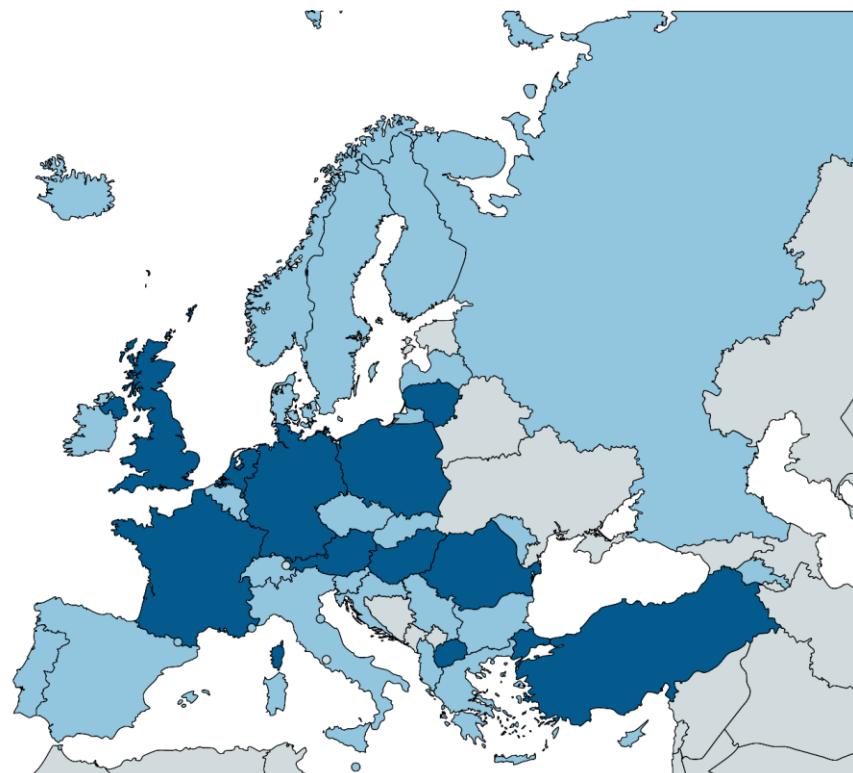


No language or KoS requirements: 7*



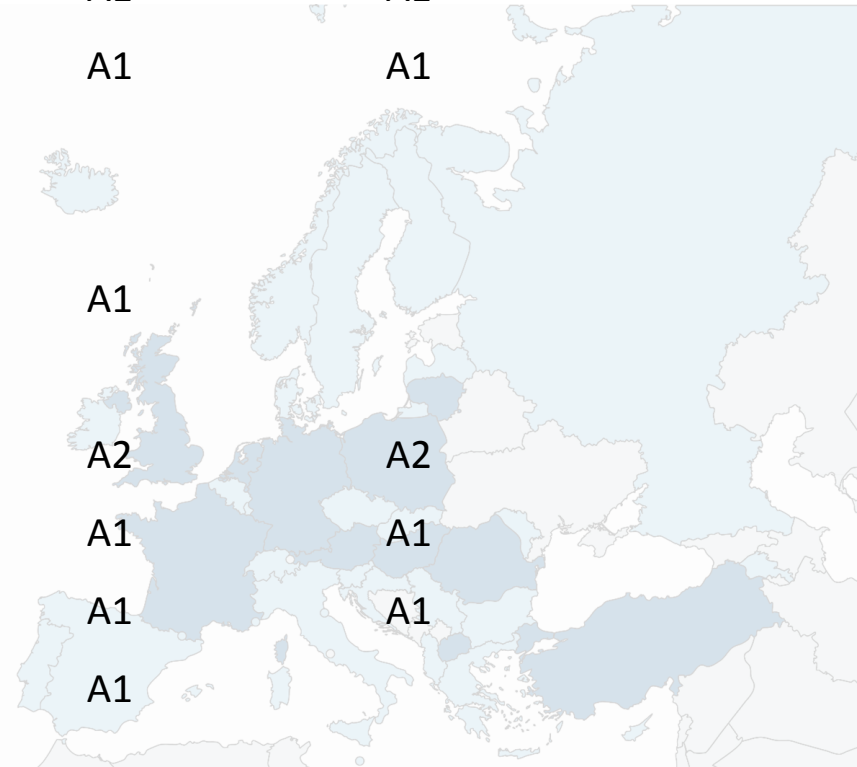
* But these countries may have other requirements

Pre-entry language / KoS requirements: 11



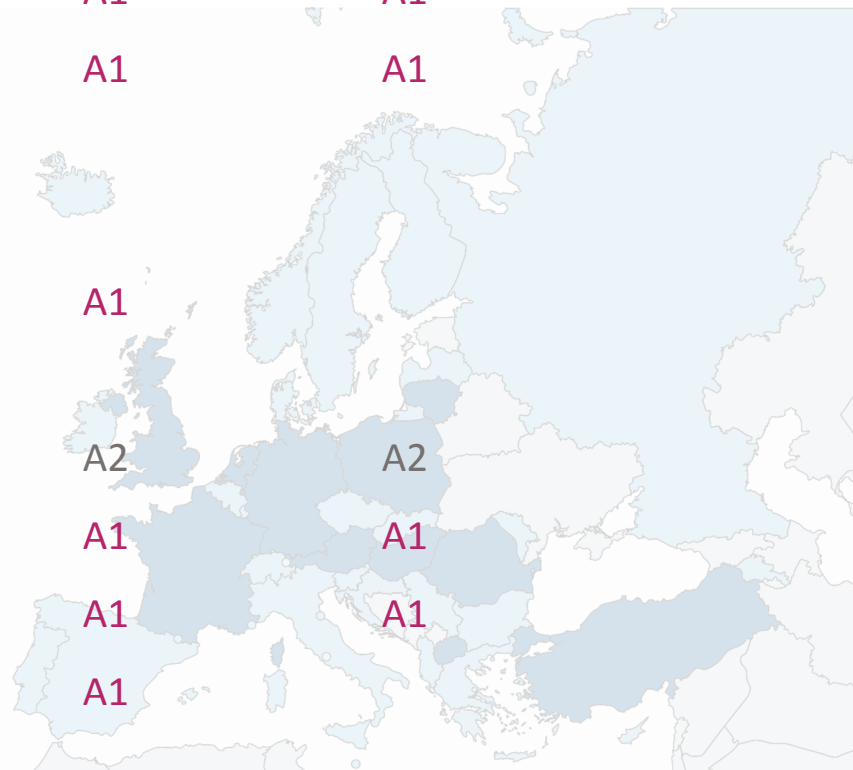
Pre-entry language requirements: 11

	Listening	Reading	Speaking	Writing
Austria	A1	A1	A1	A1
France	A1	A1	A1	A1
Germany	A1	A1	A1	A1
Hungary	Unspecified			
Lithuania	Unspecified			
Netherlands		A1	A1	
North Macedonia	Unspecified			
Poland	A2	A2	A2	A2
Romania	A1	A1	A1	A1
Turkey	A1	A1	A1	A1
UK	A1		A1	



Pre-entry language requirements: 11

	Listening	Reading	Speaking	Writing
Austria	A1	A1	A1	A1
France	A1	A1	A1	A1
Germany	A1	A1	A1	A1
Hungary	Unspecified			
Lithuania	Unspecified			
Netherlands		A1	A1	
North Macedonia	Unspecified			
Poland	A2	A2	A2	A2
Romania	A1	A1	A1	A1
Turkey	A1	A1	A1	A1
UK	A1		A1	

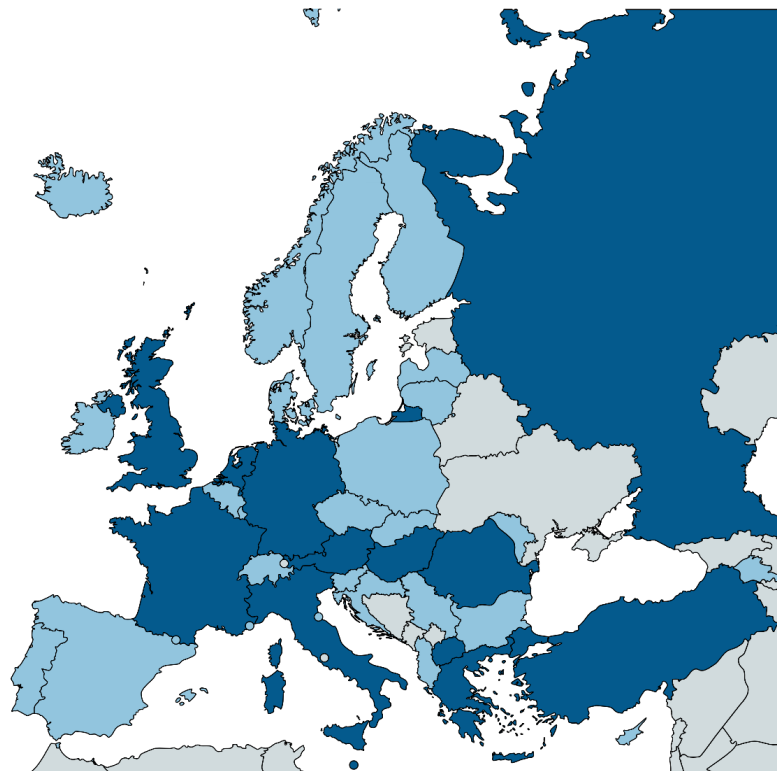


Pre-entry language requirements: 11

Pre-entry KoS requirements: 2

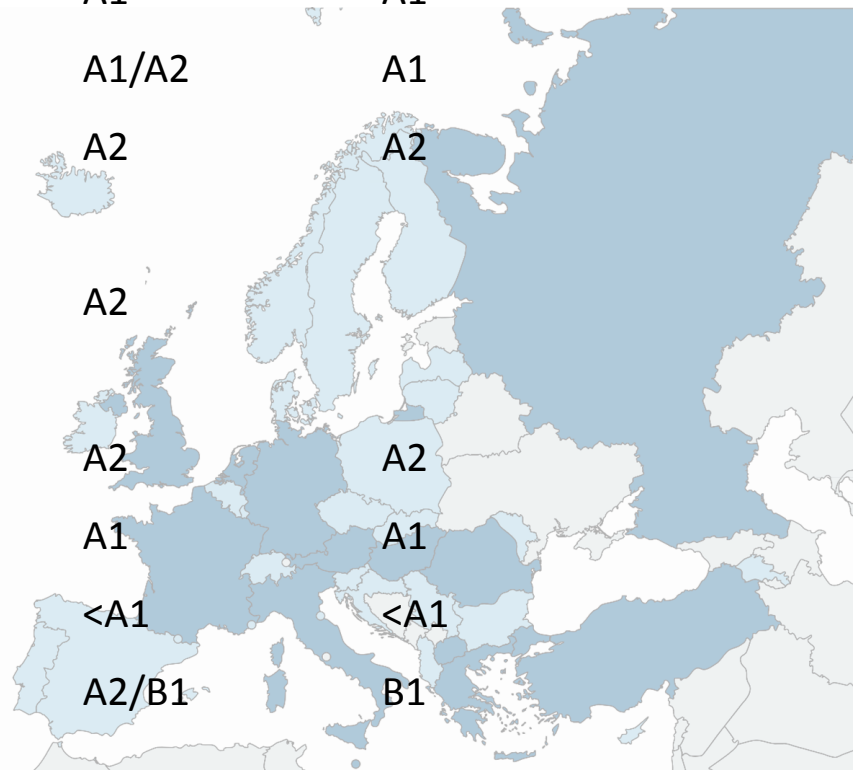


Temporary residency language or KoS requirements: 13



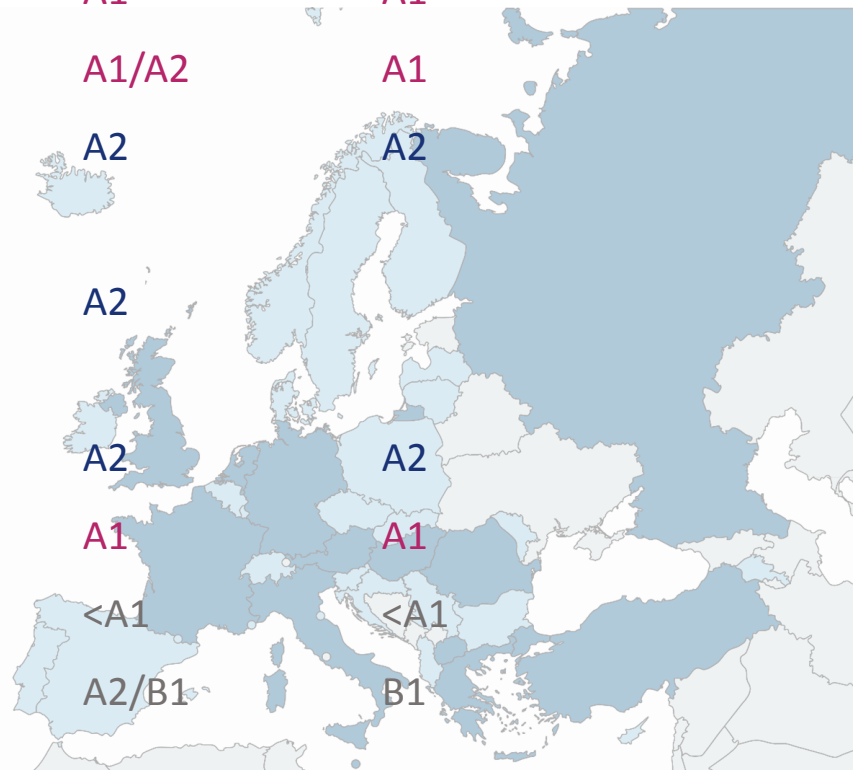
Temporary residency language requirements: 11

