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Border regions facing the migration phenomenon

Current Affairs Committee

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Summary

The report builds on previous Congress texts concerning the reception of refugees and integration of migrants to examine the potential benefits of cross-border co-operation among regions situated on the periphery of Europe or at the borders of countries within Europe. It argues for an “integrated approach”, adequately involving different levels of government, NGOs and partners in countries of origin and transit and underlines that all these stakeholders’ involvement and interconnectedness is crucial for developing effective integration policies.

Emphasising the role of local and regional authorities as key players in the network of governance that benefit migrants, the Congress invites them to exploit the potential of European-level networking with regard to integration, and co-operate with other relevant stakeholders (in particular their counterparts in countries of origin and transit). It calls on member States to highlight the need for European solidarity regarding the reception of migrants, to promote an integrated approach to integration including cross-border co-operation at the European level, bring regulatory clarity to the legal framework, and to provide adequate financial coverage to local and regional authorities.

1 L: Chamber of Local Authorities / R: Chamber of Regions
 EPP/CCE: European People's Party Group in the Congress
 SOC: Socialist Group
 ILDG: Independent and Liberal Democrat Group
 ECR: European Conservatives and Reformists Group
 NR: Members not belonging to a political group of the Congress

RESOLUTION 432 (2018)²

1. The migration phenomenon continues to be a critical challenge for all levels of government, calling for adapted and effective measures in Council of Europe member States.

2. Recent figures provided by the UNHCR³ suggest that the number of people arriving in certain areas of the periphery of Europe is again on the rise. The number of persons coming to Greece by sea rose by 33 % in the first three months of 2018 in comparison to the same period in 2017, while entries over the Greek-Turkish land border increased by 50% in 2017 compared to 2016. The arrivals by sea in Spain doubled between 2016 and 2017.

3. The local and regional authorities in border regions, being the public actors closest to the local population and the migrants, are the first port of call in any emergency. They are facing considerable pressure because of the unequal distribution of the responsibility of managing the current situation. At this juncture, the support given to border regions is crucial for handling this challenge.

4. Instead of considering migration as a crisis situation, it needs to be approached as a phenomenon acknowledged as a systemic issue with long-term consequences, requiring a comprehensive vision that includes both immigration and integration policies. The complexity of migration today is connected not only to the fact that it is not easily fixable in the short-term, but also to the issue of diversity within the immigrant population.

5. Clear definitions are important when talking about migration issues as different responses and investments may be needed to address the current situation, although ensuring the respect of human rights for all migrants regardless of their status constitutes the baseline as far as public authorities are concerned.

6. According to the 1951 UN Geneva Convention relating to the Status of Refugees, a refugee is a person who has a "well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality, and is unable to, or owing to such fear, is unwilling to avail himself of the protection of that country." Refugees have a legal status whereas asylum seekers do not.

7. Asylum seekers are persons who have applied for protection as refugees in a particular State and who are waiting for the determination of their status. States have put in place specific procedures for recognising refugee status. In this context, national asylum systems are in place to determine who qualifies for refugee or subsidiary protection status. Nonetheless, there is a uniform European Union system for the process of seeking asylum to ensure minimal standards such as freedom, security and justice. The Dublin Regulation, which is also the core principle of the Common European Asylum System, establishes the member State's responsibility for examining an asylum application.

8. Finally, according to the International Organisation of Migration (IOM), a migrant is any person who is moving or has moved across an international border or within a State away from his/her habitual place of residence, regardless of the person's legal status; whether the movement is voluntary or involuntary, and irrespective of the causes for the movement or the length of stay.

9. To address the migration phenomenon and evolving challenges, the institutions of the Council of Europe have adopted various texts. The Congress of Local and Regional Authorities of the Council of Europe (hereafter "the Congress") has underlined that special attention should be given to the interests and fundamental rights of refugees and migrants in its Resolution 411 (2017) and Recommendation 394 (2017) entitled "From reception to integration: the role of local and regional authorities facing migration" adopted on 28 March 2017. A resolution and recommendation focusing on the situation of unaccompanied refugee children were adopted on 28 March 2018.

² Discussed and approved by the Chamber of Regions on 6 November 2018, and adopted by the Congress on 7 November 2018, 2nd sitting (see Document [CPR35\(2018\)02](#), explanatory memorandum), rapporteur: Eirini DOUROU, Greece (R, SOC).

³ <https://data2.unhcr.org/en/documents/download/63039>

10. In the explanatory memorandum of this resolution, the Congress advocates for an integrated approach that envisages the maximum involvement of all stakeholders especially in border regions. This approach includes an external dimension that goes beyond multi-level governance and includes collaboration with governmental actors in countries of transit and origin. A similar perspective on cross-border co-operation has been adopted by the EU with the rationale of securisation and regulation of migration flows.

11. The legal framework provided by the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (Madrid Outline Convention) and its protocols has changed the way borders are perceived: rather than being seen as “barriers” between countries, cultures, people, they can be perceived as “spaces of contact” – an understanding which underlines the importance of responsibility-sharing not only among countries, but between and within regions which are the de facto points of contact.

12. The Congress:

a. is convinced that local and regional authorities are the cornerstone of efforts to facilitate both the integration of refugees and migrants and the reception of asylum seekers in a comprehensive way guaranteeing human rights, social cohesion, inclusiveness and the rule of law;

b. is cognisant of the role that local and regional authorities can play against the rise of extremism, racism and xenophobia;

c. is aware of the positive dynamic provided by a horizontally and vertically co-ordinated approach with the participation of all stakeholders;

d. recognises that each State transfers competences to local and regional authorities in different degrees.

13. The Congress therefore calls on the local and regional authorities of the member States:

a. with regard to regional governments, to fully exploit the potential of inter-regional and cross-border networking between regional governments regarding integration. To support networking of cities in the field of integration has been a long-standing objective of the Congress and it also features among its Priorities for 2017-2020. Such networking, when focused on the existing organisations representing border regions, will offer benefits in terms of diffusion of good practices, increase the forces for political pressure on the European institutions and give greater access to financial resources;

b. with regard to local and regional governments, to:

i. promote the integrated approach to integration, including cross-border co-operation, possibly at EU level jointly with the EU Committee of Regions;

ii. enhance responsibility-sharing between and within regions, since, as a matter of fact, hinterland and border regions are affected differently with regard to migration;

iii. promote collaboration with local stakeholders, NGOs and the civil society in order to facilitate the development of more inclusive societies embracing the “super-diversity” of the immigrant population who originate from a greater variety of countries and socio-economic backgrounds than in earlier periods of history;

iv. make use of European local government networks such as “Cities for Local Integration Policies” (CLIP), “Intercultural Cities” or “Integrating Cities” to receive support and best practice experience in the field of integration;

v. take inspiration from the UN “Global Compact on Refugees” to endorse the integrated approach to integration, including cross-border co-operation, and develop mechanisms of responsibility sharing;

c. concerning -more specifically- the integration of migrants, to:

i. co-operate with local stakeholders in the countries of origin, for stimulating migrants' integration and inclusion in projects in destination countries;

ii. introduce policies which may provide, not only directly but also indirectly, better opportunities to migrants within the labour market.

14. The Congress is convinced that the Council of Europe Development Bank (CEB) which supports integration projects can contribute to the efforts of local and regional authorities to provide assistance to integration projects.

RECOMMENDATION 422 (2018)⁴

1. The migration phenomenon continues to be a critical challenge for all levels of government, calling for adapted and effective measures in Council of Europe member States.

2. Recent figures provided by the UNHCR⁵ suggest that the number of people arriving in certain areas of the periphery of Europe is again on the rise. The number of persons coming to Greece by sea rose by 33 % in the first three months of 2018 in comparison to the same period in 2017, while entries over the Greek-Turkish land border increased by 50% in 2017 compared to 2016. The arrivals by sea in Spain doubled between 2016 and 2017.

3. Regional and local authorities are facing considerable pressure because of the unequal distribution of the responsibility of managing the current situation. At this juncture, the support given to border regions is crucial for handling this challenge.

4. Instead of approaching migration as a crisis situation, it needs to be approached as a phenomenon acknowledged as a systemic issue with long-term consequences, requiring a comprehensive vision that includes both immigration and integration policies. The complexity of migration today is connected not only to the fact that it is not easily fixable in the short-term, but also to the issue of diversity within the immigrant population.

5. Clear definitions are important when talking about migration issues as different responses and investments may be needed to address the current situation although ensuring the respect of human rights for all migrants regardless of their status constitutes the baseline as far as public authorities are concerned.

6. According to the 1951 UN Geneva Convention relating to the Status of Refugees, a refugee is a person who has a "well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality, and is unable to, or owing to such fear, is unwilling to avail himself of the protection of that country." Refugees have a legal status whereas asylum seekers do not.

7. Asylum seekers are persons who have applied for protection as refugees in a particular State and who are waiting for the determination of their status. States have put in place specific procedures for recognising refugee status. In this context, national asylum systems are in place to determine who qualifies for refugee or subsidiary protection status. Nonetheless, there is a uniform European Union system for the process of seeking asylum to ensure minimal standards such as freedom, security and justice. The Dublin Regulation, which is also the core principle of the Common European Asylum System, establishes the member State's responsibility for examining an asylum application.

8. Finally, according to the International Organisation of Migration (IOM), a migrant is any person who is moving or has moved across an international border or within a State away from his/her habitual place of residence, regardless of the person's legal status; whether the movement is voluntary or involuntary, and irrespective of the causes for the movement or the length of stay.

9. To address the migration phenomenon and evolving challenges the institutions of the Council of Europe have adopted various texts. The Congress of Local and Regional Authorities of the Council of Europe (hereafter "the Congress") has underlined that special attention should be given to the interests and fundamental rights of refugees and migrants in its Resolution 411 (2017) and Recommendation 394 (2017) entitled "From reception to integration: the role of local and regional authorities facing migration" adopted on 28 March 2017. A resolution and recommendation focusing on the situation of unaccompanied refugee children were adopted on 28 March 2018.

