



# **Opportunity structures for immigrants' active civic participation in the European Union: sharing comparative observations**

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# **POLITIS – a European research project**

## **Project information**

Populations of immigrant origin are growing and changing in Europe. POLITIS explores the potential of immigrants for the development of a civically active European society, starting with foreign students' perceptions of Europe and focusing on sustained social and political activities of immigrants. POLITIS is the short title for the research project "Building Europe with New Citizens? An Inquiry into the Civic Participation of Naturalised Citizens and Foreign Residents in 25 Countries".

The study is divided into 3 parts:

- Part I: A comparative literature review on immigrant civic participation in 25 member states
- Part II: A comparative analysis of foreign students' perceptions of Europe, exploring the potential of their ideas about Europe with the help of essays and focus group discussions
- Part III: A comparative analysis of more than 150 qualitative interviews with civic activists of immigrant origin in the EU to identify favourable and unfavourable biographical and national conditions for active participation

## **The POLITIS Working Paper Series**

POLITIS working paper series may include project-related contributions by all project partners. The main project researchers in the consortium constitute the editorial committee of the working paper series. It is editorial policy to secure quality standards while encouraging the discussion of results that are preliminary or limited in scope.

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**Comparative Perspectives**  
**Opportunity structures for immigrants' active civic participation in  
the European Union: sharing comparative observations**

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**Abstract**

Over the past few decades, there have been significant population movements across the European continent and people from around the world have increasingly migrated to EU member states. This contribution intends to share preliminary observations from a comparative reading of 25 country reports. With regard to the importance of immigration, we distinguish four groups: states that have experienced high levels of migration for several decades; states that face immigration since the 1980s; states that have undergone a transition from emigration to immigration countries since the 1990s; and states with a low level of current new immigration. With regard to the composition of immigration, we identify the following reception patterns: the co-ethnic and returnee migration; colonial and post-colonial migration; pre-state formation settlement in newly founded states; immigration from recruitment programmes and subsequent family migration; immigration of asylum seekers and refugees; highly qualified immigration; new temporary workers' schemes migration and, undocumented immigration. Depending on which pattern is examined, different groups of countries can be compared.

The comparison of key issues of the societal opportunity structure for immigrants' participation shows that naturalisation regimes, the granting of local voting rights and the use of local advisory structures for immigrants does not lend itself to an easy country grouping. Immigrants may face very different opportunity structures not only depending on the country in which they live, but also depending on the rights that are linked to their specific country of origin and to their individual status as well as to the implementation of rights on the local level.

Thus, preliminary observations lead us to conclude that there is a need be very careful with generalisations regarding both countries of origin and receiving countries. Because we want to study the activation of immigrants in receiving societies and identify the influence of supporting and hindering conditions, we will have to take into account the specific circumstances of each individual case.

## 1. Introduction

All EU member states share the experience of immigration. Currently, it is estimated that about 18 million immigrants live in the twenty-five EU member states.<sup>1</sup> Although it is impossible to provide accurate information due to the incoherence of statistical accounts, it is clear that immigrant populations differ considerably between the EU member states. These differences result from the host country's distinct economic and historical development, its geo-political location and economic performance and other particular factors of each host country that may have encouraged immigration. As a consequence, immigrant populations are diversified in terms of countries of origin, duration of stay and size of the same-country immigrant group. Regardless of these differences, one general feature concerns all EU member states: each and every one of them has been faced with the challenge of integrating their immigrant population. The degree and extent of integration of immigrants presently living in the EU remains insufficient, not only for new arrivals but also for previous immigrant generations. Against this background, the European Commission and other relevant actors consider that improving the dialogue with migrant organisations and encouraging a wider participation of immigrants in civil society and the public sphere of EU member states are prerequisites for greater social and economic cohesion within Europe's changing societies<sup>2</sup>.

Given this situation, the POLITIS project tries to generate a deeper understanding of the factors that may encourage or discourage active civic participation of immigrants in EU host societies. This contribution is based on a comparative reading of the twenty-five POLITIS country reports that have been summarised in chapter 2. The reports form a text corpus of more than 1 500 pages, containing densely written characterisations of historical and legal situations as well as summaries of the relevant studies and fieldwork of the experts. Initially, comparative observations were noted in three reports on subgroups of countries and discussed during a project meeting in February 2005 in Oldenburg, and followed up in discussion that took place in the context of the first POLITIS Summer School that was held in Delphi in July 2005.