	Listening	Reading	Speaking	Writing
Austria	A2	A2	A2	A2
France	A1	A1	A1	A1
Germany	A1	A1	A1/A2	A1
Greece	A2	A2	A2	A2
Hungary	Unspecified			
Italy			A2	
Malta	Unspecified			
Netherlands	A2	A2	A2	A2
Romania	A1	A1	A1	A1
Turkey	<A1	<A1	<A1	<A1
UK	A2/B1	B1	A2/B1	B1



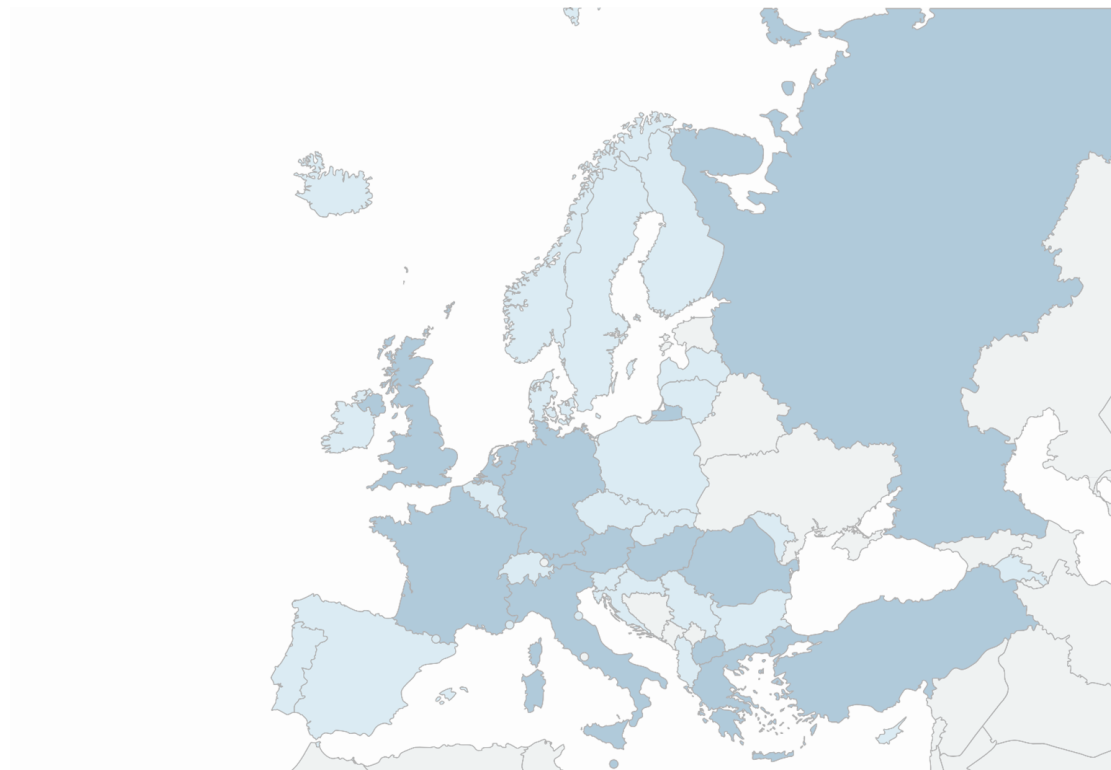
Temporary residency language requirements: 11

	Listening	Reading	Speaking	Writing
Austria	A2	A2	A2	A2
France	A1	A1	A1	A1
Germany	A1	A1	A1/A2	A1
Greece	A2	A2	A2	A2
Hungary	Unspecified			
Italy			A2	
Malta	Unspecified			
Netherlands	A2	A2	A2	A2
Romania	A1	A1	A1	A1
Turkey	<A1	<A1	<A1	<A1
UK	A2/B1	B1	A2/B1	B1

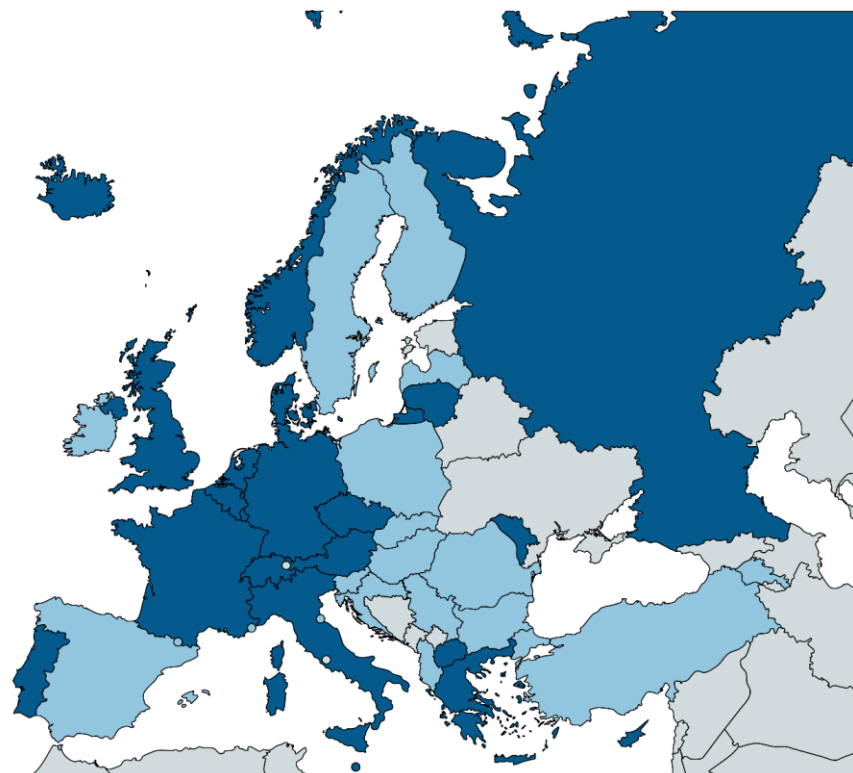


Temporary residency language requirements: 11

Temporary residency KoS requirements: 9

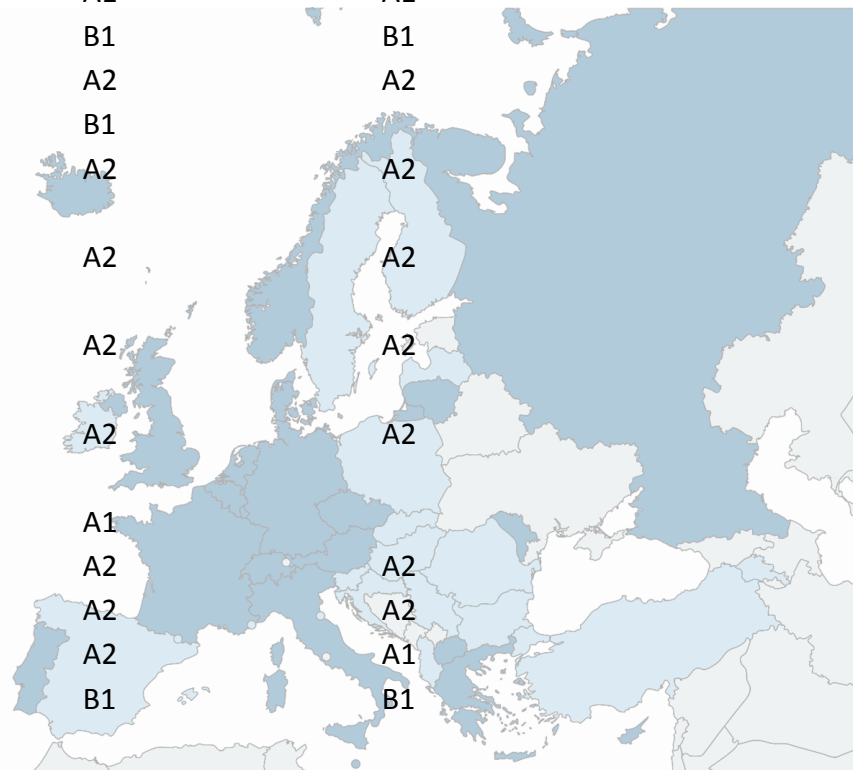


Permanent residency language or KoS requirements: 21



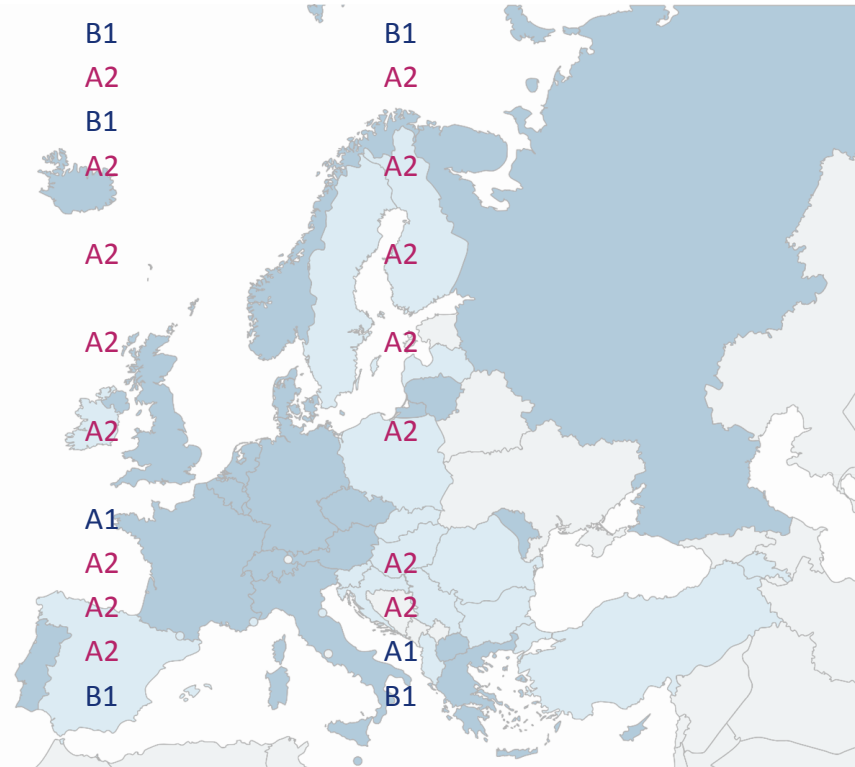
Permanent residency language requirements: 20

	Listening	Reading	Speaking	Writing
Austria	A2	A2	A2	A2
Belgium (Fl.)	A2	A2	A2	A2
Cyprus	A2	A2	A2	A2
Czech Republic	A1	A1	A1	A1
Denmark	B1	B1	B1	B1
France	A2	A2	A2	A2
Germany	B1		B1	
Greece	A2	A2	A2	A2
Iceland	Unspecified			
Italy	A2	A2	A2	
Lithuania	Unspecified			
Luxembourg	A2	A2	A2	A2
Malta	Unspecified			
Netherlands	A2	A2	A2	A2
North Macedonia	Unspecified			
Norway			A1	
Portugal	A2	A2	A2	A2
Russia	A2	A2	A2	A2
Switzerland	A2	A1	A2	A1
UK	B1	B1	B1	B1



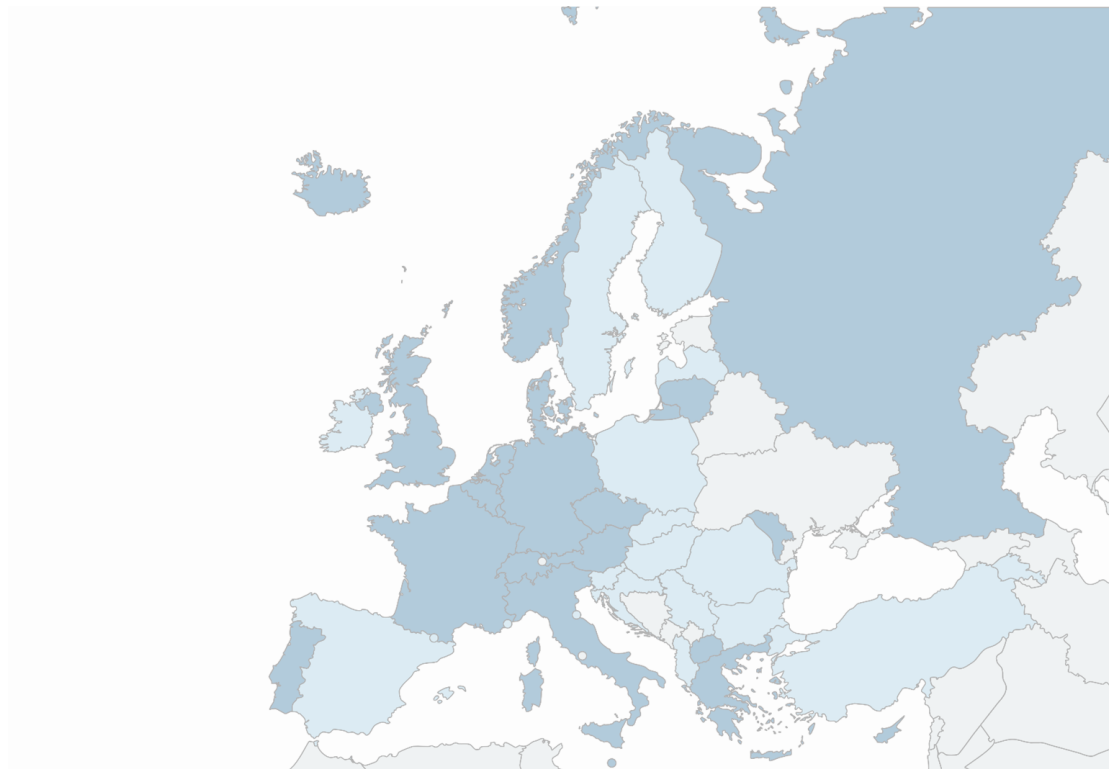
Permanent residency language requirements: 20