10. In the explanatory memorandum of this recommendation, the Congress advocates an integrated approach that envisages maximum involvement of all stakeholders especially in border regions. This

⁴ See footnote 2

⁵ <https://data2.unhcr.org/en/documents/download/63039>

approach includes an external dimension that goes beyond multi-level governance i.e. collaboration with governmental actors in other countries, including countries of transit and origin. A similar perspective on cross-border co-operation has been adopted by the EU with the rationale of securitisation and regulation of migration flows.

11. Local and regional authorities play a crucial role in the context of an integrated approach. Firstly, they provide and regulate public services that benefit migrants, including those services that are available exclusively for migrants. Secondly, those authorities are often responsible for public services (education, housing, social welfare) that are crucial for socio-economic integration. Thirdly, local and regional authorities act as lobbying and pressure groups targeting the national governments and can therefore influence national integration policies.

12. The legal framework provided by the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (Madrid Outline Convention) and its protocols has changed the way borders are perceived: rather than being seen as “barriers” between countries, cultures, people, they can be perceived as “spaces of contact” – an understanding which underlines the importance of responsibility sharing not only among countries, but between and within regions which are the de facto points of contact.

13. In light of the above and aware that the integrated approach to integration is an ongoing procedure that needs to be followed up by a series of initiatives at European, national, local and regional levels, the Congress calls on the member States of the Council of Europe to:

a. establish an efficient and reliable legal framework for interaction between government levels, notably the distribution of competences between local or regional and the national level. This not only applies to vertical efficient interaction but also to horizontal co-operation between border and hinterland regions;

b. campaign at the European level for solidarity regarding the reception of migrants and speed up the establishment of alternatives to the Dublin Regulation as a mechanism of sharing responsibility throughout Europe;

c. provide adequate financial coverage of local and regional integration policies through access to European funds such as the Asylum, Migration and Integration Fund (AMIF), the Council of Europe Development Bank (CEB) or through the creation of national funds;

d. ensure that the supplementary responsibility migration puts on resources is equally shared between border and hinterland regions. This requires a fair distribution of newcomers not only at the European level but also within member States. While border regions are typically responsible for early immigration crisis management, regions in the hinterland should demonstrate solidarity and step in when it then comes to policy integration;

e. encourage municipalities and regions to collaborate with non-governmental organisations (NGOs).

14. The Congress is convinced that the Council of Europe Development Bank (CEB) which supports integration projects can contribute to the efforts of local and regional authorities to provide assistance to integration projects.

EXPLANATORY MEMORANDUM⁶

1. INTRODUCTION

1. In the course of few decades, Europe has been transformed into a continent of immigration.⁷ Some countries, like Germany, Switzerland or Belgium, have had a substantial influx of newcomers throughout much of their post-World War II history, but only acknowledged the obvious fact of being immigration countries at the end of the 20th century. Others countries, like Spain or Italy, were traditional countries of emigration and have only experienced a sharp increase in foreign-born population over the last three decades. Still other countries, many of them in Central and Eastern Europe, have only started to face the immigration challenge over the last years.⁸ All this implies that there is a long-term demographic trend, even if the picture has evidently changed dramatically with the refugee situation reaching a crisis point in 2015.

2. In the current period, 'migration' is defined as a cross-border movement, and it has come to be seen as something to be managed – a cost to be minimized rather than an opportunity to be embraced. Our view is that it is a key driver of human and economic development and that our future will be strongly influenced by policies regarding migration⁹: this remark made by the authors of "Exceptional People: How Migration Shaped Our World and Will Define Our Future" has proven to be accurate. It expresses a long standing view concerning the global phenomenon and its formative power.

3. Recent figures provided by the UNHCR in 2018 suggest that the number of people arriving in some of Europe's peripheral areas is again on the rise, a fact that puts considerable pressure on regional and local authorities in these areas.¹⁰ For example, the number of persons arriving in Greece by sea rose by 33% in the first three months of 2018 as compared to the same period in 2017. While entries through the Greek-Turkish land border increased by 50% in 2017 compared to 2016, in Spain, arrivals by sea doubled. Again in 2017, 3,200 people are believed to have died attempting to reach Europe by sea. Now, while the overall numbers are falling, the Eastern and Western Mediterranean regions are still facing a serious increase. All this suggests that support for border regions in handling the migration phenomenon is ever more important: the numbers of people coming to Europe may fluctuate, but the underlying problem remains.

4. Any text on the migration phenomenon needs to clarify its terminology as regards the status of the people concerned under international law. In this report, several terms such as refugees, asylum seekers and migrants are used.

5. It should be kept in mind when reading the report that, according to the International Organisation of Migration (IOM), a migrant is any person who is moving or has moved across an international border (international migrants) or within a State away from the habitual place of residence (internal migrants), irrespective of the legal status, (in)voluntary character of the movement and the length of stay. Whenever the term "migrant" is used in this report, it should be taken to mean international migrants along the lines of the IOM definition.

6. A refugee is a person who has a "well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country

⁶ This explanatory memorandum is based on the document prepared by the Council of Europe consultant Dr. Karl Kössler (Austria), senior researcher in EURAC Research centre (Bolzano, Italy). The written contribution is available from the Secretariat upon request. A reflection group consisting of Congress members and Youth Delegates has also contributed to the preparation of the report.

⁷ See M Okólski, 'Transition From Emigration to Immigration. Is it the Destiny of Modern European Countries?' in M Okólski (ed), *European Immigrations: Trends, Structures and Policy Implications* (Amsterdam, Amsterdam University Press, 2012), 23ff.

⁸ See J Arango, 'Early Starters and Latecomers. Comparing Countries of Immigration and Immigration Regimes in Europe' in M Okólski (ed), *European Immigrations: Trends, Structures and Policy Implications* (Amsterdam, Amsterdam University Press), 2012), 45ff.

⁹ *Exceptional People: How Migration Shaped Our World and Will Define Our Future*, Ian Goldin, Geoffrey Cameron & Meera Balarajan, Princeton University Press, p. 3.

¹⁰ UNHCR, *Desperate journeys*. January 2017- March 2018, report available at <https://data2.unhcr.org/en/documents/download/63039>.

of his nationality, and is unable to, or owing to such fear, is unwilling to avail himself of the protection of that country”, according to the UN Geneva Convention relating to the Status of Refugees of 1951.

7. Asylum seekers, by contrast, are persons who have applied for protection as refugees in a particular state and who are still waiting for the determination of whether they qualify for refugee or subsidiary protection status. Minimum standards for national asylum procedures are established by the European Union and the Dublin Regulation, the core of the Common European Asylum System, defines member States’ responsibility for processing an asylum application.

8. The Congress of Local and Regional Authorities of the Council of Europe (hereafter the “Congress”) has been working for more than 20 years on the issue of the integration of migrants emphasizing on three pillars of action: a) the national legal framework allowing integration and participation of migrants, b) specific action at local level to facilitate their access to social rights and the labor market, and c) intercultural policies promoting a positive perception of migrants and a better mutual understanding.

9. The Congress has underlined the special attention that should be given to the interests and fundamental rights of refugees and migrants in Resolution 411(2017) and Recommendation 394(2017) entitled “From reception to integration: the role of local and regional authorities facing migration” adopted on 28 March 2017. Dealing with various aspects of the migration phenomenon from a local and regional government perspective, these texts mainly drew attention to the need to approach *the* question of refugee reception and the integration of migrants both as an emergency situation where local and regional authorities have the responsibility to address the needs of refugees and also from a strategic perspective based on long-term policies for integrating migrants and building inclusive societies.

10. A second report focusing on the situation of unaccompanied refugee children was discussed and adopted on 28 March 2018. It underlined that local and regional authorities have the authority, capacity and responsibility to protect refugee children’s rights by developing appropriate services and to strengthen the protection of refugee children and unaccompanied minors.

11. The current report, the third Congress text drafted in response to the refugee situation since 2016, builds on the previous ones and takes inspiration from the debate on border regions held in the Regional Chamber of the Congress in March 2017 where attention was focused on the situation of regions situated on the borders of Europe or at the borders of countries within Europe which carry a heavy responsibility in the reception and integration of migrants and therefore need specific policies and solutions to tackle the issue of migration.

1.1 The “migration phenomenon”

12. The developments since 2015 are best interpreted, with all their particularities, as being embedded in a broader context of long-run international migration patterns. That is one of the reasons for using the term “migration phenomenon” in this report. This expression seems preferable to others, such as migration crisis or migration flows, because it better reflects the durable consequences of this complex development on Europe and the need to tackle those consequences on a long-term basis.

13. The thousands of refugees living in dire conditions and the overpowering need to find acceptable solutions feed the impetus to act swiftly and find solutions rapidly, a condition that can give rise to what has been called “democratic impatience”.¹¹ The term alludes to the frustration about the impossibility of quick fixes, let alone between one election and another, for a long-term challenge like integration. The complexity of migration today is epitomised by the fact that it has not only increased in absolute numerical terms, but has also become more complex due to the fact that newcomers originate from a greater variety of countries and socio-economic backgrounds than in earlier times. This has given rise in Europe to what has been termed “super-diversity”,¹² indicating increased diversity not only between immigrant and ethnic minority groups, but also within them. This obviously

¹¹ Rinus Penninx, Decentralising Integration Policies. Managing Migration in Cities, Regions and Localities, in Policy Network Papers, 2009, online: http://www.policy-network.net/publications_detail.aspx?ID=3450, 7.

¹² S Vertovec, ‘Super-diversity and its Implications’ (2007) 30 *Ethnic and Racial Studies* 1024.

has ramifications on how to develop approaches and policies that will effectively respond to the variety of the population.