With this report, we like to share some of our observations from the reading, editing and discussion process. Thus, they are not the result of a rigorous comparative analysis, but they may well inform such an analysis, e.g. by helping to identify suitable countries for a more rigorous analysis, and by sensitizing the reader to differences and variations in the European Union. Our comparative observations seek to best take advantage of the wide variation of countries included in the study, sensitizing the reader to differences and commonalities across conventionally formed country groups and trying to raise curiosity to look more deeply at some of the countries that are often not yet part of a comparative analysis.

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<sup>1</sup> European Commission (2004), First Annual Report on Migration and Integration. Communication from the Commission to the Council, the European Parliament, The European Economic and Social Committee and the Committee of the Regions. Brussels, 16.7.2004, COM(2004) 508 final.

<sup>2</sup> European Commission (2004), p. 10.

To begin with, we summarise the general importance of immigration and the specific immigration patterns across all countries. Then, we highlight some key issues in the societal opportunity structures of member states for civically active participation of immigrants, namely the naturalisation regimes, local voting rights for foreign nationals and the structures of immigrant's advisory boards. We conclude with remarks on the state of research on the civic participation of immigrants.

The choice of aspects in the societal opportunity structures was influenced by three factors. First, they had to be important for the project objectives, i.e. active civic participation of immigrants under the influence of different opportunity structures. Second, the country reports had to be rich and relatively comprehensive with regard to these aspects so that we were reasonably confident to be able to contextualise the information. Finally, elements were chosen if they were considered to be academically pertinent. We are aware that we could have gone further with additional time, either by comparing our observations of additional elements of the opportunity structures (e.g. in trade unions) or by comparing our observations with the results of more recently published studies (e.g. in *Journal of Ethnic and Migration Studies* 5/2005). However, we consider it useful to present our preliminary observations at this stage in order to encourage feedback from other scholars outside our project, and to thereby better guide our own future research.

## **2. The importance of immigration**

Immigration can be considered important when the numbers are high or rapidly rising, or when it is a highly debated issue in the public arena. Reading the reports conveys the impression that the quantitative aspect of immigration is less important than the qualitative changes that are currently appearing in the phenomenon. In the first part of this section, we group countries according to the general importance of immigration, relating to major shifts in immigration trends and relevant debates. In the second part, we differentiate between major reception patterns, revealing further and sometimes cross-cutting commonalities and differences.

### **2.1. The general importance of immigration**

At present, available statistics across the member states do not present a consistent numerical picture of immigrants within the EU. As mentioned above, there are no reliable figures on immigrants in the European Union due to the use of different statistical categories. Even after extensive efforts, it is impossible to get a clear and

comprehensive statistical account of the stock and flow of immigration in all twenty-five member states.<sup>3</sup>

Current immigration into the European Union is characterised by an increase in the size of the migration influx, an increasing diversification of countries of origin of immigrant populations, a gradual decrease in the number of refugee and asylum seekers granted refugee and asylum status, and an increase in the level of illegal migration.

However, it is obvious that the importance of immigration differs between the member states, which in turn influences the public perception of immigration and the opportunities for immigrants. Table 1 groups countries according to the importance of immigration movements.

*Table 1: The importance of immigration for EU member countries*

| <b>Level of Importance of immigration</b>  | <b>Country</b>  |
|--|---|
| High importance and changing patterns for several decades                        | Former colonial countries and recruitment countries in the North and West             |
| Increasing importance of immigration since the 1980s                             | Southern European former sending countries for recruited workers, Ireland and Finland |
| Increasing importance of immigration since the 1990s                             | Central European States, Malta and Cyprus   |
| Low importance except for minorities resulting from recent nation state building | Baltic States, Slovenia and Slovakia  |

Source: POLITIS compilation

### *2.1.1. High immigration and changing patterns for several decades*

At the end of World War II and until the 1960s, Northern and Western EU member states shifted from being emigration countries to being immigration countries. This change was not always recognised in the public debate. France, Germany, Belgium, the Netherlands, Sweden, Denmark and the UK have a relatively long migration history principally due to their colonial history or worker recruitment schemes. These countries are generally faced with aging first generation immigrants and the challenge of combating the social exclusion and marginalisation of second or third generation immigrants. Associated with this is the fact that economic crises and social frustration

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<sup>3</sup> C.f. Salt, John (2005), *Current Trends in International Migration in Europe*. Report on Behalf of the Council of Europe (CDMG (2005) 2), Brussels, pp. 52-54. For a quick reference to international migration data, check [www.oecd.org](http://www.oecd.org) under statistics, demography and population.

are exacerbating xenophobic reactions on the part of the majority populations while the religious factor is becoming increasingly visible and present within the immigrant population. Nevertheless, these countries not only have a long experience with different instruments for admitting and rejecting immigrants but they also have the most elaborate integration policies.