	Listening	Reading	Speaking	Writing
Austria	A2	A2	A2	A2
Belgium (Fl.)	A2	A2	A2	A2
Cyprus	A2	A2	A2	A2
Czech Republic	A1	A1	A1	A1
Denmark	B1	B1	B1	B1
France	A2	A2	A2	A2
Germany	B1		B1	
Greece	A2	A2	A2	A2
Iceland	Unspecified			
Italy	A2	A2	A2	
Lithuania	Unspecified			
Luxembourg	A2	A2	A2	A2
Malta	Unspecified			
Netherlands	A2	A2		A2
North Macedonia	Unspecified			
Norway			A1	
Portugal	A2	A2	A2	A2
Russia	A2	A2	A2	A2
Switzerland	A2	A1	A2	A1
UK	B1	B1	B1	B1

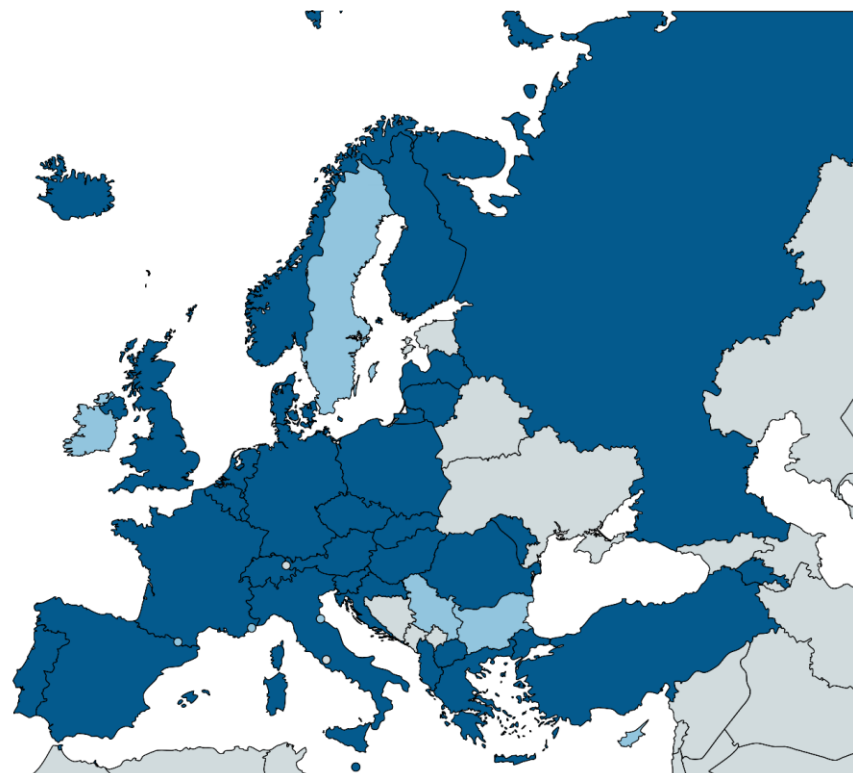


Permanent residency language requirements: 20

Permanent residency KoS requirements: 14



Citizenship language or KoS requirements: 33



Citizenship language requirements: 33



	Listening	Reading	Speaking	Writing
Albania	Unspecified			
Armenia	Unspecified			
Austria	B2	B2	B2	B2
Belgium (Fl.)	A2	A2	A2	A2
Belgium (Fr.)	A2	A2	A2	A2
Croatia	Unspecified			
Czech Republic	B1	B1	B1	B1
Denmark	B2	B2	B2	B2
Finland	B1	B1	B1	B1
France	B1	B1	B1	B1
Germany	B1	B1	B1	B1
Greece	B2	B2	B2	B2
Hungary	Unspecified			
Iceland	B1	B1	B1	B1
Italy	B1	B1	B1	B1
Latvia	Unspecified			
Lithuania	Unspecified			
Luxembourg	B1		A2	
Malta	Unspecified			
Moldova	B2	B2	B2	B2
Netherlands	A2	A2	A2	A2
North Macedonia	Unspecified			
Norway			A2	
Poland	B1	B1	B1	B1
Portugal	A2	A2	A2	A2
Romania	A1	A1	A1	A1
Russian Federation	A2	A2	A2	A2
Slovak Republic	Unspecified			
Slovenia	A2	A2	A2	A2
Spain	A2	A2	A2	A2
Switzerland	B1	A2	B1	A2
Turkey	Unspecified			
UK	B1	B1	B1	B1

Citizenship language requirements: 33

Citizenship KoS requirements: 16



C2

C1

B2

B1

A2

A1

Pre-entry

Temporary / permanent residency

Citizenship

C2

C1

B2

B1

How can the same intended purpose lead to such a wide spread in requirements?

A2

(see Böcker & Strik, 2011: 182)

A1

C2

C1

B2

B1

How can the same intended purpose lead to such a wide spread in requirements?

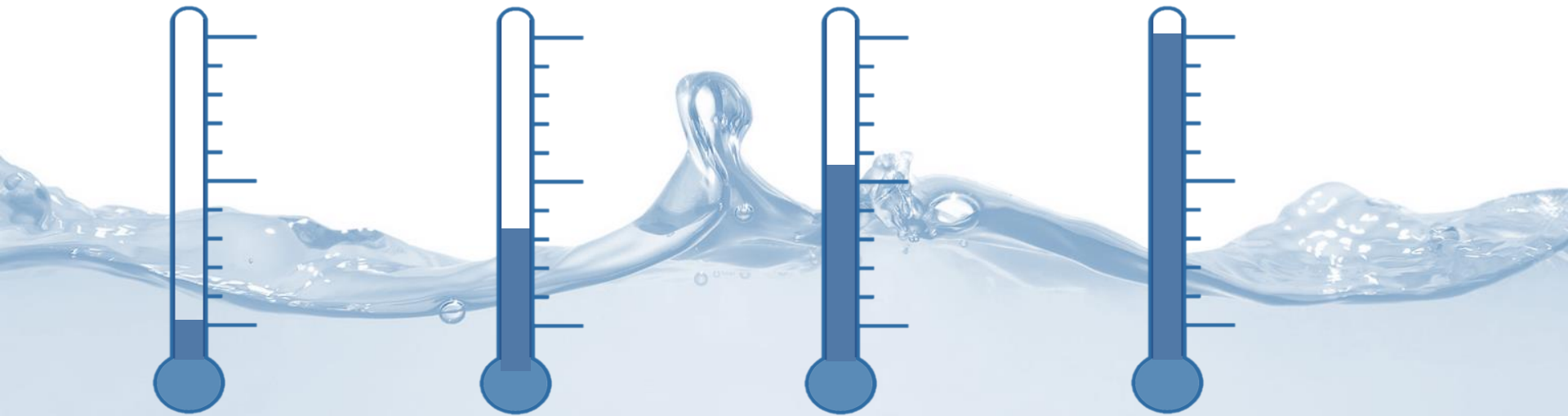
A2

(see Böcker & Strik, 2011: 182)

A1

Research-based:
8 member states

Standardized tests & quality control: 7 member states



Requirements

Pre-entry & temporary residency quite rare

Permanent residency & citizenship quite common

Requirements

Pre-entry & temporary residency quite rare

Permanent residency & citizenship quite common

Level

Substantial divergence for same purpose

Often no clear rationale

Requirements	Pre-entry & temporary residency quite rare Permanent residency & citizenship quite common
Level	Substantial divergence for same purpose Often no clear rationale
Tests	Omnipresent in the policies Often no quality control

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Council of Europe and ALTE Survey 2018

DATA AND RESULTS (2)

Learning opportunities: implications for vulnerable groups



- **Data (36 countries)**
- **Points of reflection**

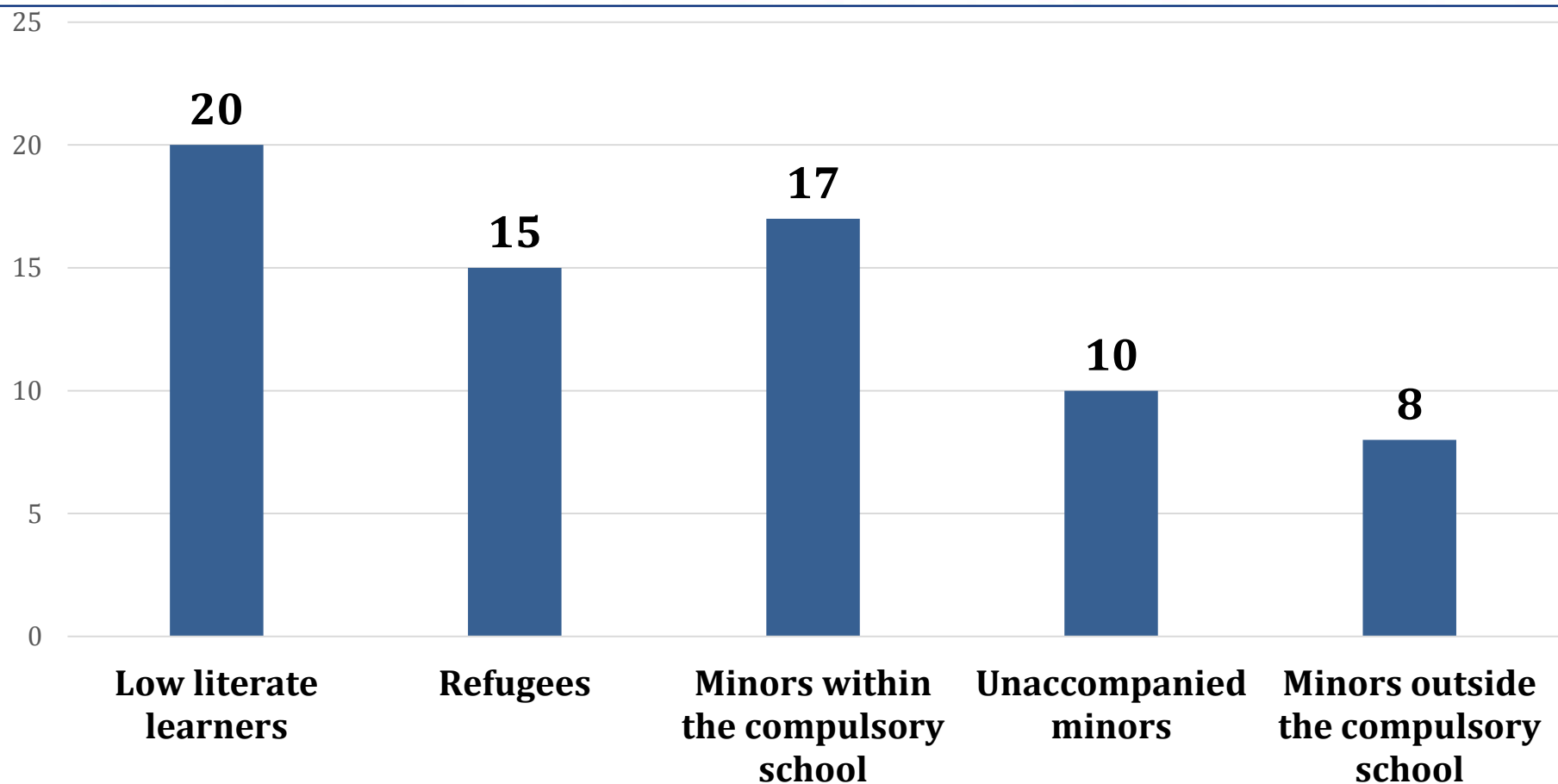
Language courses: 94%

Hours provided	<i>n</i> countries
0 – 250	11
250 – 500	8
500 – 1000	4
1000 – 1500	1
2000 – 3000	0
3000+	0

Courses are government-provided or financed by	32
Courses are quality-controlled	30
Teachers receive specific training	23
Teachers are inspected	21