14. A second advantage of the term “migration phenomenon” is related to the crucial distinction between “immigration”, on the one hand, and “integration”, on the other. The first term refers to “policies of immigration”, i.e. the regulation of international migration flows through admission and (sometimes) selection of migrants. “Integration”, by contrast, focuses on “policies for migrants”¹³ so that they eventually “become an accepted part of society”.¹⁴ While terms such as migration crisis or flows focus on issues related to immigration policies, the term “migration phenomenon” seems better suited to also encompass integration policies. The primary focus of this report will be integration policies.

1.2 An integrated approach: Border regions and the potential of cross-border co-operation

15. With regard to integration policies, the Congress advocates an integrated approach that envisages maximum involvement of all stakeholders, i.e. systematic vertical co-operation between and horizontal co-operation within levels of government, as well as collaboration of these governmental actors with NGOs and stakeholders in other countries.

16. This international dimension does not only include countries of transit and origin, but also and in particular border regions in neighbouring countries. The term “border regions” as used in this report includes both peripheral areas of Europe where migrants arrive and territories where migrants cross from one European country into another. An integrated approach to integration is foreshadowed in policy documents adopted by the Congress in 2017¹⁵ and bears resemblance with what has come to be known in the research community as “multilevel governance of integration”. Section 2 of this report explains why the integrated approach of the Congress is highly relevant and timely. The “Issue Paper on Migration and Asylum in EU Regions: Towards a multilevel governance approach” adopted in March 2018 by the Conference of Peripheral Maritime Regions of Europe (CPRM, a long-time partner of the Congress, embodies the same direction with the core values of the Congress.¹⁶

17. In Section 3, particular emphasis is placed on exploring the roles that regional and local governments play and may play in the context of such an approach. In doing so, the report takes due account of the inherent interconnectedness of these two levels of government with the national and European levels.

18. A specific characteristic of the integrated approach the Congress takes is its emphasis on extensive collaboration not only within the member states, but also across international boundaries. That includes, in particular, border regions and the potential of cross-border co-operation to ensure the coherence and efficiency of integration policies. Section 4 of this report analyses the legal framework and significance of such co-operation, the impact of the refugee situation on it and, conversely, the impact of cross-border co-operation on integration.

19. Any integrated approach to integration policies must rest on the interconnectedness of the stakeholders involved. In this light, the report concludes in Section 4 with policy recommendations that are not only addressed to local and regional authorities, but also to national governments, where these could strengthen the roles played by lower levels of government.

1.3 The “multi-levelness” of policies and collaboration with countries of transit and origin

20. The integrated approach to integration is clearly in line with developments of policy-making in this field, as it recognises the increased “multi-levelness” of integration policies. For a long time, mainstream research had its focus almost exclusively on the analysis of national integration models,

¹³ T Hammar, *Democracy and the Nation State* (Aldershot, Avebury, 1990).

¹⁴ For this broad and open definition of what integration means, see R Penninx and B Garcés-Masareñas, ‘Integration Policies of European Cities in Comparative Perspective: Structural Convergence and Substantial Differentiation’ (2016) 32 *Migracijske i etničke teme* 158f.

¹⁵ See Congress report (CG32(2017)07) “From reception to integration: the role of local and regional authorities facing migration”, and the subsequent Resolution 411(2017) and Recommendation 394(2017).

¹⁶ <http://cpmr.org/wpdm-package/migration-and-asylum-in-eu-regions-towards-a-multilevel-governance-approach/>

as central government policy was assumed to determine integration throughout the country. However, this notion of more or less uniform “integration nations”¹⁷ and their archetypical models¹⁸ soon came to be challenged during the 2000s because it was considered as being at odds with the reality of increased multi-levelness.¹⁹

21. Comparative evidence suggests that a number of countries have gradually shifted responsibilities regarding integration to the regional and local levels.²⁰ To be clear, decentralisation of responsibilities has not always occurred on a voluntary basis and, very importantly, with an adequate transfer of funding. A case in point outside Europe is the United States. In many instances, however, regional and local governments took the initiative and started to mobilize in order to gain influence over integration policies. A good example within Europe is Spain, where Catalonia claimed responsibilities regarding integration and eventually became a pioneer in the field in the early 1990s.

22. Whatever the dynamics in the specific case, top-down or bottom-up, the increased multi-levelness of integration policy-making sparked the application of the concept of multilevel governance on this field, i.e. the interdependence and continued negotiation between governments at different levels as well as private actors. The similarities with the integrated approach to integration, as described above, are obvious. Yet, there are also certain notable differences.

23. The integrated approach goes one step further than multi-level governance by also underlining the importance of collaboration with governmental actors in other countries, including countries of transit and origin. Multi-level governance lacks this external dimension.²¹

24. By emphasising this significant dimension, the Congress also builds on experiences reported at its 2017 debate on “Border Regions Facing Migration Flows”, in particular from the Canary Islands and Morocco.²² Confronted with immigration primarily from the Maghreb and Western Africa, this autonomous community in Spain had adopted an integrated approach at a very early stage. This did not only include co-ordination between government levels and with NGOs, but also co-operation with countries of origin and transit. Importantly, one and the same country may in fact have multiple functions. This is demonstrated by the example of Morocco, which has increasingly become also a destination country for migrants. Such a development is reflected in efforts to regularise illegal immigrants, the extension of residence permits and economic development initiatives, especially in the Tanger-Tetouan-Al Hoceima region.

25. In other cases, collaboration with countries of origins and transit is more focused on the management of migration flows rather than integration policies. This holds true for the agreement concluded by Italy and Libya in February 2017 and, more broadly, collaboration between the EU and the African Union (AU). Along the lines of the above-mentioned agreement, Italy provides logistical and financial support to the Libyan coast guard in order to slow the arrival of migrants across the Mediterranean. While several human rights groups have acknowledged that the stepped-up activity by Libya’s coast guard has saved lives, they have also decried detention conditions and other blatant human rights abuses, including migrant slave markets.²³ In a Joint Statement on the Migrant Situation in Libya, the African and European leaders gathered at the AU-EU Summit on 27-29 November 2017 referred to their existing collaboration, including also UN agencies, which facilitated 13,000 assisted

¹⁷ See Favell, A. (2005). *Integration nations: The nation-state and research on immigrants in Western Europe*. In M. Bommes and E. Morawska (Eds.), *International migration research: Constructions, omissions and the promises of interdisciplinarity*. Aldershot: Ashgate.

¹⁸ The multiculturalist model (e.g. Netherlands and Sweden), the assimilationist Republicanist model (e.g. France) and the functionalist guest worker model (e.g. Germany).

¹⁹ See Joppke, C. (2007). *Beyond national models: Civic integration policies for immigrants in Western Europe*. *West European Politics*, 30 (1), 1–22.

²⁰ See K Kössler, “Immigration and Integration in Multilevel Systems: A Challenge between Regional Autonomy and Intergovernmental Co-operation”, in: Roberta Medda-Windischer and Andrea Carlà (eds.), *Migration and Autonomous Territories. The Case of South Tyrol and Catalonia* (Leiden and Boston: Brill-Martinus Nijhoff, 2015), 27-61. Caponio, T., and Borkert, M. (2010). *The local dimension of migration policymaking*, IMISCOE reports. Amsterdam: Amsterdam University Press.

²¹ See Scholten, P. and Penninx, R. (2016). *The multi-level governance of migration and integration*, in: B. Garcés-Mascareñas and R. Penninx (eds). *Integration Processes and Policies in Europe: Contexts, Levels and Actors*. Dordrecht: Springer Open, 91–108, at 106.

²² See Karl Kössler, Report on the Congress of the Council of Europe Debate on ‘Border Regions Facing Migration Flows’ on 29 March 2017 in Strasbourg (2017), paras 9-10.

²³ <https://www.amnesty.org/en/latest/news/2018/02/a-year-after-italy-libya-migration-deal-time-to-release-thousands-trapped-in-misery/>.

voluntary returns of migrants stranded in Libya to their respective countries of origin. Moreover, they committed to stepping up this work in order to ensure the availability of voluntary resettlement in countries of origin or third countries and to tackling both the root causes of the recent migration phenomenon and the political crisis in Libya.²⁴

26. It is important to note that with its internationalisation of integration policies, the integrated approach adopted by the Congress is consonant with how the EU has recently framed this policy field. Over the last years, the latter has moved from the perspective of a two-way process involving only migrants and host societies²⁵ to a three-way process approach that also includes countries of origin.²⁶ While this reflects increased efforts since the late 1990s to make migration a triple-win scenario that benefits the country of origin, the country of destination and migrants themselves, the rationale behind the external dimension has today rather shifted towards securisation with a focus on joint control and regulation of migration flows. This has not only involved countries of origin, but increasingly also countries of transit. Another dimension of the internationalisation envisaged by the integrated approach is the focus on collaboration between border regions with which this report deals more extensively.²⁷

2. LOCAL AND REGIONAL AUTHORITIES' ROLE IN THE CONTEXT OF AN INTEGRATED APPROACH TO INTEGRATION

2.1 The role of regional authorities

27. In the context of the integrated approach to integration, as outlined above, regional authorities are inextricably linked with the other levels of government. Within this network of governance they usually play multiple roles and indeed very important ones. There is a lot of truth to the observation made by the German academic Dietrich Thränhardt that "immigrants are naturalised as citizens of Belgium, Germany, but they are socialised as Walloons or Flemish, Bavarians or Hamburgers".²⁸

28. A first role is that of providing and regulating public services that benefit migrants. On the one hand, this includes general services that are not available exclusively but also for migrants. On the other hand, it refers to specific measures intended only for migrants.²⁹

29. Central among the measures specifically addressed to migrants are the language and orientation courses, which have become increasingly popular in Europe since the 2000s. Even though national governments often regulate and fund these courses (e.g. Switzerland) or even implement them (e.g. Germany), they are in some cases, such as in the Flemish Region of Belgium, genuinely subnational policies.