### *2.1.2. Increasing importance since the 1980s*

Over the course of the last two decades, countries in the geographic periphery of the EU have become host countries. This is the case for Southern European countries (i.e. Italy, Greece, Spain and Portugal) and for countries on the northern periphery of the European Union (i.e. Ireland and Finland). Their emigration patterns of the past have been reversed, mostly in spite of high rates of unemployment among native workers. This shift in European migration patterns partly reflects a gradual improvement in the economic situation and the living conditions in these countries, but it is also in part an unintended side effect of the restrictive measures taken by countries like the UK, France, Germany, and Switzerland. The immigration experience in these countries has been characterised by the absence of a consistent migration policy with a long-term approach to the issues of admission and integration. This has led to an increase in both illegal immigration and the number of migrants remaining in these countries unofficially or without proper papers namely for southern European countries which have long land and sea borders to the African continent. An irregular or illegal status has implications not only for migrants' employment security but also for the extent of their integration in the host society. The large inflow of undocumented immigrants that has been common to the southern member states has led to repeated regularisation programmes. Since 1986, there have been five such programmes in Italy involving more than two million immigrants and Greece has implemented two similar programmes with the third programme that is currently underway. Since 1992, Portugal has started four regularisation initiatives and Spain began its third and most far-reaching regularisation scheme in 2005.

### *2.1.3. Increasing importance since the 1990s*

In a number of countries, major changes in migration patterns have only occurred since the 1990s. Certainly, the collapse of the communist states and the "Autumn of Nations" in 1989 was the most important contributing factor. Central European countries appear to be in the preliminary stages of an inflow of immigrants not only from former Soviet Union countries or neighbouring nations with which there was a formal relation (e.g. between former Czechoslovakia and Yugoslavia), but also from the far East and from the West. But as a general rule, almost all formerly European communist states face the phenomenon of new immigration from African and Asian countries (e.g. Chinese citizens) as well as from some countries of the former Soviet Union (e.g. Ukrainian citizens in Poland). In recent years, CEE countries have also become an attractive destination for entrepreneurs from Western Europe and the USA. These immigrants are predominantly involved in economic activities in the tertiary sector as highly-skilled

managers, experts, consultants, scientists etc. Public discussion is concerned with issues of policy formation and migration control. Although the islands of Malta and Cyprus do not fall within this group they have also experienced increased immigration since the 1990s. While Cyprus has allowed more temporary migration since the 1990s, Malta has been concerned with increasing amounts of illegal migration and asylum seekers only in the past five years. These countries are still characterised by emigration, but they simultaneously experience transit migration and new immigration influx.

#### *2.1.4. Low importance except for minorities resulting from state formation*

For some formerly communist states, migration is still of minor importance. This is true for the Baltic states, but also for Slovenia and Slovakia. With regard to the Baltic states, the previously steady migration flows from the former Soviet Union have generally ceased since the 1990s and 2000s. At the same time, the emigration flows that were characteristic of the first years after their independence also appear to be levelling out. However, these countries are characterised by important minorities originally from the former Soviet Union who came as internal migrants before the state formation. This is also true for Slovenia where parts of its population stem from internal migration from other states of former Yugoslavia. Of all the EU member states, Slovakia seems to have the lowest level of immigration.

## **2.2. Patterns of immigrant reception in the EU 25 member states**

Some of the main reasons for the existing diversity in immigrant populations within the 25 EU member states include the history of migration flows (i.e., colonialism, ‘guest worker’ recruitment schemes, etc), specific political and economic configurations between sending and receiving countries, geo-political circumstances, and national differences in immigration policies, to name a few.