36% no teachers' specific training
42% no teachers' monitoring



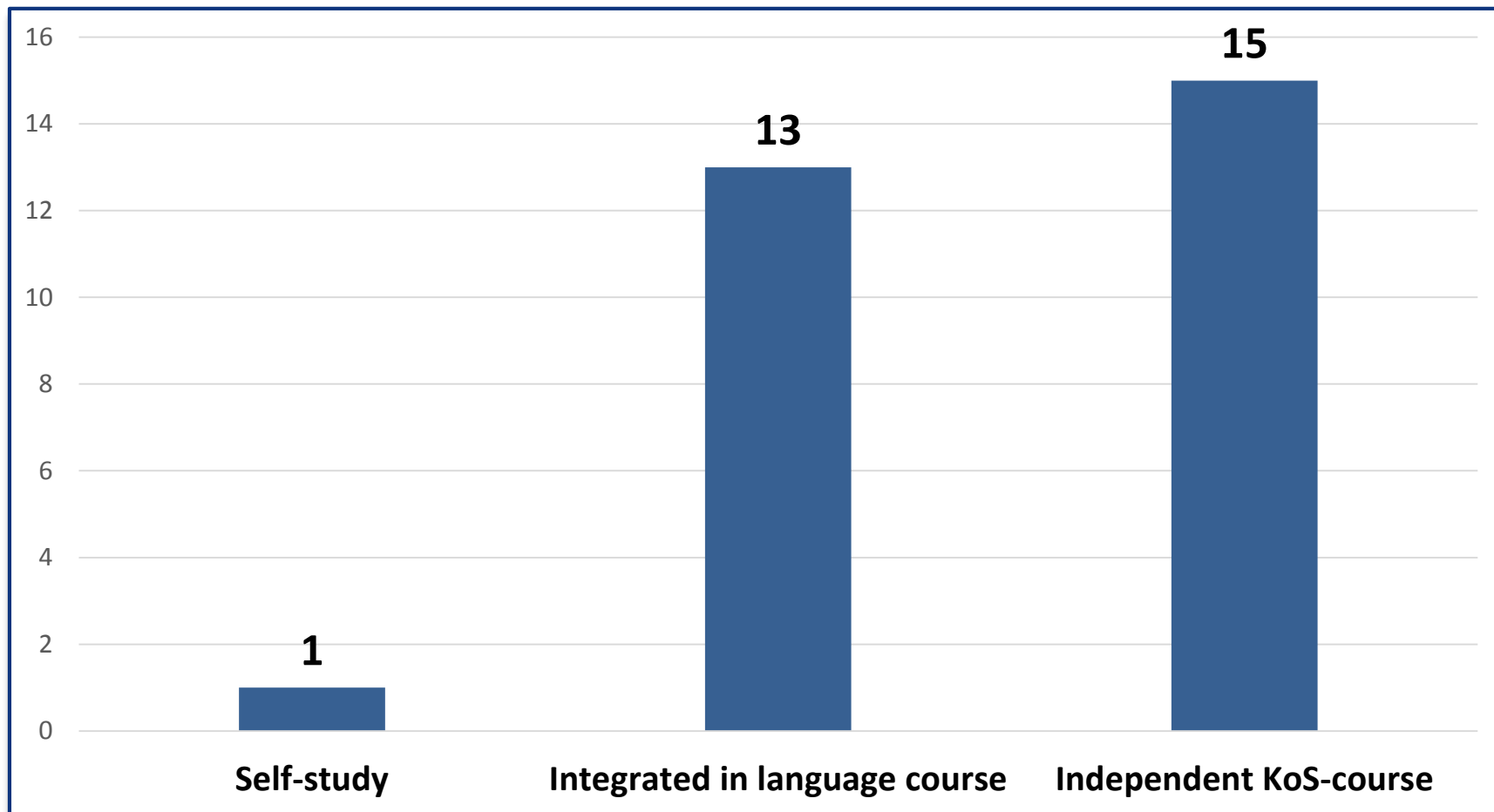


One third of the countries provide free courses for specific vulnerable groups of migrants (e.g., refugees, minors or illiterates)

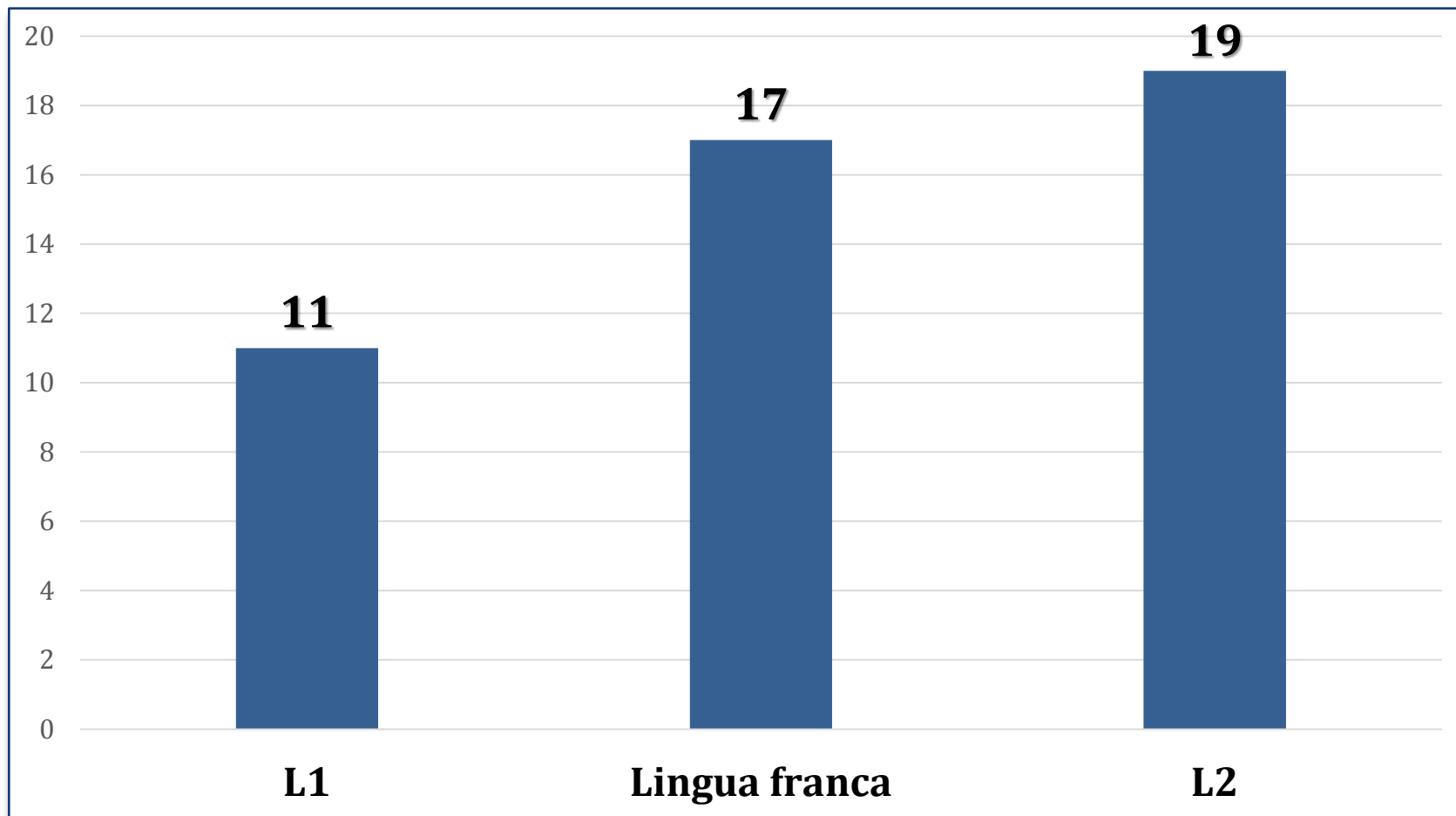
Hours provided	<i>n</i> countries	
	General courses (unspecified migrants)	Specific courses (low-literate migrants)
0 – 250	11	13
250 – 500	8	4
500 – 1000	4	2
1000 – 1500	1	2
2000 – 3000	0	1
3000+	0	0

Despite the fact that low-literate learners generally need more time to acquire a language, they rarely receive more hours to compensate for their learning pace

KoS courses (1)



KoS courses (2)



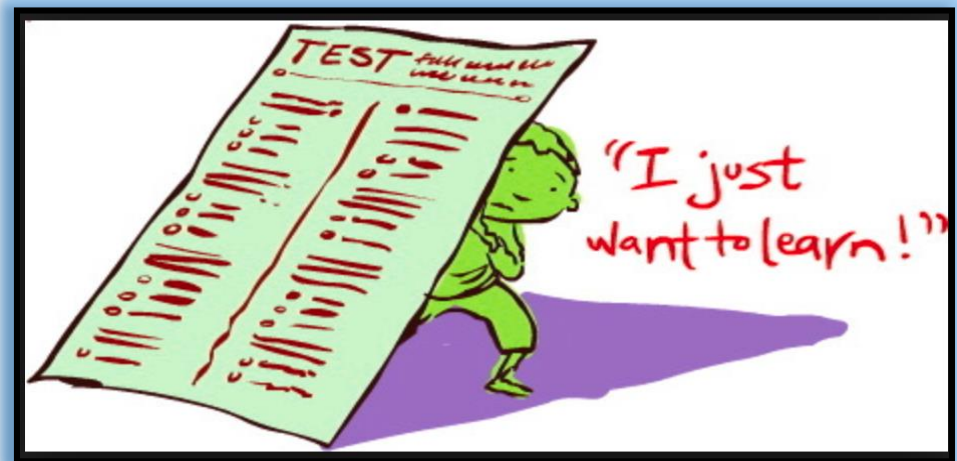
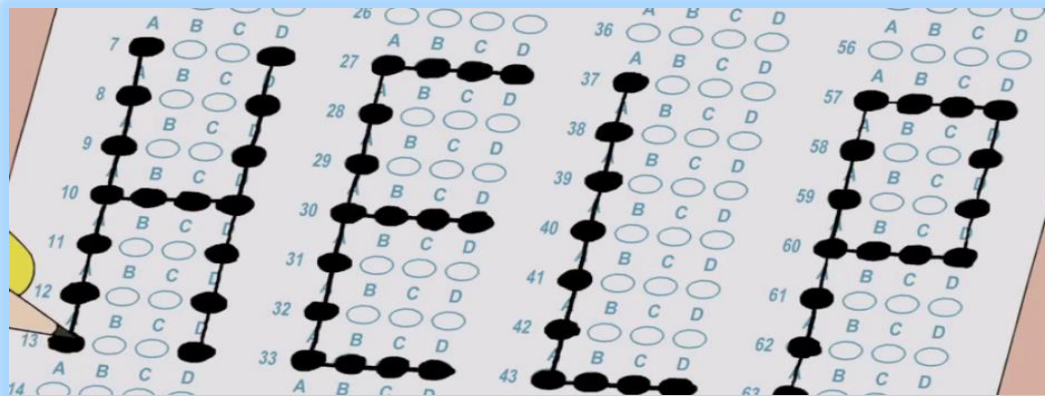
Point of reflection (1)

- Substantial variation in learning opportunities



Point of reflection (2)

- Few connections between learning and assessment



Point of reflection (3)

- Plurilingualism: issues of awareness



Point of reflection (4)

- Language learning is not equally easy for all learners: refugee status and lack of literacy are often present in the same learners' profile





PRACTICE



31 December 2018



- Language and KoS test: only speaking



- Migrants receive an exemption from government-provided language tests by attending language courses



- Compulsory schools: learning modules in the languages of origin



- KoS-courses (and KoS tests for permanent residency) are provided in 28 different languages
- Specific courses for low-literate migrants: up to 3,000 hours

16 October 2019: is it still valid?



- Language and KoS test: only speaking



- Migrants receive an exemption from government-provided language tests by attending language courses



- Compulsory schools: learning modules in the languages of origin



- KoS-courses (and KoS tests for permanent residency) are provided in 28 different languages
- Specific courses for low-literate migrants: up to 3,000 hours



Learning opportunities too often are:

- Related to projects (i.e. AMIF), not provided on regular basis, according to a systematic and structural national policy
- Focused only on the CEFR level provided as target requisite
- Characterized by a “competition” between educational and vocational training



- | | | | |
|--|--|---|---|
| 
Albania - Albanie
Tirana | 
Estonia - Estonie
Tallinn | 
Lithuania - Lituanie
Vilnius | 
San Marino - Saint-Marin
San Marino - Saint-Marin |
| 
Andorra - Andorre
Andorra la Vella
Andorre la Vella | 
Finland - Finlande
Helsinki | 
Luxembourg
Luxembourg | 
Serbia - Serbie
Belgrade |
| 
Armenia - Arménie
Yerevan - Erevan | 
France
Paris | 
Malta - Malte
Valletta - La Valette | 
Slovakia - Slovaquie
Bratislava |
| 
Austria - Autriche
Vienna - Vienne | 
Georgia - Géorgie
Tbilisi - Tbilissi | 
Republic of Moldova -
République de Moldova
Chişinău | 
Slovenia - Slovénie
Ljubljana |
| 
Azerbaijan - Azerbaïdjan
Baku - Bakou | 
Germany - Allemagne
Berlin | 
Monaco
Monaco | 
Spain - Espagne
Madrid |
| 
Belgium - Belgique
Brussels - Bruxelles | 
Greece - Grèce
Athens - Athènes | 
Montenegro -
Monténégro
Podgorica | 
Sweden - Suède
Stockholm |
| 
Bosnia and Herzegovina
Bosnie-Herzégovine
Sarajevo | 
Hungary - Hongrie
Budapest | 
Netherlands - Pays-Bas
Amsterdam | 
Switzerland -
Suisse
Bern - Bâle |
| 
Bulgaria - Bulgarie
Sofia | 
Iceland - Islande
Reykjavik | 
Norway - Norvège
Oslo | 
"The former Yugoslav
Republic of
Macedonia" -
"L'ex-République
yougoslave de
Macédoine"
Skopje |
| 
Croatia - Croatie
Zagreb | 
Ireland - Irlande
Dublin | 
Poland - Pologne
Warsaw - Varsovie | 
Cyprus - Chypre
Nicosia - Nicosie |
| 
Czech Republic -
République Tchèque
Prague | 
Italy - Italie
Rome | 
Portugal -
Libon - Lisbonne | 
Turkey - Turquie
Ankara |
| 
Denmark - Danemark
Copenhagen - Copenhague | 
Latvia - Lettonie
Riga | 
Romania - Roumanie
Bucharest - Bucarest | 
Lithuania -
Litva - Kiev |
| 
Liechtenstein
Vaduz | 
Russian Federation -
Fédération de Russie
Moscow - Moscou | 
United Kingdom -
Royaume-Uni
London - Londres | 
Ukraine
Kyiv - Kiev |

Which goals?

Which goals?