30. The 2003 Flemish decree on *inburgering* ("citizenisation") foresees integration courses and features, in line with a more general European trend, a strong emphasis on the language, culture and values of the receiving society, only in this case the regional and not national society. Participation in the courses in Flanders is mandatory for certain categories of people, such as new arrivals, recognized refugees and, quite notably, ministers of recognised religions. From a comparative perspective, these courses are clearly more demanding than similar measures in other parts of Belgium.³⁰ This considerable differentiation of policies corresponds to Flemish political preferences,

²⁴ <http://www.consilium.europa.eu/media/31871/33437-pr-libya20statement20283020nov2010.pdf>.

²⁵ European Commission, Communication on immigration, integration and employment. COM (2003) 336 final. Brussels: European Commission. This perspective contrasts with the view of a one-way process, as espoused by classical assimilation theories. According to them, only the immigrant has duties, most notably the obligation to adapt entirely to what is considered the mainstream society.

²⁶ European Commission, European agenda for the integration of third-country nationals. COM (2011) 455 final. Brussels: European Commission, at 10.

²⁷ See section 3.

²⁸ D Thränhardt, 'Immigration and Integration in European Federal Countries: A Comparative Evaluation' in D Thränhardt (ed), *Immigration and Federalism in Europe: Federal, State and Local Regulatory Competencies in Austria, Belgium, Germany, Italy, Russia, Spain and Switzerland* (Osnabrück, Institut für Migrationsforschung und Interkulturelle Studien, 2013) 7.

²⁹ An important distinction can therefore be made between general/indirect and specific/direct integration measures. See JP Lynch and RJ Simon, *Immigration the World Over: Statutes, Policies and Practices* (Lanham, Rowman and Littlefield, 2003) 32.

³⁰ See M-C Foblets and Z Yanasmayan, 'Language and Integration Requirements in Belgium: Discordance between the Flemish Policy of 'Inburgering' and the Federal Legislator's View(s) on the Integration of Newcomers and Migrants' in R Van Oersel al (eds), *A Re-Definition of Belonging? Language and Integration Tests in Europe* (Leiden, Martinus Nijhoff Publishers, 2010).

but it also raises the question to what extent regional autonomy needs to be counterbalanced by effective intergovernmental co-ordination. This is one of the key challenges for an integrated approach to integration.³¹

31. A second set of regional public services targets the general public and thus also benefits migrants. European regions typically play a crucial role regarding socio-economic integration because many of them have considerable responsibilities in relevant areas such as labour market, education, housing and social welfare policies, albeit with obvious variations from country to country. This means that any increase in regional powers in these general but integration-relevant policy fields entails, as an ancillary effect, an extension of regional integration competences.

32. For instance, the dominant position of the German Länder regarding education, assigned to them by the 2006 federalism reform, destined them, among other things, for a central integration role when the refugee situation culminated in 2015. In Switzerland, the responsibilities of the cantons range from the education system, which requires migrants' children to adopt the dominant cantonal language, to the assessment of cantonal labour market needs. As the autonomy of the cantons is protected by Article 47 of the Swiss Constitution, the national government can hardly impose its preferences on the cantons, but needs to rely on financial incentives and 'soft instruments' like recommendations.³² All these are reminders of the crucial importance that the general distribution of responsibilities and financial resources has for the actual role the regions play in the context of an integrated approach to integration.

33. Beyond the provision and regulation of public services, regional authorities often play a second important role as pioneers of innovative integration policies. In a number of instances, regions invented integration policies, which were then emulated by other regions and/or the national government. Policy innovation and subsequent horizontal and/or vertical policy learning is arguably facilitated by experiments at a smaller territorial scale as opposed to one single nationwide effort. In such a situation, possible failure entails (territorially) limited damage while success enables a wide diffusion of policies.³³

34. In the field of migrant integration, it is worth mentioning, as an example from outside Europe, that the highly consequential invention of multiculturalist policies in Australia was (in contrast to Canada), unrelated to the national government. Instead, it was from the level of the states, more specifically from the 1983 Ethnic Affairs Policy Statement of New South Wales, that multiculturalism emerged and then spread throughout the country.³⁴ When genuine integration measures were introduced in Switzerland as late as in the 1990s, this was similarly linked with at that time newly drafted integration guidelines of the three pioneering city cantons of Bern, Zurich and Basel-Stadt.³⁵ In Spain, it was similarly the subnational level that took action in response to the gradual transformation into an immigration country with Catalonia devising its first integration plan as early as in 1993 and other Autonomous Communities following suit around the turn of the millennium. Moreover, the Catalanian policy also inspired and anticipated the first national Plan for Social Integration of Immigrants adopted in 1994.³⁶ To sum up, enhanced intergovernmental co-operation, something that an integrated approach implies, has the potential to promote policy learning with regard to both its horizontal and vertical dimensions.

35. A third role of regional authorities is to act as lobbying and pressure groups, even with regard to aspects of integration that do not fall within their responsibilities. A good example is the 2012 reform in Belgium regarding the citizenship law, which is in any country a key element of civic-political integration. This reform amended, not least through the influence exercised by the Flemish Region, the until-then-very-liberal legislation, which had been based on "integration through citizenship" rather

³¹ See below paras 30-33.

³² See G D'Amato, 'Switzerland' in Joppke and Seidle, *Immigrant Integration* (2012) 168 and 182.

³³ See F Palermo and K Kössler, *Comparative Federalism: Constitutional Arrangements and Case Law* (Hart Publishing, Oxford, 2017) 318-20.

³⁴ See A Whelan, *25 Years of EAPS: Review of EAPS Operation in New South Wales* (Sydney, NSW Government, 2009) 14.

³⁵ See N Wichmann et al, *Gestaltungsspielräume im Föderalismus: Migrationspolitik in den Kantonen* (Bern-Wabern, Eidgenössische Kommission für Migrationsfragen, 2011).

³⁶ See María Bruquetas-Callejo et al., "The case of Spain", in *Migration Policymaking in Europe. The dynamics of Actors and Contexts in Past and Present*, ed. Giovanna Zincone et al. (Amsterdam: Amsterdam University Press, 2011) 309-11.

than a view of citizenship as the culmination of (successful) integration.³⁷ In keeping with Flemish political preferences, the 2012 reform extended the residency requirements for naturalisation and reintroduced conditions regarding language skills and employment records. In Spain, the Catalan Government was successful in securing from the national government the power to issue initial work permits for migrants employed in Catalonia (Art. 138(2) of the 2006 Autonomy Statute). The fact that this competence was then extended by the Spanish Government to the other Autonomous Communities, in order to avoid preferential treatment of Catalonia, demonstrates the indirect (and often unintended) consequences within an integrated system of policy-making.

2.1.1 Matching regional preferences and needs

36. Differentiated integration policies within such an integrated system, which vary from region to region as a result of decentralisation, have the advantage that they may better correspond to the preferences and needs of a given territory. After all, this is what enabled Wallonia, for example, to adopt an approach which is more accommodative than the above-mentioned policies of the Flemish Region.

37. Similarly, Scotland has a distinct approach that diverges from the rest of the United Kingdom in terms of its more proactive strategy regarding integration. Particularly notable among the many Scottish initiatives is its explicit support of English language training. Scotland offers, for instance, more free-of-charge English courses, to which access may be rather limited in other parts of the country.³⁸ Yet, despite the benefits of autonomous regional policies for ensuring a better match with specific territorial preferences and needs, differentiation may reach a point where it provokes questions regarding country-wide coherence and equity. Arguably, one may raise such questions – with some justification – in the Swiss case of highly divergent cantonal conditions for naturalisation. These have to be met in addition to those established in federal citizenship legislation. The Canton of Geneva, for instance, requires candidates to have had their residence in the canton only for two years while as many as 12 years are necessary in Nidwalden.

2.1.2 The risk of policy fragmentation

38. In the light of the above, it is a primary challenge for an integrated approach to integration, which includes a multitude of (to some degree) autonomous stakeholders, to mitigate the risk of fragmentation through intergovernmental co-ordination. This holds true at least, if recentralisation is not considered as a viable option. Precisely the latter was the recipe for the Canadian Government in 2012 to prevent what it saw as “a patchwork approach to the important work of settling new Canadians”.³⁹ But if one aims to avoid recentralisation (in line with the spirit of an integrated approach), then intergovernmental co-ordination is without doubt the better option to ensure a minimum degree of country-wide coherence and equity. In this regard, it is not only important that mechanisms of such co-operation are in place, but also that they are effectively used. This is not the case, for instance, in Belgium where the subnational entities regard the field of integration as their “private hunting ground”⁴⁰ and do not use existing structures for co-operation. There is even reluctance to merely exchange best practices and information so that fragmentation of policies is, especially in view of extremely different approaches to integration, a very real problem.

2.1.3 Patterns of intergovernmental co-ordination to avoid fragmentation

39. Where intergovernmental co-ordination is well-developed, it may essentially follow two different patterns, i.e. that of multilateralism or of bilateralism within a multilateral framework. A case in point for the latter approach is Canada. Quebec has since 1991 exclusive responsibility for settlement services. By contrast, arrangements with the remaining provinces have been concluded bilaterally,

³⁷ See M-C Foblets and S Loones, ‘Belgium’ in R Bauböck et al (eds), *Acquisition and Loss of Nationality: Policies and Trends in 15 European Countries*, vol 2 (Amsterdam, Amsterdam University Press, 2006) 91.

³⁸ See Eve Hepburn, ‘Is there a Scottish Approach to Citizenship’, in Roberta Medda-Windischer and Karl Kössler (eds.), *Regional Citizenship: A Tool for Inclusion of New Minorities in Subnational Entities? Special Focus of the European Yearbook of Minority Issues Vol. 13* (Leiden and Boston: Brill-Martinus Nijhoff, 2017) 203-07.