The types of migration patterns that can be observed throughout the EU member states are briefly examined below. This categorisation serves to highlight certain interesting features that may contribute to our understanding of the contemporary immigrant population within the EU. This approach relates characteristics of immigration patterns (historical context and regional origin) with their respective political frameworks in the receiving countries. Thus, using the information from the 25 POLITIS country reports, we can derive the following eight patterns of immigrant reception:

- immigration of co-ethnics and returnees,
- migration related to colonialism or post-colonialism,
- pre-1989 settlement in the new EU member states that belonged to the communist bloc,
- settlement related to old ‘guest workers’ recruitment programmes followed by family unification,



- immigration of refugees and asylum seekers from other European states (e.g. former Yugoslavia, Turkey), from Africa and Asia or from the Middle East,
- migration in the framework of new temporary employment and contract schemes,
- immigration of highly qualified professionals,
- and finally, undocumented immigration with state reactions varying from active counter measures and repression to tolerance and regularisation.

We argue that these reception patterns affect the level and partly explain the fields of immigrants' civic participation. First, the reception pattern often defines the degree of exclusion from participation rights and the path to equal participation rights. Second, these patterns may be linked to different moral claims of being part of the immigration society insofar as they give a specific justification to the migration and involve an expectation that migrants should or should not return.

### *2.2.1. Immigration of co-ethnics and returnees*

The immigration of co-ethnics is often a neglected topic in migration research but is of particular importance for studies of civic participation of first generation immigrants. After surveying the twenty-five POLITIS country reports, it became clear that favourable reception patterns for co-ethnics are more widespread than we had previously realised. It is interesting to note that most country experts who reported immigration of co-ethnics and returnees assessed this pattern as rather unique for the country under study. The comparative reading of the country reports reveals that a favourable reception of co-ethnics is declared to be an exception that is usually substantiated with unique historical circumstances.

Two categories can be distinguished within this pattern: returnees and co-ethnics. Returnees were born in the country, emigrated, and have since returned after a long absence abroad. Co-ethnics are descendants of immigrants or members of co-ethnic communities abroad that result from past migration movements. While some EU-member states have a larger presence of returnees, other member states have a higher proportion of co-ethnics. Poland clarifies this distinction; persons who emigrated from Poland as adults and returned to the country after the system transition (mainly from the USA) are considered returnees whereas co-ethnics are the descendants of settlers and deportees mainly in Kazakhstan. In the case of Germany, immigrating co-ethnics (Aussiedler) today come mainly from Kazakhstan, whereas in Finland co-ethnics come from Estonia. Greece receives co-ethnics (Pontic Greeks) from the former Soviet republics of Georgia, Kazakhstan, Russia and from Armenia, and a large number of ethnic Greeks from Albania, while Portugal's *retornados* come mainly from Angola and Mozambique. Hungary is also a country with a high number of immigrants of ethnic origin. Since 1989, immigrants and temporary workers are mostly from ethnic Hungarian communities beyond the borders of contemporary Hungary (e.g. Romania, Ukraine and Yugoslavia). Another country that has experienced an increase in the number of co-ethnics is Italy. Here, immigrants (mostly from Argentina), whose parents

from up to three generations prior were Italian, are still considered co-ethnics. Finally, there has been a remarkable flow of immigrants to the Baltic countries in recent years. This migration predominantly consists of a high percentage of repatriate citizens (returnees) who returned to Latvia, Lithuania and Estonia when independence was restored.

The reception of co-ethnics and returnees is often linked with access to privileged conditions and often includes some financial and institutional support that may be perceived to be exemplary good practice for an admission policy.

### *2.2.2. Colonial and post-colonial immigration*

This pattern mainly pertains to member states with a colonial past and seems to have worked as a de facto substitute for the recruitment of workers. This is particularly the case for the UK, France, the Netherlands and to a certain extent, Belgium, Spain and Portugal. In these countries, immigrants were granted access to the territory as citizens of the former colonies with certain sets of rights associated to this status. The United Kingdom has received several immigrant groups from Commonwealth states of the West Indies, Asia (e.g. India and Pakistan) and Africa (e.g. Nigeria and Ghana), while France is concerned with immigrants from former African colonies (e.g. West Africa and Maghrebian Africa). The Netherlands has primarily welcomed former colonial subjects from Indonesia and Surinam, and Belgium has received migrants from its former African colonies such as Congo (former Zaire), Rwanda and Burundi. Spain has large immigrant communities from Ecuador, Argentina and Peru, and the main countries of origin of immigrants in Portugal are from Portuguese-speaking African PALOP countries (e.g. Angola, Cap Verde, Guinea Bissau, Mozambique) and Brazil. Initially, immigration from Africa and Asia mainly took place within the framework of post-colonial migration but the receiving countries gradually put legal obstacles in place so as to curb post-colonial immigration.