- If the goal is to ensure that the migrant population learns the language of the host country and has knowledge of the society, language and knowledge of society courses are to be preferred over requirements (CoE/ALTE report: 2019)

“Rather than promoting testing, offering language courses [...] may offer greater advantages without running the risk of excluding migrants”

(Parliamentary Assembly, *Recommendation 2034*: 2014)

Which goals?

- If the goal is to promote the societal integration of migrants, language courses are likely to be more effective to foster and facilitate the process of integration (CoE/ALTE report: 2019)

“Languages are essential for building social cohesion, intercultural understanding and respect of diversity [...] Linguistic integration is only one aspect in the process”

(Council of Europe: 2016)

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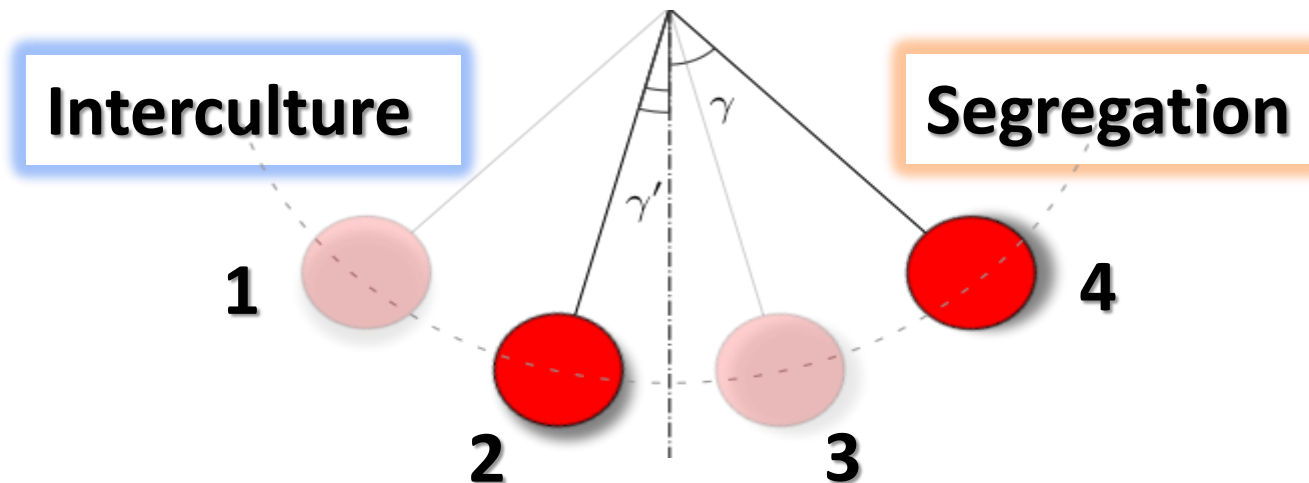


Berry: 1997

A. Culture of origin: safeguard

B. Culture of host society: openness

- 1. Integration = coo presence A and B**
- 2. Assimilation = only B and not A**
- 3. Separation = only A and not B**
- 4. Marginalization = not A and not B**

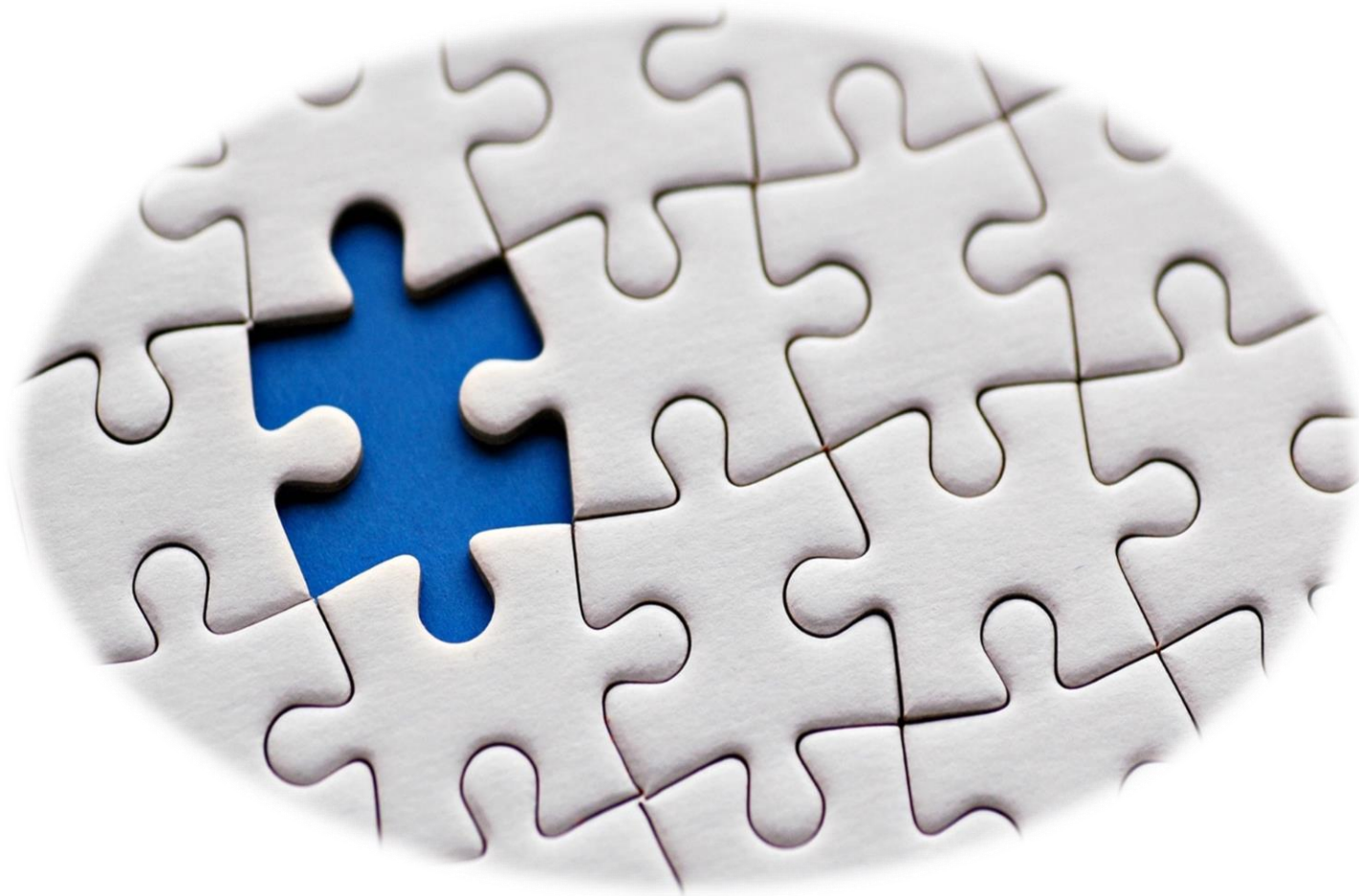


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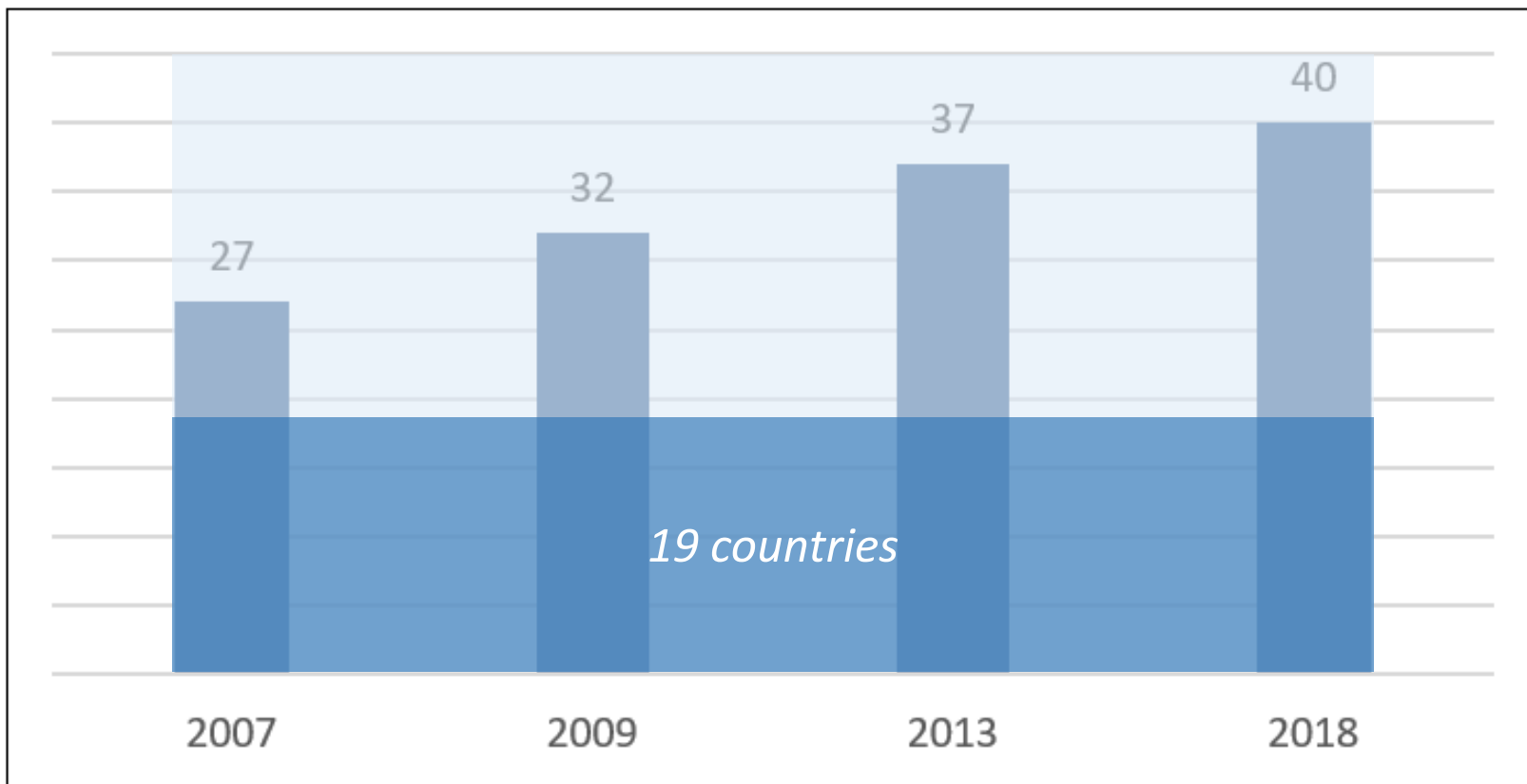


Council of Europe and ALTE Survey 2018

Development from 2007 to 2018 (3) Recommendations

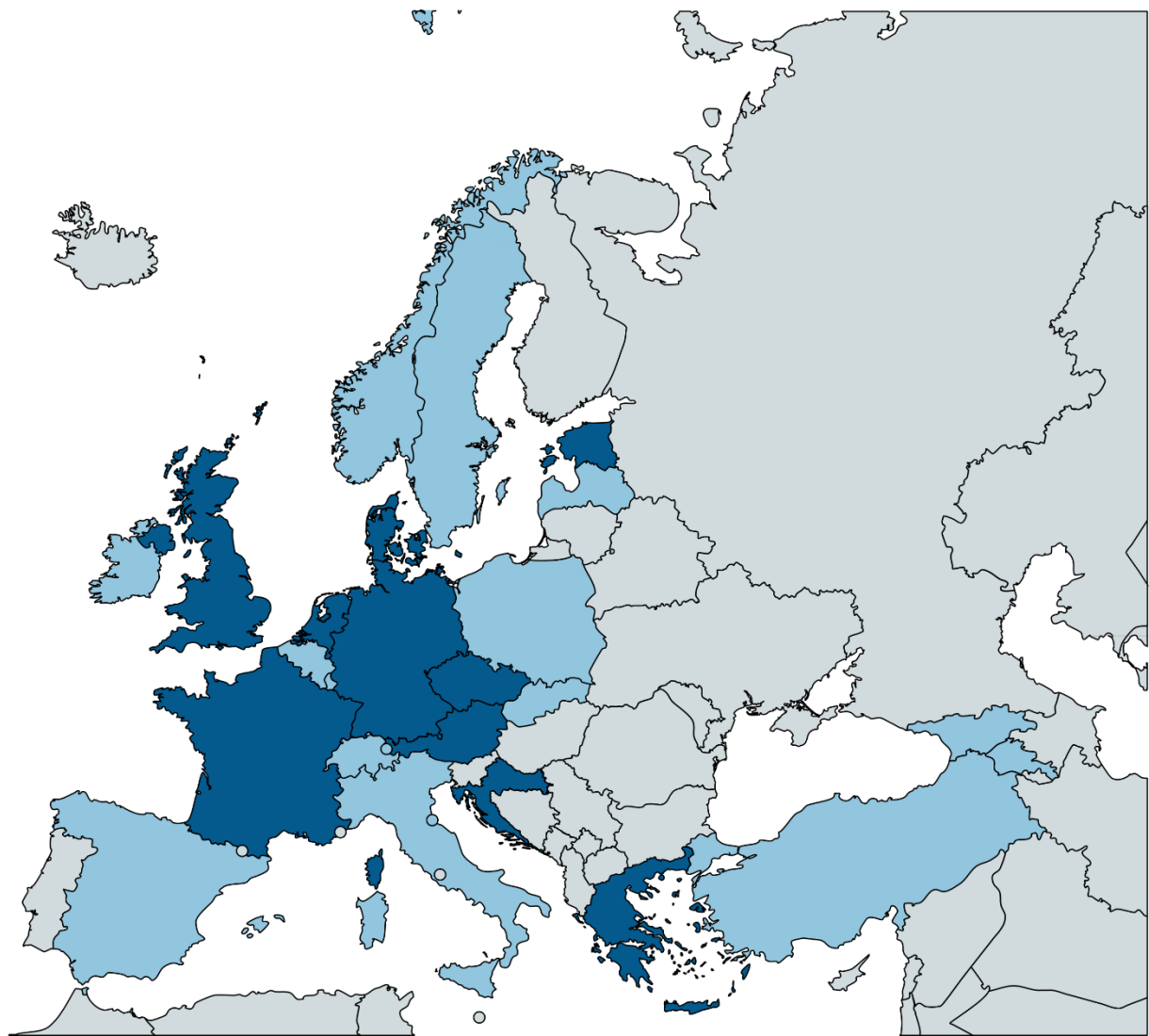
Cecilie Hamnes Carlsen

Figure 1 - Number of Council of Europe member states responding to surveys (2007-2018)