³⁹ Citizenship and Immigration Canada, Government to Strengthen Responsibility for Integration of Newcomers: <http://www.cic.gc.ca/english/department/media/releases/2012/2012-04-12.asp>.

⁴⁰ M Martiniello, ‘Belgium’, in C Joppke and FL Seidle (eds), *Immigrant Integration in Federal Countries* (Montreal, McGill–Queen’s University Press, 2012) 71.

but within a common multilateral framework laying down minimum requirements. For example, federally funded settlement programmes, which involve language courses or the twinning of migrants with volunteers as informal mentors, are in principle restricted to permanent residents. Some provinces, however, extend them to temporary residents. Thus, this model of “bilateralism within multilateralism” has enabled some inter-provincial differentiation (but not too much), even if the partial recentralization in 2012 entailed a certain alignment of settlement services.⁴¹

40. Multilateralism, by contrast, characterises Germany's approach to intergovernmental co-ordination. Ten National Integration Summits⁴² with varying focus topics have taken place since the first event in 2006, which gave rise to the publication of the first National Integration Plan one year later. Very much in line with an integrated approach, these summits and the integration plan do not only involve different levels of government. They also entail mutually concerted tasks for stakeholders beyond the governmental sector such as migrant organizations, trade unions and employers' associations, religious communities, media and even the German Football Association. Although some observers have cast doubt on the efficiency and relevance of multilateral co-ordination via these conferences, their immense symbolic significance is undisputed.⁴³ At any rate, they have helped to clarify tasks regarding some issues such as the acquisition of employment-related language skills with the federal government concentrating on regulation and the Länder on service provision.

41. As described above, intergovernmental co-ordination is not only indispensable for horizontal relations between regional authorities, but also for vertical relations between them and the national government. Moreover, it is likewise crucial for their relations with local governments and thereby closely linked to the principle of subsidiarity. As enshrined in Article 1c of the 2009 Congress text “Council of Europe Reference Framework for Regional Democracy”, the “relationship between regional authorities and other sub-national territorial authorities shall be governed by ... the principle of subsidiarity.” Importantly, this implies that regional and local authorities are not regarded as inevitable competitors in a zero-sum game but as complementary levels of government. This holds true not least for the field of integration policies.

2.2 The role of local authorities

42. There is a broad consensus that past decades have given rise to a local turn in policy-making on integration. This has been variously explained as being linked to globalisation, to broader decentralisation processes or to immigrants settling primarily in urban areas and thus provoking a policy response in cities in particular.⁴⁴

43. Notwithstanding this distinct recent trend, local governments have in some countries played a central role from the very beginning of integration policies. In Sweden and the Netherlands, early involvement of local authorities was stimulated by existing *national* policies, which these two countries had introduced shortly in the years around 1980.⁴⁵ In other cases, local integration measures were put in place precisely because of the *absence* of such national efforts.

44. Indeed, many countries continued to deny the fact that they had transformed into countries of immigration, especially through post-war labor migration until the mid-1970s. Until the official recognition of this fact and the introduction of national policies (mostly in the late-1990s), local authorities were therefore - by default - crucial actors in the field of integration, often in co-operation with trade unions, churches and charitable organisations.⁴⁶ In Germany, for example, they have been

⁴¹ See K Banting, ‘Canada’, in C Joppke and FL Seidle (eds), *Immigrant Integration in Federal Countries* (Montreal, McGill–Queen’s University Press, 2012) 95-96.

⁴² https://www.bundesregierung.de/Webs/Breg/DE/Bundesregierung/Beauftragte fuer Integration-alt2/nap/integrationsgipfel/_node.html.

⁴³ See M. Bommers and H. Kolb, “Germany” in C. Joppke and F. Leslie Seidle, *Immigrant Integration in Federal Countries* (Montreal and Kingston, McGill-Queen's University Press, 2012), 129.

⁴⁴ See R Penninx and B Garcés-Mascareñas, ‘Integration Policies of European Cities in Comparative Perspective: Structural Convergence and Substantial Differentiation’ (2016) 32 *Migracijske i etničke teme* 156.

⁴⁵ Penninx, R. (2015). European cities in search of knowledge for their integration policies. In P. Scholten, H. Entzinger, R. Penninx, and S. Verbeek (Eds.), *Integrating immigrants in Europe: Research-policy dialogues*. Dordrecht: Springer. IMISCOE Research.

⁴⁶ Penninx, R. (2005). Integration of migrants: Economic, social, cultural and political dimensions. In M. Macura, A. L. MacDonald, and W. Haug (Eds.), *The new demographic regime: Population challenges and policy responses* (pp. 137–152). New York/Geneva: United Nations.

involved in pragmatic problem-solving for decades, on such issues as housing and social welfare. In fact, municipalities acted together with the general social security system, in which migrants were included through employment, as a “silent integration machine”.⁴⁷

45. These dynamics in the past are a good indication for one of three roles that local governments may play today in the context of an integration approach to integration. Also in our times, they are (all too) often central actors regarding integration policies by default. By their nature, local authorities are the level of government closest to the people and usually the first public authorities with which immigrants get in touch.

46. From a longer-term perspective, however, it seems recommendable that local policies move quickly from early reception measures to integration. The early integration model advocated by the Congress in its report adopted in 2017⁴⁸ emphasised migrants’ effective access to social rights at the local and regional levels,⁴⁹ their consideration in local housing policies⁵⁰ and the participation of foreign residents in local public life through consultative bodies.⁵¹ As regards the nature of local integration policies, some observers argue that they are more sensitive to concrete issues on the ground and oriented towards pragmatic problem solving, while national policies often have strong symbolic tendencies.⁵² In any event, appropriate responsibilities and funding for local policies in the context of an integrated approach certainly have the advantage of enabling differentiation according to local needs and preferences. In the Netherlands, for instance, the two major cities, which are home to the bulk of immigrant population, have developed very different foci. While Rotterdam placed particular emphasis on employment and housing, Amsterdam concentrated its activities on the development of intercultural relations.⁵³

2.2.1 Close co-operation with Non-governmental Organisations (NGOs)

47. When it comes to the implementation of integration policies, local authorities are arguably better suited than other government levels to exploit advantages from close co-operation with NGOs. Such collaboration, which is obviously very much in line with an integrated approach, seems natural and particularly fruitful at the local level with its above-mentioned focus on pragmatic problem solving. This is epitomised by numerous examples across Europe. After the City of Stuttgart had adopted its comprehensive “Pact for Integration” in 2001,⁵⁴ it started a number of initiatives together with NGOs. One example is a campaign to inform non-citizens eligible for naturalisation about their right to become German citizens, with the number of applications quickly rising by 15%. Similarly, it organised the campaign “Go Vote” in order to increase the turnout of voters. While this action catered to the population as a whole, it was carried out together with the German Turkish Forum and in different languages so as to reach a particular segment of the electorate.⁵⁵

48. The fact that the City of Amsterdam provides subsidies for NGOs to offer basic services to undocumented immigrants is another example of close collaboration between the public and private sectors at the local level. Similarly to Southern European cities like Barcelona and Turin, the local government finances in this case NGOs to provide services which the authorities itself are not allowed to offer.⁵⁶

⁴⁷ M Bommers and H Kolb, ‘Germany’ in Joppke and Seidle, *Immigrant Integration* (2012) 117.

⁴⁸ Report of the Congress, *From Reception to Integration: The Role of Local and Regional Authorities Facing Migration* (CG32(2017)07), Explanatory Memorandum, paras 97-100.

⁴⁹ Congress Resolution 218 (2006).

⁵⁰ Congress Recommendation 252 (2008).

⁵¹ Congress Recommendation 115 (2002).

⁵² For pros and cons, see Scholten, P. and Penninx, R. (2016). The multi-level governance of migration and integration, in: B. Garcés-Masareñas and R. Penninx (eds). *Integration Processes and Policies in Europe: Contexts, Levels and Actors*. Dordrecht: Springer Open, 91–108, at 99-100.

⁵³ Scholten, P. (2013). Agenda dynamics and the multilevel governance of migrant integration: The case of Dutch migrant integration policies. *Policy Sciences*, 46, 217–236.

⁵⁴ http://citiesofmigration.ca/good_idea/the-stuttgart-pact-for-integration-the-power-of-planning/.

⁵⁵ Schwarz, H. (2014). *Local Integration Policies in Stuttgart, Germany*. Fondazione ISMU – European Commission. (KING Project – Social Science Unit, KING In-depth Study n. 15/October 2014), http://king.ismu.org/wp-content/uploads/Schwarz_InDepthStudy.pdf.

⁵⁶ See Blom, S. (2014). *Local Migration and Integration Policies in Amsterdam*. Fondazione ISMU – European Commission. (KING Project – Social Science Unit, KING In-depth Study n. 16/October 2014), http://king.ismu.org/wp-content/uploads/Blom_InDepthStudy.pdf.

49. Other examples of intersectoral co-operation are in several countries extra-curricular activities to give additional support to schoolchildren. These educational activities involving NGOs complement or “work around” national initiatives and are often financed by local governments, in the absence of access to European funds usually from their own resources.⁵⁷ Such workarounds demonstrate the difficulties of integration policies at multiple levels of government but also the inherent flexibility of such a constellation.