### *2.2.3. Pre-state formation settlement in formerly dependent parts of larger communist states*

This pattern mainly affects countries located in central and Eastern Europe and the Baltics. During Soviet rule, large population movements took place and as a consequence, large numbers of Soviet citizens of Russian nationality settled in areas that became independent states after 1989. In these countries, internal migration movements were very characteristic for the communist era. At that time, there were almost no migration relations with other foreign countries outside the council for mutual aid. The governing regime tightly controlled emigration and political reasons for emigration were often intertwined with economic motives. The Czech Republic (then part of Czechoslovakia) experienced immigration within the framework of “international aid cooperation” schemes and the consequent intergovernmental agreements drafted between Czechoslovakia and other socialist countries including Poland, Yugoslavia, Hungary, Cuba, Mongolia, Angola, and North Korea. In contrast, it is worth noting that there was hardly any immigration to Hungary between 1949 and

1989 with the exception of two politically motivated movements when Greek and Chilean communists were given asylum in the early 1950s and 1970s.

Throughout the large-scale industrialization of the 1960s and 1970s, significant numbers of people from different parts of the Soviet Union (mostly from Ukraine, Byelorussia and Russia) settled in all of the Baltic states. As a consequence of nation state re-formation, most of the settlers are now identified as foreign nationals in the newly independent states, suggesting immigration. However, the reported high percentage of foreign residents in these countries is not linked with the movement of people across borders but rather with the movement of borders across people (see also chapter 1, 2.2).

#### *2.2.4. Recruitment programmes and subsequent family migration*

The pattern that has, until today, received the most attention and has been perceived to be the most important form of immigration are the recruitment programmes that were primarily implemented in the older host countries of Northern and Western European member states from the late 1950s until the early 1970s. These programmes, also known as guest-worker recruitment programmes, were established through bilateral governmental agreements mainly with Southern European and Mediterranean countries (though there were certain bilateral schemes of more relevance with more geographically distant countries such as the scheme linking Germany and South Korea). The recruitment was initially intended to be strictly temporary and recruited workers were expected to return to their country of origin. However, the return aspect of the agreements was not implemented in a strict and consistent manner. Instead, policies allowing for the repeated renewal of residence rights were commonplace. In the end, this led to settlement and subsequent family re-unification migration. This has been the case for immigrants from Italy, Greece, Spain, Portugal, Yugoslavia, Turkey, Morocco and Tunisia who have settled predominantly in Germany, Sweden, France, Belgium, the Netherlands, Austria and Luxembourg. Although Italy, Greece, Spain and Portugal are EU member states today and immigrants in these countries enjoy free mobility within the union, immigration from the former Yugoslavian states, Turkey and North Africa is still of third country status. Today, family formation (marrying a partner from the parents' country of origin) is an important source of new immigration linked to this historical recruitment pattern.

#### *2.2.5. Refugees and asylum seekers*

Since the mid-1970s, Western European countries have received at least three major migration flows from some other part of Europe that were initiated by political persecution and war. The first wave was from the socialist countries of central and eastern Europe. These migrants were perceived as legitimate refugees escaping communist suppression and received preferential reception until the end of the 1980s. Due to restrictive passport regulations in most socialist countries, the largest refugee migration came from the least restrictive Polish People's Republic. These migrants went primarily to Germany and secondarily to Italy, France and Greece when the

martial law was imposed in 1981. The second most important refugee migration came from Turkey in the 1980s when members of the Kurdish minority and the religious minority of Alevits sought refuge predominantly in Germany, but also in Greece. The third most important wave of refugee migration was a result of the civil wars in the former Yugoslavia. Between 1991 and 1995 hundreds of thousands refugees arrived in Germany, the UK, France, Austria, Italy, and Slovenia. These refugees only received temporary protection as civil war refugees and the majority have returned to their home country. However, a considerable proportion has remained in the receiving countries, among them Roma people who in particular have experienced problems of discrimination and intolerance in countries of settlement.