Austria, Belgium (Fl.), Belgium (Fr.), Czech Republic, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Norway, Poland, San Marino, Spain, Sweden, Switzerland, the UK

Countries with language and/or KoS requirements in 2007



Countries with language and/or KoS requirements in 2018

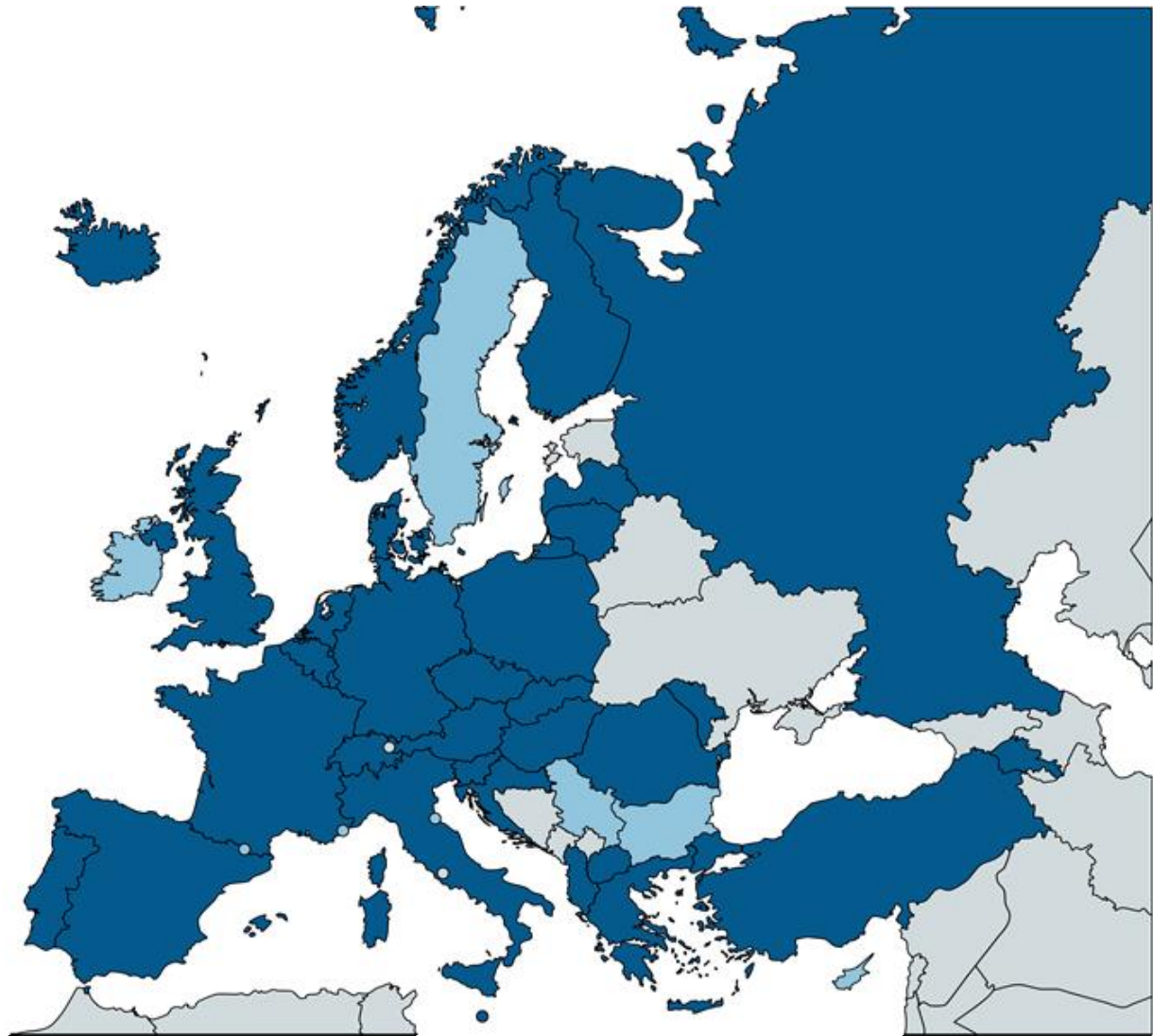
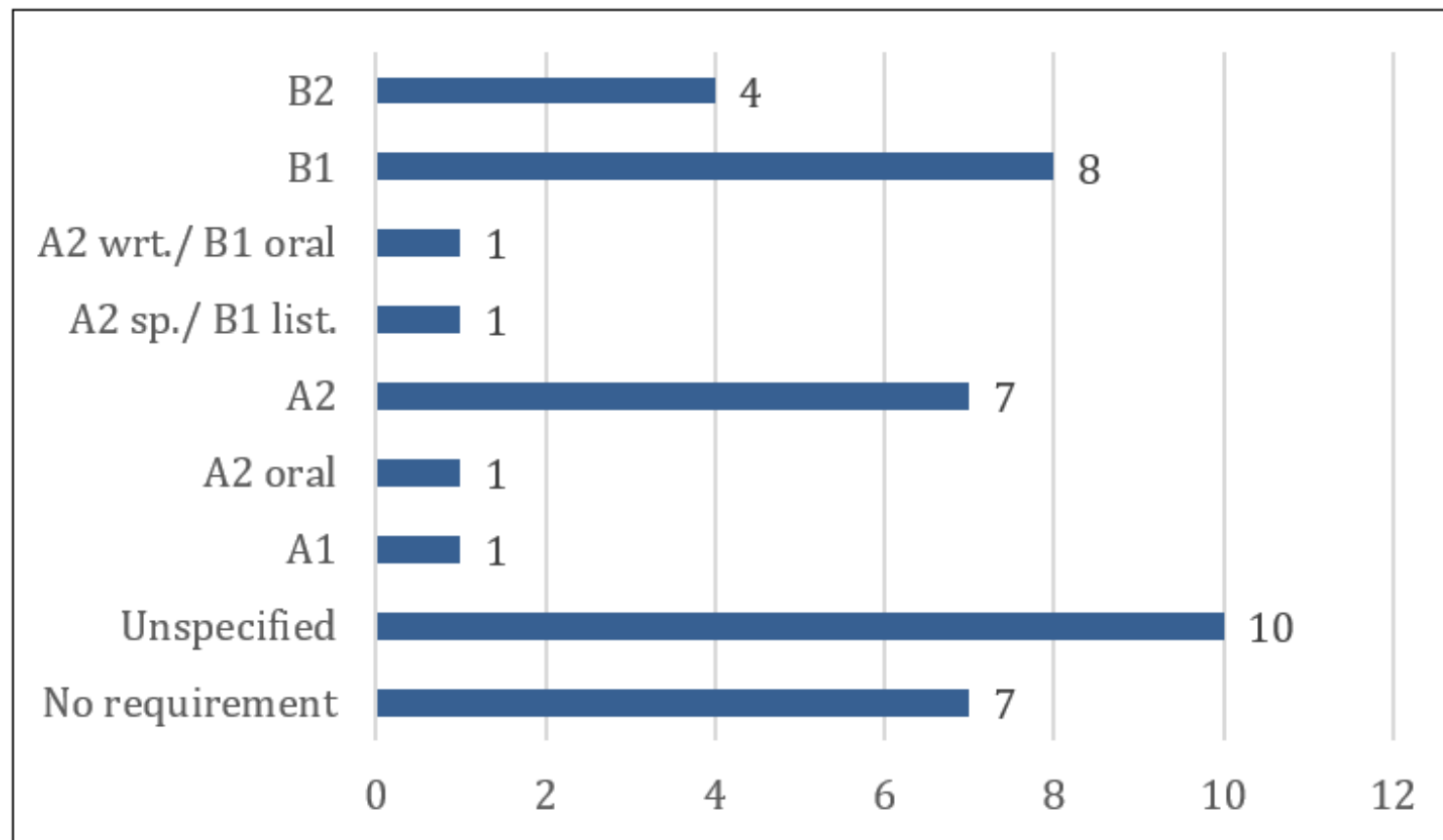


Figure 11 - Language level requirements for citizenship (raw numbers)



As it is difficult to see why some countries should have higher requirements than others for the same need, these differences throw doubt on the argument that immigrants need the knowledge they are required to demonstrate in order to successfully integrate.

(Böcker & Strik, 2011: 182)

Merging of levels to ease comparison over time:

- member states/regions with no requirements were omitted
- in-between levels or dual levels recoded to the lowest level
 - $A1/A2 > A1$
 - $A2/B1 > A2$
 - $B1/B2 > B1$
- requirements in some but not all skills recoded to full levels
 - $A2$ in one/some skills $> A2$
 - $A2$ in some skills, $B1$ in some skills $> B1$