2.2.2 European local government networks

50. Another role for local governments in the context of an integrated approach to integration relates to the enhanced opportunities of reaping the benefits of European local government networks. To support networking of cities in the field of integration has been a long-standing objective of the Congress and it also features among its Priorities for 2017-2020. Also in this period, the organisation “will promote the exchange of good practice and peer-to-peer training within European networks, which have been working on these subjects for a long time.”⁵⁸

51. Indeed, the years since the mid-2000s have witnessed a veritable mushrooming of such networks.⁵⁹ Cases in point are “Cities for Local Integration Policies” (CLIP),⁶⁰ co-founded by the Congress, the CoE “Intercultural Cities” network⁶¹ and “Integrating Cities”.⁶² These forums seem to offer three main benefits. Even if some observers dispute evidence of large-scale horizontal policy learning through such networks,⁶³ they have clearly reinforced the diffusion of certain policies. A good example is the trend towards interculturalism, which has been stimulated and facilitated to a considerable extent by the above-mentioned “Intercultural Cities” network.⁶⁴

52. A second benefit is the opportunity to join forces in order to channel political pressure to European institutions. The most glaring example is the “Integrating Cities” network, which is a forum for policy dialogue between Eurocities, an organisation representing over 140 major cities, and the European Commission. Moreover, Eurocities itself at times intervened in current political affairs regarding (local) integration by publishing political statements as it did in in 2015.⁶⁵ A third benefit of European networks appears to have been, at least for some local governments, greater access to financial resources. In the case of Turin international collaboration has been used as an argument to solicit funds from local banking foundations, while Milan has argued similarly to lobby for national funds.⁶⁶

2.2.3 Co-operation with local stakeholders in countries of origin

53. A rather new role of local governments is in light of an integrated approach to integration their co-operation with local stakeholders in countries of origin. When such collaboration started in the 1990s, this reflected the view that “the essence of integration lies in linking ‘the local’ to ‘the local’ elsewhere and only partly in integration at the level of nation states.⁶⁷ Translocal linkages are often based on co-development programs that pursue the twofold aim of stimulating development in countries of origin and migrants’ integration in destination countries. They may involve local authorities either directly as

⁵⁷ See Golubeva, M. (2012). *Mapping European Stakeholders on Migrant Education*. <http://www.eunec.eu/sites/www.eunec.eu/files/attachment/files/mapping20european20stakeholders20on20migrant20education.pdf>.

⁵⁸ Congress of the Council of Europe, *Priorities of the Congress 2017-2020*, <https://wcd.coe.int/com.instranet.InstraServlet?command=com.instranet.CmdBlobGet&InstranetImage=2975845&SecMode=1&DocId=2398244&Usage=2>, para 93.

⁵⁹ For an overview, see R Penninx and B Garcés-Mascreñas, ‘Integration Policies of European Cities in Comparative Perspective: Structural Convergence and Substantial Differentiation’ (2016) 32 *Migracijske i etničke teme* 168-72.

⁶⁰ <https://www.eurofound.europa.eu/about-clip>.

⁶¹ <https://www.coe.int/en/web/interculturalcities/>.

⁶² <http://www.integratingcities.eu/>.

⁶³ See Dekker, R., Emilsson, H., Krieger, B. and Scholten, P. (2015). A Local Dimension of Integration Policies? A Comparative Study of Berlin, Malmö, and Rotterdam, *International Migration Review*, 49 (3): 633–658, doi: 10.1111/imre.12133.

⁶⁴ See Zapata-Barrero R (ed.) (2015) *Interculturalism in Cities: Concept, Policy and Implementation*. Cheltenham: Edward-Elgar Publishing.

⁶⁵ <http://solidaritycities.eu/policy-statement/49-eurocities-statement-on-asylum-in-cities>.

⁶⁶ See Caponio, Tiziana. 2017. “Immigrant Integration Beyond National Policies? Italian Cities Participation in European City Networks.” *Journal of Ethnic and Migration Studies*

⁶⁷ Zoomers, A., and Van Westen, G. (2011). Translocal development, development corridors and development chains. *International Development Planning Review*, 33 (4), 377–388, at 377.

partners for equivalent institutions abroad (e.g. mostly in the Netherlands) or indirectly as sponsors of NGO collaboration with local stakeholders in countries of origin (e.g. mostly in Spain).

54. Today, there are many city-to-city partnerships of this kind. Even if these have so far primarily involved countries from which people emigrated in the 1960s and 1970s they seem to be a good practice to be considered with regard to more recent migrants to Europe as well. In the Netherlands, teachers participating in exchange programs with Turkey have found it easier to communicate with schoolchildren and their parents. Exchange between the police departments of Rotterdam and Casablanca has increased the understanding of Dutch officers of the root causes for immigration as well as the histories of migrants in addition to improving co-operation against terrorism and transnational crime. Moreover, staff from Moroccan local governments attempted to directly support integration during visits to the Netherlands, in particular regarding more active participation of Moroccan-born parents in the Dutch schooling of their children.⁶⁸

55. While translocal linkages commonly aim at integration, not least through the inclusion of migrants in projects with their countries of origin, they have also been exploited at times by parties like the Northern League and the Vlaams Belang in order to promote remigration. A critical factor for the impact of any translocal activities on integration is sufficient funding which determines co-operation capacities of local authorities in destination countries and (even more so) in countries of origin. Therefore, financial support from other government levels is of crucial importance.

3. BORDER REGIONS AND THE POTENTIAL OF CROSS-BORDER CO-OPERATION

3.1 The legal framework and significance of cross-border co-operation

3.1.1 *The Madrid Outline Convention*

56. It is an essential feature of the integrated approach to integration that enhanced collaboration is not only perceived as internal co-operation within European countries (both vertically and horizontally), but that it also transcends their boundaries. For transfrontier co-operation,⁶⁹ the year 1980 marked a watershed moment, as it witnessed the agreement of the Council of Europe members on the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (Madrid Outline Convention).⁷⁰ In rather few and particular cases, such co-operation had already existed before the adoption of this convention.⁷¹ But it had only been specifically allowed by states ad hoc through bilateral treaties and always under their auspices. Moreover, most of the early initiatives were of a private law nature (e.g. the Arge Alp set up in 1972).⁷² The Madrid Outline Convention established, as the first binding treaty on cross-border co-operation, certain minimum standards, but it also left room for state reservations. It introduced such collaboration into the domestic legal systems of the signatory states as something to be promoted rather than merely tolerated, while having regard, at the same time, to their constitutional provisions (Art. 1, 2(1), 3(1) and 4).⁷³

57. The Additional Protocols to the Madrid Outline Convention further extended the scope and depth of regulations regarding transfrontier co-operation. The first Additional Protocol, opened to signature in 1995, removed certain legal obstacles, as it explicitly entrenched a right of territorial communities or authorities to conclude co-operation agreements (Art. 1), recognised the legal force of joint decisions in domestic law under such an agreement law (Art. 2) and enabled joint bodies to have legal personality (under public or private law) (Art. 3). The second Additional Protocol, signed in 2001, introduced a legal basis for collaboration between non-adjacent territorial communities, henceforward

⁶⁸ See Van Ewijk, at 129-33.

⁶⁹ This report uses the terms “transfrontier co-operation” and “cross-border co-operation” synonymously.

⁷⁰ European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities, ETS No 106 (Madrid, 21 May 1980).

⁷¹ C. Ricq, *Handbook of Transfrontier Co-operation for Local and Regional Authorities in Europe*, (3rd edn, Council of Europe, Strasbourg, 2006), p. 49.

⁷² <http://it.argealp.org/main/pagina-iniziale>.

⁷³ Francesco Palermo and Jens Woelk, “Autonomy: the Problem of Irredentism and Cross–Border Co-operation. Cross–Border Co-operation as an Indicator for Institutional Evolution of Autonomy: the Case of Trentino–South Tyrol”, in Zelim Alan Skurbaty (ed.), *Beyond a One–dimensional State—an Emerging Right to Autonomy?* (Leiden, 2005), 277–304, at 283.

known as “inter-territorial” co-operation. The third Additional Protocol, signed in 2009, gave birth to a new institution of cross-border co-operation, the Euroregional Co-operation Groupings (ECG). Today these texts complement the European Groupings of Territorial Co-operation (EGTC), i.e. the legal entities under both supranational and national law that the EU established in 2006.

4. INSTITUTIONALISATION AND SIGNIFICANCE OF CROSS-BORDER CO-OPERATION

58. Apart from their own direct effect, the Madrid Outline Convention and its Additional Protocol have formed the basis for the conclusion of several bilateral and multilateral agreements. These facilitated institutional innovation and anticipated instruments of transfrontier co-operation, which then became more widely used. For instance, the Bayonne Agreement concluded by France and Spain in 1995 authorised the creation of and participation in a “*groupement d'intérêt public*” (*public interest groups*) under French law or a *consorcio* under Spanish law. This may be regarded as a precursor of the European Union’s EGTCs and the Council of Europe’s ECGs mentioned above.⁷⁴ In conclusion, the Madrid Outline Convention and the further developments since its adoption in 1980 have provided a basis for local and regional entities to engage in cross-border co-operation, which continues to be important for the sake of cohesion within Europe.

59. In Europe, the above-mentioned legal institutionalisation of transfrontier co-operation has given rise to “new centers in the periphery”⁷⁵ and changed the conception of borders and border regions. Increased collaboration of the latter in a number of policy fields has transformed international boundaries, to some extent, from “barriers” into “spaces of contact”.⁷⁶ In order to overcome the inherent disadvantages of peripheral areas, much emphasis has been placed from the very beginning on pragmatic functional co-operation in areas like infrastructure or economic development, i.e. on what has been termed in the US context as “cross-border housekeeping”.⁷⁷ Only more recently, cross-border co-operation has been related to the field of integration policies, particular in the wake of the refugee crisis with its peak in 2015.

60. Regarding the relationship between transfrontier co-operation and migrant integration, it is evident that there are no simple and unidirectional effects. On the one hand, the refugee situation has certainly complicated and sometimes obstructed cross-border co-operation in several regards. On the other hand, collaboration across international boundaries has come to be seen as a possible way out of the “crisis of policy”⁷⁸ since the events of 2015, which left much of the problem-solving to regional and local authorities. This holds true, in particular, for those located in border areas.