From the mid 1970s until the early 1990s, the number of non-European persons applying for asylum increased drastically throughout the EU member states. The majority of asylum seekers came from countries affected by political intolerance, ethnic conflicts, and civil or international wars. Accordingly, the main regions of origin were Latin America (Chile, Columbia, Ecuador), Africa (Ghana, Congo, Nigeria, Somalia), the wider Middle East (Palestine, Iraq, Iran, Algeria, Morocco) and Asia (Vietnam, Sri Lanka, Afghanistan).

Due to the constant rise in the number of asylum and refugee applications, by the mid-1990s some European countries had made the relevant regulatory frameworks and assessment criteria more restrictive. Germany, for example, has changed the respective article in the constitution in order to reduce the inflow of asylum seekers. This alteration has allowed for those asylum seekers who are legally identified as being from 'safe countries', to be returned to their country of origin. Asylum seekers and refugees have shifted in reaction to policy changes, with the peak of asylum applications being later in some countries than in others. The overall tendency of increase in the number of asylum seekers has been followed by stricter regulations, and then shown a decrease. The new member states are increasingly not only transit countries for asylum seekers, but also destination countries.

#### *2.2.6. New temporary programmes*

Temporary migration programmes has also been a permanent feature of migration regimes. The recruitment programmes of the 1960s were planned and propagated as temporary programmes, although not administered accordingly, and resulted in major settlement of recruited workers. After the recruitment stopped in the early 1970s, temporary programmes were used with greater reluctance in many countries. However, with the crash of the communist states in Eastern Europe and revived migration, older programmes increased in scope or new temporary programmes were introduced in order to find a legal way to respond to the pressure of migration.

The majority of this immigrant labour force tends to be employed in the lower-skilled, more labour-intensive and volatile sectors of the economy. Mainly western European receiving countries coped with this immigration by introducing temporary employment schemes. Countries like Germany, the UK, France, Spain, or Cyprus introduced temporary employment schemes in order to enable the employment of a cheap and

flexible labour force that was needed but not available through the existing conditions of the domestic labour market. At the same time, these programmes have been geared to strictly prevent the settlement of these blue-collar-workers. Until now, mainly citizens of the new EU-member states were temporarily employed within these programmes.

#### *2.2.7. Highly qualified immigrants*

There has always been temporary and permanent immigration of highly qualified professionals such as managers, investors and business persons, researchers in academia and industry, engineers in multinational companies, sport professionals and actors in the Western and Southern EU countries. This migration occurs to a lesser extent in the new member states in the East. Immigration law usually foresees preferential treatment for highly qualified migration, but differs with regard to the degree of discretion and the definition of 'high' level skills. Although some highly qualified migrants have received particular media attention and have used their position to defend the cause of other immigrants, the majority of these migrants seem to be largely invisible and are not considered to be part of the immigration issue. In recent years, the discourse in many countries has had a tendency to actively address the issue of attracting this 'gold-collar' immigrant labour force. It is perceived to be a major challenge to attract and keep a part of this highly qualified, multilingual, internationally mobile cosmopolitan elite in order to enhance the knowledge-based competitiveness of its economy. Today, these migrants are still a minority. However, in most member states US citizenship is among the ten most important third-country nationalities. In the UK, only Indian citizens are more numerous. The question of their civic participation in the host societies has rarely been raised.

#### *2.2.8. Undocumented migration and regularisation programmes*

A large percentage of new immigrants in EU countries are undocumented. Due to either the gradual establishment of restrictions on migration or the absence of an appropriate migration policy, a proportion of the immigrant population currently has or has had an irregular or illegal status. Some have entered host countries illegally, others have entered with a valid visa or residence permit and "overstayed". Depending on the control regime of the receiving country, some undocumented migrants may only work in unregistered jobs of the shadow economy whilst others may work in registered jobs. While some states – mainly in the North, e.g. Germany – reject regularisation campaigns as an option and generally react with restrictive measures, other states in the South have repeatedly reacted with regularisation programmes (s. 2.1.2.). Gaps in the regularisation laws, inefficient public bureaucracies and the lack of incentives for employers to ensure or facilitate the legal status of many migrants have complicated the situation. This has led to a situation that is continually fuelled by new immigration, where a significant size of the migrant labour force is informally employed and thus exists precariously.

### **3. Key issues for the societal opportunity structure for civic participation**

#### **3.1. General remarks**

This section attempts to shed light on some important features of the societal opportunity structures for civic participation in Europe. This first point concerns the naturalisation and status regime of the countries. It influences the entitlements in all fields of civic participation.