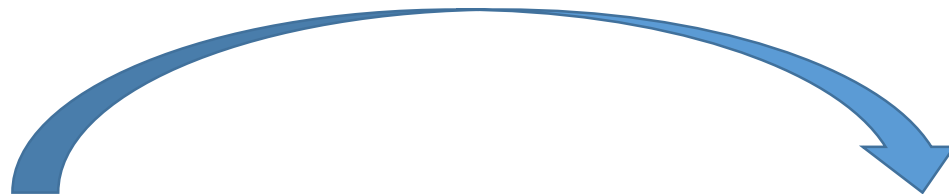
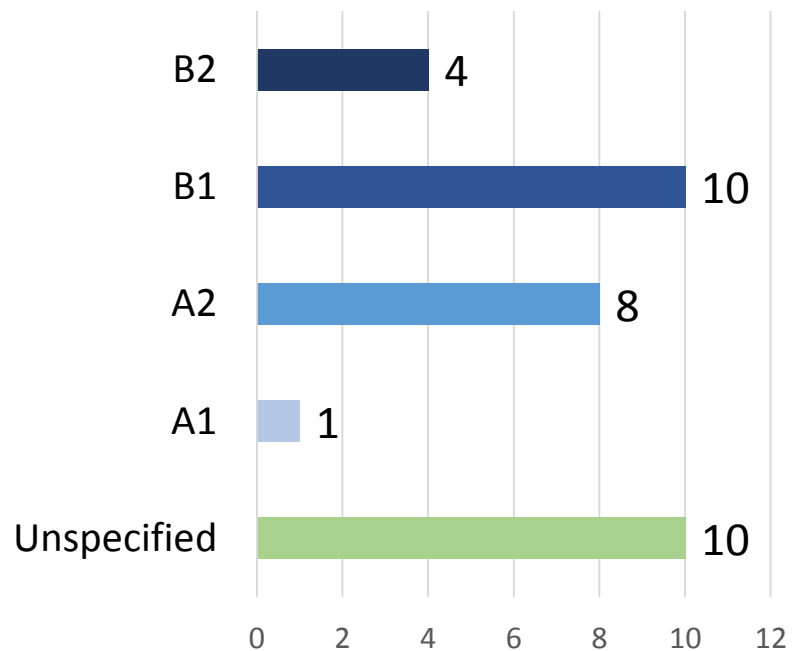
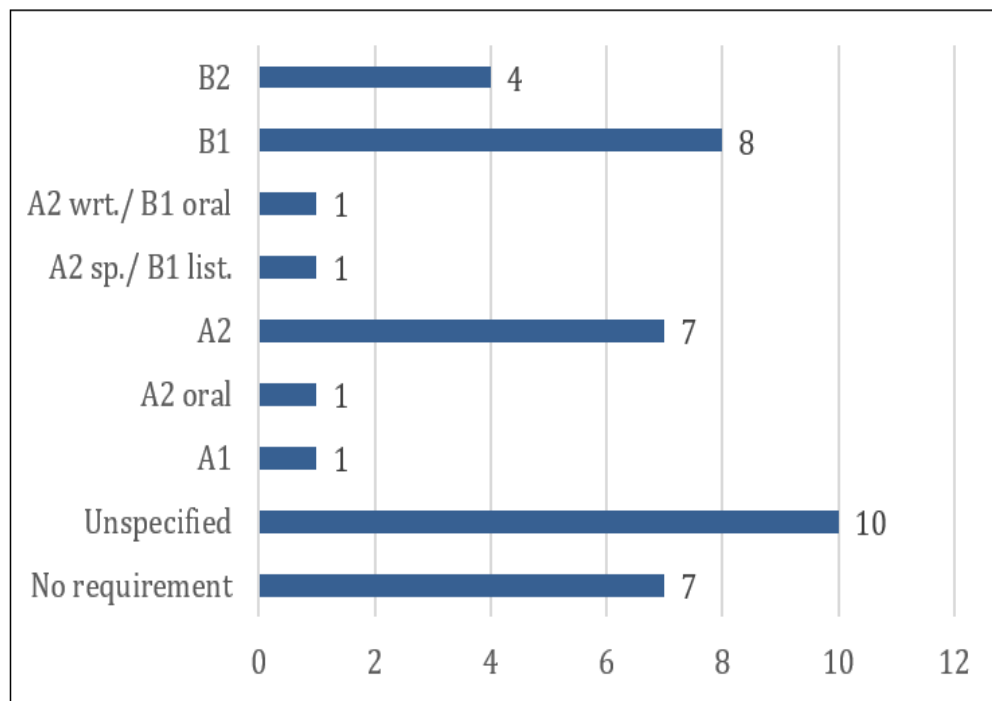
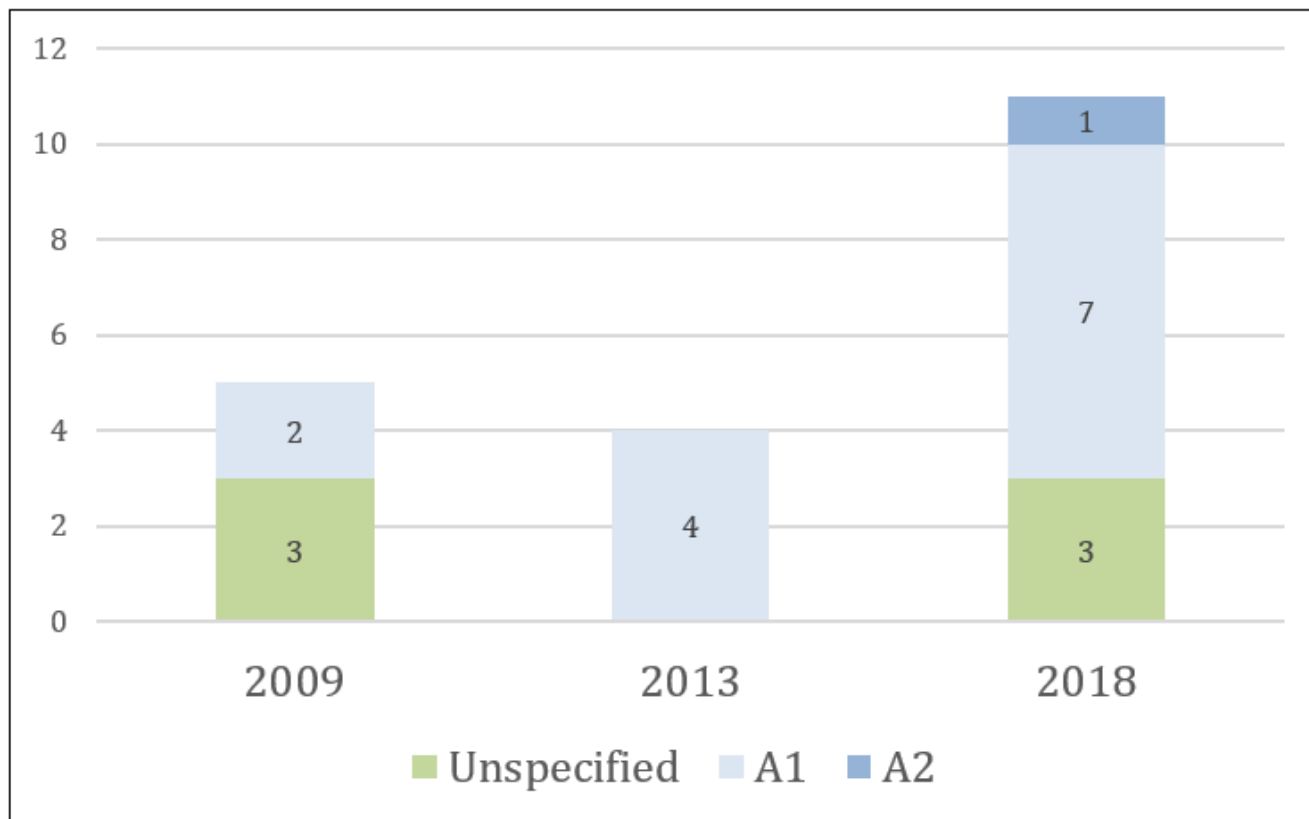


Figure 11 - Language level requirements for citizenship (raw numbers)



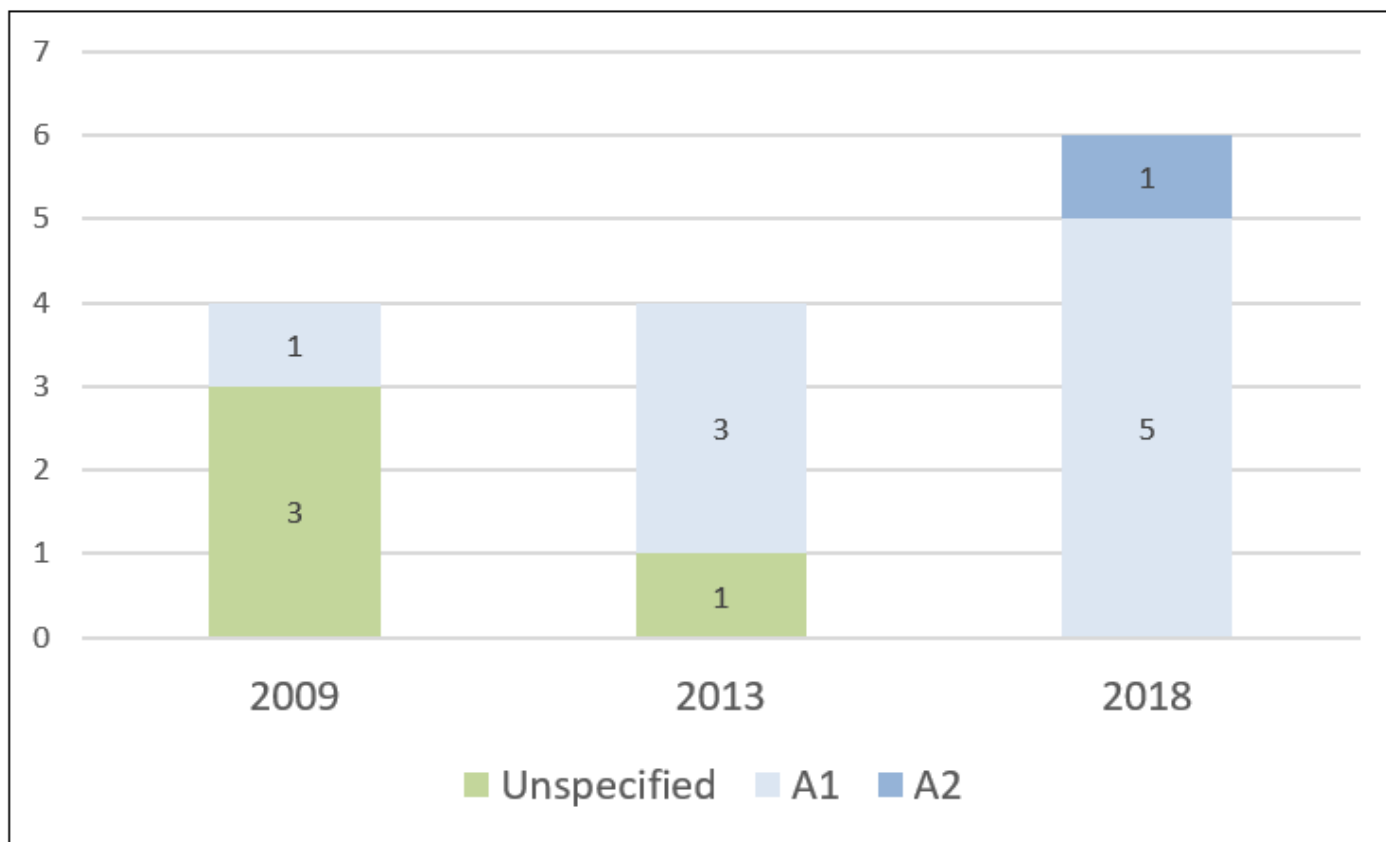
Pre-entry requirements – all participating countries

Figure 20 – Pre-entry requirements in 2009, 2013 and 2018 (raw numbers)



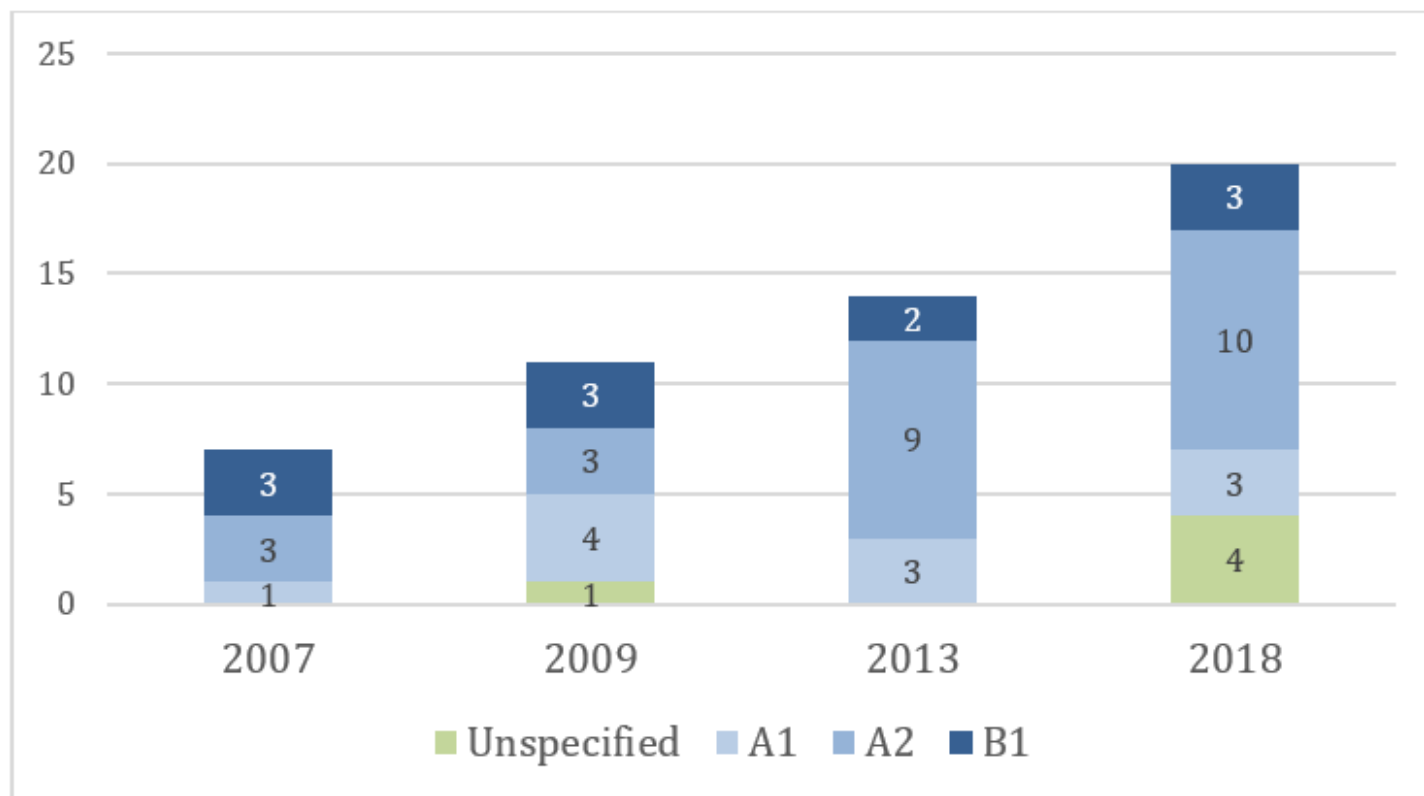
Pre-entry requirements – subset of countries ($n=19$)

Figure 21 - Pre-entry requirements (19 member states)