4.1 The impact of the refugee situation on cross-border co-operation

61. The effects of the refugee situation on collaboration across borders have been manifold and changing over time. The most obvious impact was due to the unilateral temporary reintroduction of border controls within the Schengen Area since July 2015. From a legal point of view, these actions of several states were based on exceptional rules in the Schengen Border Code and thus fully in line with EU law.⁷⁹ From an economic perspective, however, the temporary border controls have entailed, according to various estimates, very high costs⁸⁰ and organisations representing border regions have

⁷⁴ See F Palermo, ‘The “New Nomos” of Cross-Border Co-operation’ in F Palermo et al (eds), *Globalization, Technologies and Legal Revolution: The Impact of Global Changes on Territorial and Cultural Diversities, on Supranational Integration and Constitutional Theory — Liber Amicorum in Memory of Sergio Ortino* (Baden-Baden, Nomos, 2012) 77.

⁷⁵ R. Toniatti, ‘How Soft is and Ought to be the Law of Interregional Transborder Co-operation?’ in R. Kicker, J. Marko and M. Steiner (eds.) *Changing Borders: Legal and Economic Aspects of European Enlargement* (Peter Lang Publishing, Frankfurt, 1998), at 43.

⁷⁶ See R. Ratti, ‘Spatial and Economic Effects of Frontiers: Over-view of Traditional and New Approaches and Theories of Border Area Development’ in R. Ratti and S. Reichman (eds.) *Theory and Practice of Transborder Co-operation* (Helbing and Lichtenhahn, Basel/Frankfurt, 1993), pp. 23–54.

⁷⁷ John Kincaid, *Foreign Relations of Sub-national Units*, in Raoul Blindenbacher and Arnold Koller (eds.), *Federalism in a Changing World* (Montreal and Kingston: McGill-Queen's University Press, 2003), 74-96, at 86.

⁷⁸ Report of the Congress of the Council of Europe, *From Reception to Integration: The Role of Local and Regional Authorities Facing Migration* (CG32(2017)07), Explanatory Memorandum, para 34.

⁷⁹ See Guild, E., E. Brouwer, K. Groenendijk, and S. Carrera. 2015. *What is Happening to the Schengen Borders?* CEPS Paper in Liberty and Security in Europe, no. 6/December, at 1.

⁸⁰ See Aussilloux, V., and B. Le Hir. 2016. *The Economic Cost of Rolling Back Schengen*. Analytical Note, no. 39, France Stratégie, Paris.

repeatedly called attention to these consequences.⁸¹ This holds true, in particular, for border areas with intensive transfrontier co-operation and, as a result, massive flows of peoples and goods across international boundaries.⁸² A case in point is Luxembourg, which has, as part of the Saar-Lor-Lux Euroregion and the wider Greater Region, around 200,000 cross-border workers.

62. Reintroduced controls within the Schengen Area, therefore, highlighted another function of borders besides those mentioned above as barriers or spaces of contact. Borders then functioned like “filters that separate out the unwanted from the wanted cross-border flows”.⁸³ To be sure, there has been a short-term impact of the temporary border controls on the economy and people’s everyday lives, especially at bottlenecks such as the Brenner Pass between Italy and Austria and the Øresund bridge linking Denmark and Sweden. It would be even more alarming, however, if these sporadic controls created a feeling of insecurity and thus change the attitudes of people and policy-makers towards transfrontier co-operation. Anyway, there remains the challenge of reconciling “open borders” for the sake of mobility and economic development, on the one hand, and “border securisation” for the sake of internal security, on the other. As the first is a mainly a prerogative of the EU and the latter of the Member States, mastering this challenge requires intergovernmental co-operation, to the benefit of and in consultation with local and regional authorities.

63. From a comparative perspective, it is important to recognise that the phenomenon of increased migration has had a quite uneven impact across Europe, with enormous variations not only from country to country but also from region to region. As a matter of fact, the refugee situation has affected hinterland and border regions quite differently. The responsibility for early immigration crisis management typically falls to the border regions, while those in the hinterland should demonstrate solidarity and step in when it then comes to policies integration.⁸⁴ This obviously requires a fair distribution of newcomers across Europe. As set out in the Priorities of the Congress for the 2017-2020 period, efforts of “building safe and inclusive societies that respect diversity” through the “integration of refugees and migrants” requires, in general terms, “solidarity and burden-sharing in the reception and integration of migrants between authorities”.⁸⁵ More specifically, it necessitates a central role local and regional authorities “regardless of their geographical position”.⁸⁶

64. In practice, responsibility sharing between territories requires collaboration between different government levels, between regions and within regions. In this regard, the German example of mechanisms for the redistribution of migrants between Bavaria and the federal government as well as within Bavaria, are of interest.⁸⁷ A central point is therein is the complementarity of territories. While areas located at international borders focus (almost necessarily) on reception and initial medical treatment, those in the hinterland are primarily tasked with subsequent integration measures, above all regarding education.

4.2 The impact of cross-border co-operation on integration

65. As mentioned above, there is not only a unidirectional impact of the refugee situation on collaboration across boundaries, but also the potential of cross-border co-operation to facilitate the integration of migrants. In this respect, it is important to underline that such facilitation may occur by working together on policies for the general population that *also* impact on migrants (e.g. regarding the labour market and education) and, in the narrow sense, on policies that are specifically addressed to them.

⁸¹ This holds true, in particular, for the Association of European Border Regions (AEBR) (<http://www.aebr.eu/en/index.php>) and the Mission Opérationnelle Transfrontalière (MOT) (<http://www.espaces-transfrontaliers.org/>).

⁸² See Zilmer, S., S. Hans, C. Lüer, A. Montan, M. Toptdisou, B. Schuh, C-H. Hsiung, P. Celotti, and P. Le Moglie. 2017. EGTC monitoring report 2016 and the impacts of the Schengen area crisis on the work of EGTCs; report commissioned by the Committee of the Regions, Brussels, at 21.

⁸³ Andreas, P. 2000. Introduction: The Wall After the Wall. In *The Wall Around the West: State Borders and Immigration Controls in North America and Europe*, eds. P. Andreas and T. Snyder, 1–15. Lanham: Rowman and Littlefield, at 4.

⁸⁴ See Karl Kössler, *Report on the Congress of the Council of Europe Debate on ‘Border Regions Facing Migration Flows’ on 29 March 2017 in Strasbourg* (2017), para 20.

⁸⁵ Congress of the Council of Europe, *Priorities of the Congress 2017-2020*, <https://wcd.coe.int/com.instranet.InstraServlet?command=com.instranet.CmdBlobGet&InstranetImage=2975845&SecMode=1&DocId=2398244&Usage=2>, para 94.

⁸⁶ *Idem*, para 92.

⁸⁷ See Karl Kössler, *Report on the Congress of the Council of Europe Debate on ‘Border Regions Facing Migration Flows’ on 29 March 2017 in Strasbourg* (2017), para 13.

4.2.1 *Cross-border co-operation on policies with indirect bearing on the integration of migrants*

66. As to the latter, it is notable that such policies are absent in a recent comprehensive review of transfrontier co-operation which identified ten main challenges.⁸⁸ Many of the challenges highlighted in this review clearly have an indirect bearing on the integration of migrants. Examples are the need to overcome problems created by incompatible administrative processes on different sides of a border or the envisaged support to facilitate cross-border employment, which may provide for migrants greater opportunities within a larger labour market. A leading example, which the cross-border review referred to, is the close collaboration between the Social Security and Labour Inspection of Galicia and that of Northern Portugal to remove obstacles for the mobility of workers. Another integration-relevant challenge to be tackled is the promotion of multilingualism in border regions, not least to sustain employability (also of migrants) across borders. A good practice highlighted by the review is the “France Strategy” of the Saarland in Germany, which resulted in more than half of all kindergarten in the border area being bilingual.⁸⁹

5. *Cross-border co-operation on policies directly aimed at the integration of migrants*

67. Beyond these examples, there have recently emerged examples of cross-border co-operation on policies directly aimed at the integration of migrants. Some of these collaboration efforts had already existed prior to 2015. But many of them were triggered or at least reinforced by the developments since then. Several examples in different parts of Europe are worth mentioning.

68. For instance, the Region Sønderjylland-Schleswig (Denmark-Germany) has been particularly impacted by the refugee situation in so far as many people passed through it on their way north, especially to Sweden. The train station of Flensburg eventually became a bottleneck and the Danish government decided to introduce border controls. Yet, at the same time, this challenging situation also created awareness of the urgent need for integration measures in the border regions on the Danish and German side of the border. Thus, the year 2016 witnessed the start of a new project called “Boundaries – Can yours be moved?” (Grenzen – Können Ihre bewegt werden?). This project aims at promoting understanding and dialogue between newcomers and the local population through cultural events, exhibitions, interviews, etc. that broach the issue of boundaries in a very broad sense. This includes, for example, the boundary between Germany and Denmark, the maximum number of refugees that can be received, as well as the boundaries of what the destination countries may offer and tolerate.⁹⁰

69. In the Meuse–Rhine Euroregion (Belgium, Germany and the Netherlands), there have been similar efforts to facilitate cross-border co-operation with regard to integration policies. A project that brings together stakeholders from all three neighboring countries explicitly seeks to benefit from different integration strategies in all five border regions involved and to define, on this basis, Euroregion-wide standards for specific programs. Programs included concern the familiarization with common values and the improvement of professional skills of people responsible for integration.⁹¹ The target groups are therefore not migrants themselves but social workers and teachers, as well as volunteers. These are regarded as crucial actors whose vocational training will have positive multiplier effects on integration. After an analysis of the status quo of formal and informal skills, the project aims to create, evaluate and implement a specific training program for these target groups.