We concentrate further on some fundamental conditions for political participation of immigrants in Europe. We choose the issue of political participation of immigrants not because we think that this is the only important field of civic participation (see chapter 1). However, this is a field which has received the most research attention in the past and is thus more comprehensively covered in the country reports than other issues.

We are aware that there are important variations in other fields as well. For example, when comparing the openness of the occupational representation regimes in Austria and Germany, it appears that Austria has excluded foreign nationals from more participation for a longer time. Likewise, the self-organisation of immigrants is viewed in varying ways in different member states. While this is encouraged and supported in some member states (e.g. Sweden and Finland), states like Denmark and the Netherlands have gone from maintaining a general organisational support policy to having a more restricted support policy and only assisting specific projects. In other states such as Germany, the extent and effects of public support are difficult to oversee as it is mainly an issue in the responsibility of local and federal state authorities. Moreover, in many new member states, immigrant organisations are only supported by the framework of EU funded programmes. The state relation with regard to religious organisations seems to vary widely, depending on the existing relationship between the state and religious community, and may have a big impact on religious communities that are dominated by immigrants. At this stage, we will not follow up on these issues, but will concentrate on local voting rights for foreign nationals and foreign advisory committees, given the fact that these issues have been relevant to most reports.

However, let us note that there are further conditions that influence and shape the opportunities for political participation. In Austria, for example, third-country nationals may freely participate in public assemblies and demonstrations, but they cannot organise assemblies or demonstrations or lead public assemblies dealing with public issues. In Greece, there is more and more involvement by immigrants in political parties but the right to vote and to stand for elections has not yet been recognised to non-EU nationals. In fact, in some member states, such as Estonia, immigrants cannot become members of political parties and the idea of immigrant naturalisation and full political participation remains a taboo subject. However, in the majority of the Member States there are no such restrictions, and, in the UK, there have even been a series of efforts to increase the participation not only of minorities but also of immigrants in party politics and civil society agencies. These differences indicate the importance of general features

of the political opportunity structure which are not specifically directed at foreign born or foreign nationals.

### **3.2. Naturalisation and status regimes**

As a general rule, all twenty-five EU member states have participation regimes that set distinctions for their own nationals, EU citizens and third-country nationals. Most of the time, only their own citizens enjoy full political and civic rights while non-citizens generally have to accept substantial restrictions. There is a differentiation between EU nationals and nationals from non-EU countries which does not only involve freedom of movement (EU nationals are free to live and work in any other EU member state) but also voting rights (EU nationals residing in another EU state are entitled to vote in European and local elections). The distinction between citizens and non-citizens seems to be the most important divide with regard to political participation.

However, for other participation fields the distinctions between different third-country status groups seem to be more important. Most states have designed a variety of status levels for specific groups – temporary workers, asylum seekers, family migrants, immigrants with renewable residence permits and permanent residents. Each type of permit may encompass a specific set of rights which more or less deviate from citizens' rights, and which change from country to country, despite EU efforts to define minimum conditions. While legal permanent residents sometimes enjoy full equality except for enfranchisement at the national level, undocumented workers may be de facto excluded from all rights or may only be allowed to access specific services like emergency health services. Asylum seekers may be restricted in their mobility in various ways ranging from detention and an obligation to live in specified places to being forbidden to leave a certain town. These restrictions will naturally influence their motivation and capacity to raise a voice in the public arena.

Having laid out this background, we will now concentrate on the naturalisation regimes. The underlying idea in all European polities is that it is citizenship and not residence that warrants full political and civic rights. Full political and civic rights may be acquired by immigrants from third-countries through the naturalisation process. Only naturalisation puts immigrants on par with EU citizens in terms of rights and obligations.

The various naturalisation processes are relevant in identifying which frameworks are more open to or more rigid in transforming certain immigrant groups into EU nationals, and in understanding whether and to what extent this might be a relevant component of civic activism.

Most EU states primarily base citizenship on ancestry (*jus sanguinis*) rather than on place of birth (*jus soli*), although more hybrid solutions are increasingly sought out. The naturalisation process is long and complicated in almost all countries, requiring that a very long list of documents be provided. Moreover, many EU states require the

renunciation of one's first nationality a prerequisite in order to naturalise, though in more recent years the tendency has been to provide the option of dual citizenship.

Eligibility for naturalisation is basically defined on the basis of the length of stay. Other core determining factors include language proficiency, good character, sound mind and a non-criminal record. Acquisition of citizenship via marriage with a national of an EU member state is subject to specific conditions, as are the procedures for refugees and asylum holders.