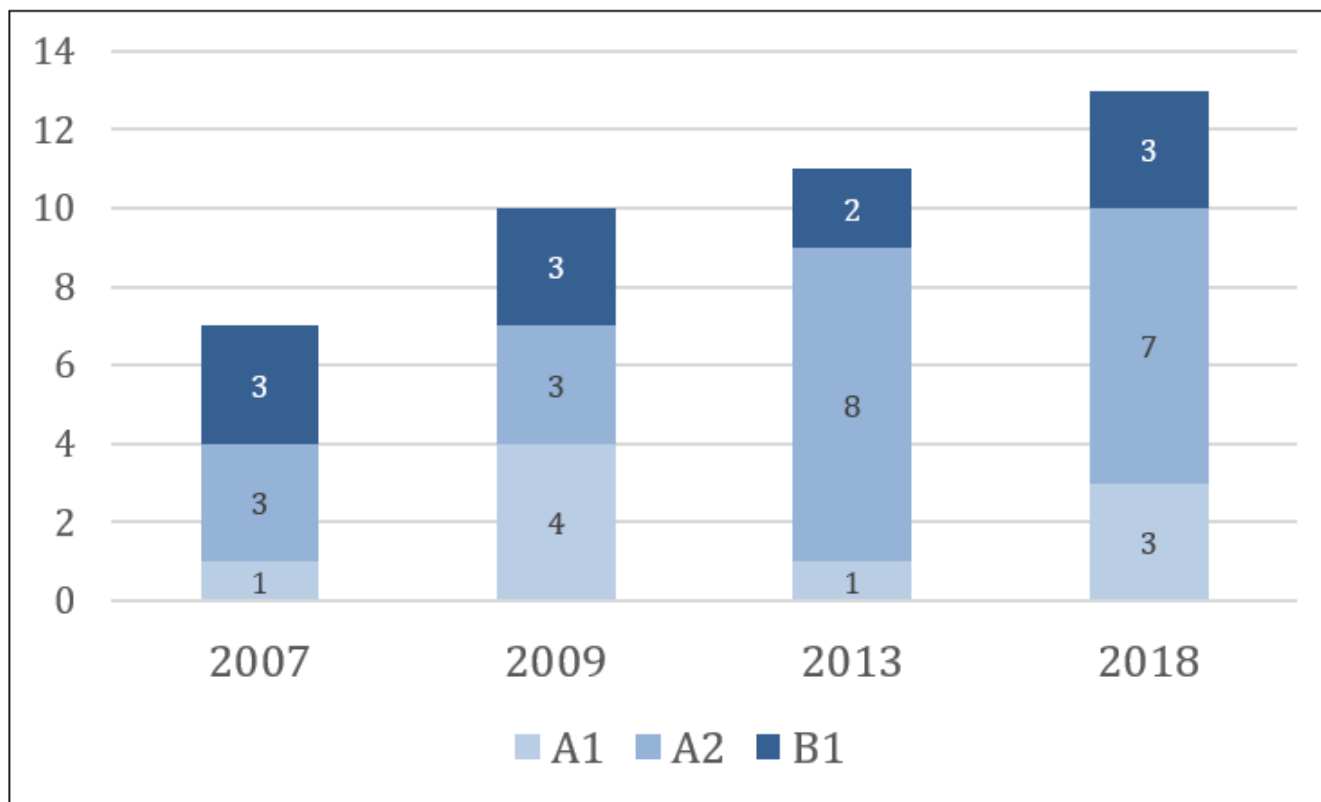
Permanent residency – all participating countries

Figure 22 – Permanent residency requirements in 2007, 2009, 2013 and 2018 (raw numbers)



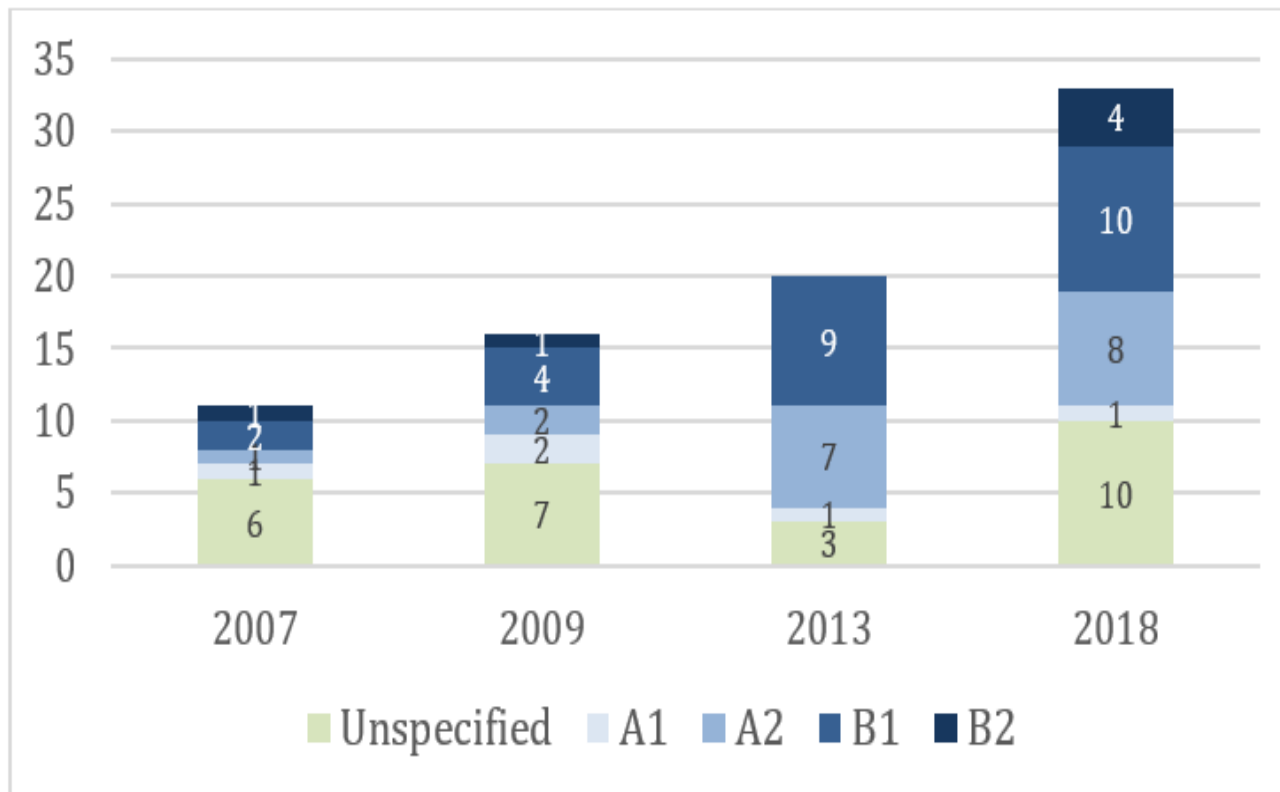
Permanent residency – subset of countries ($n=19$)

Figure 23 – Permanent residency requirements (subset)



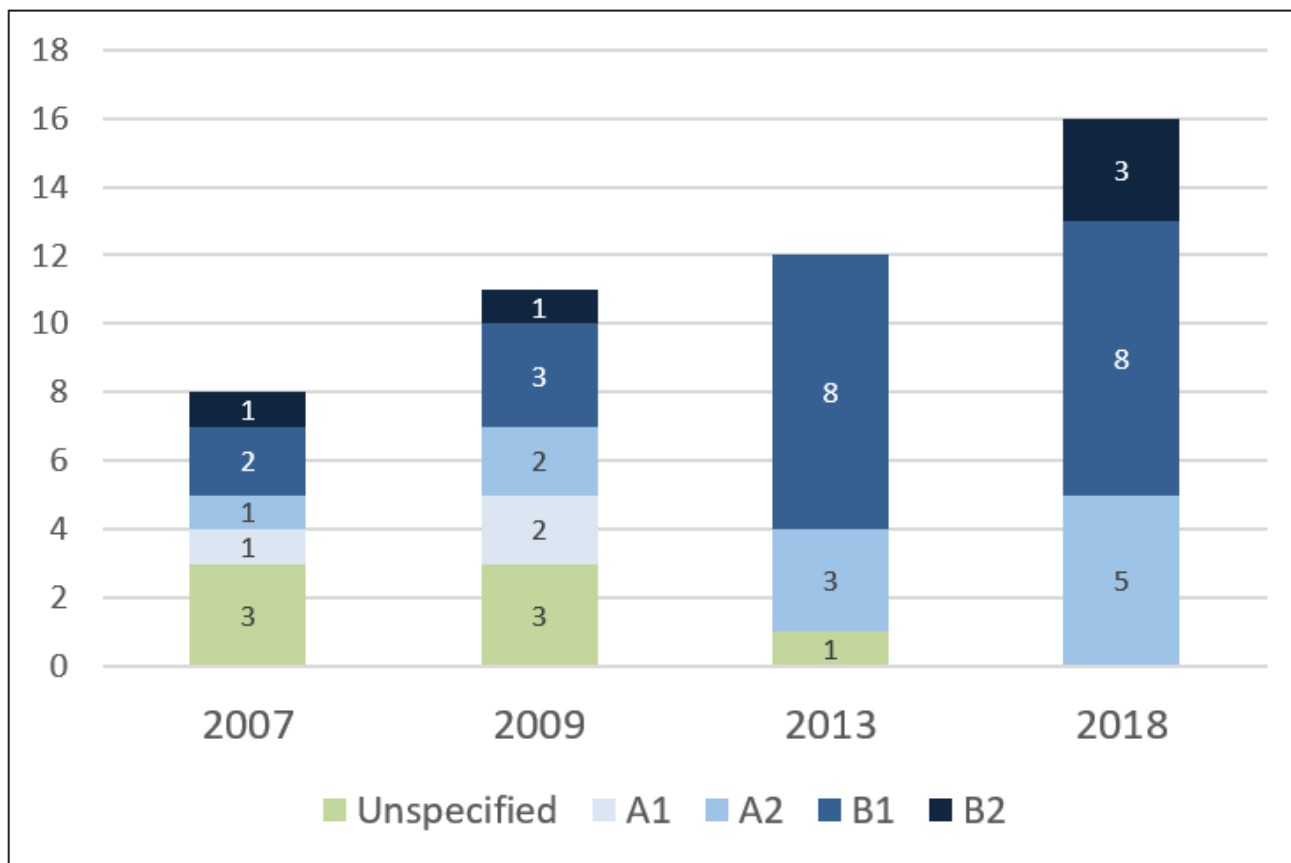
Citizenship – all participating countries

Figure 24 - Citizenship requirements in 2007, 2009, 2013 and 2018 (raw numbers)



Citizenship – subset of countries ($n=19$)

Figure 25 – Citizenship requirements, (subset)



Summing up trends over time:

More countries set requirements in 2018 than in earlier years
The requirements are getting stricter

Prior to entry:

- more countries set requirements
- the requirements are getting stricter
- A1 replaces other levels

Permanent residency:

- more countries set requirements
- the requirements per se are not getting stricter
- A2 replaces other levels

Citizenship:

- the number of countries setting requirements have doubled
- the requirements are getting stricter
- B1 replaces other levels

It appears in some cases that language requirements aim at hindering migration and/or integration rather than facilitating integration. (Pulinx, van Avermaet, Extramiana, 2014: iii)



Regjeringen.no

Tema ▾ Dokument ▾ Aktuelt ▾ Departement ▾ Regjering ▾

Du er her: [Forsiden](#) • [Aktuelt](#) • [Tiltak for å møte flyktningkrisen](#)

Tiltak for å møte flyktningkrisen

Pressemelding | Dato: 29.12.2015
| Nr: 119 – 2015

Justis- og beredskapsdepartementet har sendt ut på høring en rekke tiltak for å stramme inn og gjøre det mindre attraktivt å søke asyl i Norge.

The purpose of introducing stricter integration law and language and KoS requirements:

«to make it less attractive to apply for asylum in Norway»



Council of Europe and ALTE Survey 2018

Development from 2007 to 2018 Recommendations

Cecilie Hamnes Carlsen

Values

Human rights, Democracy, Rule of Law



The Council of Europe advocates freedom of expression and of the media, freedom of assembly, equality, and **the protection of minorities**. It has launched campaigns on issues such as child protection, online hate speech, and the rights of the Roma, Europe's largest minority. The Council of Europe helps member states fight corruption and terrorism and undertake necessary judicial reforms. Its group of constitutional experts, known as the Venice Commission, offers legal advice to countries throughout the world.

The Council of Europe **promotes human rights** through international conventions, such as the Convention on Preventing and Combating Violence against Women and Domestic Violence and the Convention on Cybercrime. It monitors member states' progress in these areas and makes recommendations

through independent expert monitoring bodies. Council of Europe member states no longer apply the death penalty.

1. LEARNING OPPORTUNITIES

It is important that migrants receive adequate and affordable opportunities to learn the language and gain the necessary knowledge of society (KoS).



- ✓ tailored to learners
- ✓ sufficient & affordable
- ✓ high quality material
- ✓ qualified teachers
- ✓ use of learners' L1

2. PROMOTING INTEGRATION

It has been shown that language and knowledge of society tests do not facilitate or measure societal integration. In fact, language and knowledge of society tests can lead to alienation from the host society

- ✓ language courses rather than language tests
- ✓ KoS courses rather than KoS tests



3. PAYING PARTICULAR ATTENTION TO VULNERABLE GROUPS

In designing migration and integration policies, some groups of migrants receive comparably little attention. The requirements are not equally attainable for all learners.



- ✓ levels above A1 in writing may be unattainable for low-literate
- ✓ tailored courses and assessment
- ✓ exemptions from requirements

- ✓ refugees and those eligible for subsidiary protection should not be required to meet conditions that may put their current and future safety at risk

4. TEST QUALITY

When tests have important impact on peoples' lives and prospects, the test instruments should hold high quality. The principle of equality and fairness is central to good practice in assessment, fairness, in this context, implying that all applicants for residency, citizenship or entry to a country have equal opportunity to meet the requirements

- ✓ high quality tests
- ✓ quality control
- ✓ computer training if needed
- ✓ compulsory tests should be free of charge
- ✓ if KoS tests are used, they should be in a familiar language
- ✓ based on needs analyses



5. RESPONSIBLE USE OF TESTS

If language and/or KoS tests are used to control access to citizenship, residency and entry, they may have a severe impact on peoples' lives and prospects. They should be used with great responsibility and consideration for the human rights of the test takers.

- ✓ **The use of pre-entry tests in the context of family reunification is strongly discouraged**
- ✓ consideration for human rights of test takers
- ✓ investigate impact and consequences
- ✓ consult language test experts

6. RESPONSIBLE USE OF THE CEFR

There are certain responsibilities when using the CEFR to determine language requirements in migration or integration policies.

- ✓ well-informed and responsible use
- ✓ attainable levels
- ✓ consult language test experts
- ✓ differentiated requirements
 - not above A1 in reading and writing
 - not above A2 in listening and speaking



	Pre-A1	A1	A2	B1	B2	C1	C2
Listening comprehension							
Reading comprehension							
Spoken production							
Written production							

[Even though] language competences are an important component for integration, they cannot be a pre-condition for integration, since acquiring a language is potentially a lifelong process.

(Thalgott, 2017:v)