70. In the Euroregion Tyrol-South Tyrol-Trentino (Austria-Italy), the government members responsible for integration in the three entities signed a protocol concerning cross-border co-operation regarding intercultural policies as early as in 2011. This protocol aimed at enhancing collaboration with regard to both immigration and integration. This was to be achieved, among other things, through

⁸⁸ European Commission, Boosting growth and cohesion in EU border regions COM(2017) 534 final adopted on 20 September 2017. This document is the outcome of two years of research and dialogue with national, regional and local authorities of EU Member States and partner countries, as well as other stakeholders under the umbrella of the DG REGIO initiative “Cross-Border Review”. In particular, it identified regarding the most pressing challenges 10 actions to be implemented with the support of a newly established Border Focal Point” within the European Commission.

⁸⁹ https://www.saarland.de/dokumente/ressort_finanzen/MFE_Frankreich_Startegie_LangDln4S_UK_Lay2.pdf.

⁹⁰ <https://www.kulturfokus.de/kulturregion/kulturvereinbarung-soenderjylland-schleswig/2013-2016/projekte/detail/2016121-grenzen-koennen-ihre-bewegt-werden/>.

⁹¹ <https://www.interregemr.eu/projects/tree-en>.

the joint organization of conferences involving policy-makers, relevant NGOs and other stakeholders (e.g. on linguistic diversity as an opportunity). In light of changing political circumstances, however, the focus of co-operation within the Euroregion has clearly been on the management of migration flows rather than the integration of migrants.

71. The fear of massive immigration along the Mediterranean route across the Brenner Pass as a bottleneck (in reaction to Hungary closing its borders in September 2015) and Austria's announcement to introduce border controls prompted the governors of the three territories in November 2015 to create the so-called "Euregio Task Force". This group is composed of representatives from the respective departments dealing with the management of migration flows and is dedicated primarily to a dialogue with Austrian and Italian police, as well as NGOs responsible for the reception of refugees and accommodation. The focus on immigration rather than integration is similarly evident in a resolution adopted in a joint session of the three parliamentary assemblies (the *Dreierlandtag*) from April 2016. Therein, the representatives welcomed that the heads of government of the three territories had acted as interlocutors with the Austrian, Italian and Bavarian governments regarding the delicate issues of border controls. Moreover, they demanded European solidarity concerning the distribution of refugees as well as an efficient exchange of registration data between Austrian and Italian authorities.

72. The focus of the Euroregion on immigration rather than integration highlights how the urgent challenge of managing migration flows has determined the priorities of cross-border co-operation. But it also reflects different views in the three territories on the potential role of such co-operation in the field of integration, as the Italian parts of the Euroregion rather tend to conceive of inflows of newcomers as a temporary phenomenon.⁹² This seems related, compared to Tyrol in Austria, to the much shorter immigration history in South Tyrol and the Trentino, as well as a (slowly fading) self-perception of as areas of transit. In this light, a recently initiated project, funded by the Interreg Italy-Austria programme and involving local and regional stakeholders of the Euroregion, aims to strengthen cross-border co-operation in the fields of both civic integration and labor market integration.

5. CONCLUSIONS

73. This report further elaborates and presents the integrated approach to the integration of migrants endorsed by the Congress. Its core idea of adequately involving all stakeholders, i.e. different levels of government, NGOs and partners in countries of origin and transit, is in line with recently policy changes of the Council of Europe and the EU, as well as with recent trends in research on migrant integration. It was argued that all this adds to the relevance and timeliness of the integrated approach.

74. The report also highlights what roles regional (and local) authorities play or could play in the context of this approach. It emphasises that regional authorities have the potential to shape both policies aimed directly at migrant integration and policies with indirect effects on integration, for example, regarding education, the labor market and many other areas. In doing so, they have often been pioneers of innovative policies that were then emulated by other regional authorities or the national government. Finally, the report presents examples where regions influence integration policies even in the absence of specific powers, namely by effectively lobbying with the national government. Local authorities are equally crucial in the context of the integrated approach. As the report demonstrates, they have often collaborated very efficiently with NGOs, have reaped the benefits of European city networks and they have also engaged in translocal collaboration with stakeholders in countries of origin.

75. A particular emphasis of the report is the nexus between cross-border co-operation, the migration phenomenon and integration policies. Starting from an overview of the legal framework and significance of trans-frontier co-operation in Europe, it shows how the migration phenomenon impacts on cross-border co-operation and how the latter functions in several cases as a tool to share and improve regional and local integration policies. In that sense, this report could be the starting point for

⁹² See A Engl and V Wisthaler, 'Stress test for cross-border spaces? Refugees, asylum seekers and the ideational limits of the Euroregion Tyrol-South Tyrol-Trentino', *Journal of Borderland Studies* (forthcoming).

a dynamic procedure dealing with the whole range of issues concerning the integrated approach of integration.

76. In light of the above, the Rapporteur would recommend the following policy actions to local and regional authorities, as well as to national governments where these could facilitate policy implementation at local and regional levels:

77. It is recommended, as regards the member States,

a. to ensure the establishment of an efficient and reliable legal framework for interaction between government levels. The absence of a concerted response of European governments to the refugee situation continues to complicate the daily work of local and regional authorities not only regarding emergency measures, but also concerning long-term integration. Lacking clarity of the distribution of competences tends to disfavor local and regional governments because this leaves the enormous responsibility for integration by default to them.⁹³ As emphasised in the report, regulatory clarity is essential regarding both integration policies addressed specifically to migrants and integration-relevant general policies such as education, housing, labor market, etc.⁹⁴ Importantly, a clear legal framework is not only required for vertical efficient interaction (between national, regional and local authorities), but also for horizontal co-operation, especially between border and hinterland regions.⁹⁵

b. to campaign at the European level for solidarity regarding the reception of migrants. They should emphasise the unequal distribution of inflows of newcomers not only between countries, but also between regions. The evident ineffectiveness of the Dublin Regulation as a mechanism of sharing responsibility more equally has been a main issue raised at the 2017 debate of the Congress on "Border Regions Facing Migration Flows".⁹⁶ In this respect, national governments should reach a compromise at the European level for a post-Dublin system, taking into account, especially, the proposal of the Parliamentary Assembly of the Council of Europe to introduce the status of a "European refugee".⁹⁷

c. to ensure adequate financial coverage of local and regional integration policies. This issue also figured very prominently at the 2017 Congress debate on "Border Regions Facing Migration Flows"⁹⁸ and needs to be addressed at various fronts. First, direct access to European funds such as the Asylum, Migration and Integration Fund (AMIF) is crucial. So far, much of AMIF resources is managed through multiannual National Programmes, which are devised, implemented and evaluated by the relevant authorities in each Member State. Secondly, the Council of Europe Development Bank (CEB) could help to remedy the problem of scarce funds for integration policies.⁹⁹ Thirdly, national governments themselves should provide local and regional authorities with adequate funds corresponding to the responsibilities that they assume. As this report demonstrates, this is not only essential for their own integration policies. It is also crucial for sustainable co-operation with NGOs and trans-local collaboration with stakeholders in countries of origin,¹⁰⁰ which are both very much in line with the spirit of an integrated approach to integration.

78. As regards regional governments, it is recommended:

a. to fully exploit the potential of European networking regarding integration. The undoubted benefits that such networking has brought for cities since the 2000s could be a source for inspiration for border regions to make similar efforts. These benefits include, in particular, mutual policy learning and joining

⁹³ See above para. 37.

⁹⁴ See above paras 20-22.

⁹⁵ See above paras 56-57.

⁹⁶ See Karl Kössler, *Report on the Congress of the Council of Europe Debate on 'Border Regions Facing Migration Flows' on 29 March 2017 in Strasbourg* (2017), paras 11, 12, 15 and 17.

⁹⁷ Parliamentary Assembly of the Council of Europe Resolution 2072 (2015).

⁹⁸ See Karl Kössler, *Report on the Congress of the Council of Europe Debate on 'Border Regions Facing Migration Flows' on 29 March 2017 in Strasbourg* (2017), paras 11, 15 and 18.

⁹⁹ Report of the Congress of the Council of Europe, *From Reception to Integration: The Role of Local and Regional Authorities Facing Migration* (CG32(2017)07), Explanatory Memorandum, para 79.

¹⁰⁰ See above paras 39-41 and 46.

forces to exert political pressure on national and European institutions.¹⁰¹ Existing organizations representing border regions, such as the above-mentioned Association of European Border Regions (AEBR) and the Mission Opérationnelle Transfrontalière (MOT) could be a point of departure for enhancing exchange regarding integration policies.

79. As regards both regional and local governments, it is recommended

a. to promote the integrated approach to integration, including cross-border co-operation, at the European level, possibly together with the EU's Committee of the Regions (CoR). Common efforts might be fruitful because of the common interest of the CoR and the Congress in strengthening local and regional authorities. Moreover, the integrated approach of the Congress has in terms of its international dimension certain similarities with the three-way process approach which the European Union has espoused since 2011.¹⁰²

b. to endorse the integrated approach to integration, including cross-border co-operation, as the contribution of the Congress to the UN "Global Compact on Refugees". In 2016, all 193 Member States of the United Nations adopted the "New York Declaration for Refugees and Migrants".¹⁰³ With this declaration they agreed to the "Comprehensive Refugee Response Framework", included in Annex I of the Declaration, and provided UNHCR with a mandate to develop a programme of action highlighting good practices from around the world. Together, the "Comprehensive Refugee Response Framework" and the programme of action form the "Global Compact on Refugees". After a first draft of this compact, UNHCR now organises formal consultations (February-July 2018) and discussions with other relevant stakeholders which will inform the final text to be proposed in the High Commissioner's 2018 annual report to the General Assembly. The programme of action expressly aims at practices to ensure access to education and livelihood opportunities, as well as at mechanisms of responsibility sharing.¹⁰⁴ Thus, it clearly touches upon issues that are of particular interest for the Congress, especially in the context of its integrated approach to integration.

¹⁰¹ See above paras 42-44.

¹⁰² See above para. 18.

¹⁰³ <http://www.unhcr.org/57e39d987>.

¹⁰⁴ <http://www.unhcr.org/towards-a-global-compact-on-refugees.html>.