In practical terms this means that first generation immigrants can request citizenship on the basis of length of residence in a country of the EU. Residence requirements vary among countries, but also in relation to country of origin and residence status (e.g., EU citizens, adopted foreigners, refugees, stateless persons, non-EU citizens, etc.). Children born to immigrants in the EU are usually considered to be 'foreigners', even though many EU member states have decreased residency and other naturalisation requirements for 'second generation' immigrants and have extended automatic citizenship for the 'third generation'. Ireland is exceptional as it granted unconditional citizenship to all children born in Ireland until 2004. Since 2005, automatic rights to children of immigrants have been abolished unless one of the parents or grandparents has Irish citizenship or if the parent had been living in Ireland for three of the four years preceding the birth of the child – still a comparatively open regulation.

Greece holds one of the longest residence requirements in Europe. According to a policy which is currently under revision, immigrants are required to reside in the country for ten of the past twelve years in order to be eligible for Greek citizenship.

In most EU countries, refugees and foreigners with regular residence permits may request citizenship if they have permanently resided in the territory of the country for 5 to 10 years.

In the CEE countries, the number of naturalisations was relatively high in the first half of the 1990s with over twelve thousand persons naturalised each year. Since 2000, this number has been much lower. The most numerous group is made up of returning co-ethnics who have lived in other countries for long periods of time. A specific situation was created in the newly formed Baltic states and Slovenia where immigrants from other regions of the former larger unit were not awarded citizenship. While there is some preferential treatment for gaining citizenship in the Baltic states, no special provisions have been made to recognise the sizeable community of citizens from other former Yugoslavian republics and war refugees that have resided in Slovenia for many years. Between 18,000 and 40,000 people were "erased" from the citizenship registers in the period immediately following national independence. In the Baltic countries after the restoration of independence, all other Soviet citizens and their descendants residing in these countries were declared to be non-citizens and were expected to undergo a naturalisation procedure. At the same time, ethnic expatriates and their descendants that chose to return to these countries were automatically granted citizenship. Requirements for the naturalisation procedure are similar in all three Baltic countries, and include five years residence, a legal source of income, and a thorough knowledge of both the



constitution and the state language (an important factor which has hindered the naturalisation of a large part of the Russophone adult stateless population). Most of the immigrants who arrived in Latvia and Lithuania during the Soviet period have now been naturalised, but the situation is more difficult in Estonia. The annual number of naturalisations has grown smaller, and the majority of the people who have received citizenship in recent years have been children.

In fact, for many countries of Central Eastern Europe, naturalisation policies appear to be more strongly shaped by concerns about expatriates, diasporas and ethnic kin minorities in neighbouring countries than by immigration. It should be noted, however, that a number of older EU member states, (e.g. Germany, Portugal, Spain, Italy, Malta and Greece), have also long pursued policies of preferential access to citizenship for persons who are considered ethnic or linguistic relatives. Germany awards German citizenship immediately to ethnic Germans from the former Soviet Union who have been accepted as co-ethnics in the application procedure. Spain reduces the ten year legal residence requirement for naturalisation to two years for persons from countries that hold special cultural and historic bonds with Spain such as Andorra, the Philippines, Equatorial Guinea and most Latin American countries. Portugal also has a preferential regime for Portuguese-speaking countries since PALOP nationals require a minimum of six-year residence permit to be eligible, whereas a minimum of ten years is required for other third country nationals.

As a result, every country has a specific distribution of naturalised and non-naturalised immigrants. This can be exemplified by Germany and the Netherlands; countries that have significant numbers of naturalised and non-naturalised immigrants. While Germany has granted preferential access to citizenship to ethnic Germans from Eastern Europe and the Soviet Union, the Netherlands had granted preferential treatment to colonial subjects, at least until full independence was achieved. Although there are large proportions of naturalised immigrants within both of these states, the naturalised immigrants are visible in Dutch statistics, but not at all portrayed in German statistics. Both countries recruited workers from Turkey, Yugoslavia and Morocco in the 1960s and early 1970s and allowed subsequent family migration. But the Dutch naturalisation policy with regard to these groups was much more open than the German policy, resulting in a higher percentage of naturalised immigrants from these countries in the Netherlands and a much lower percentage in Germany. Citizenship policies have long-term effects, and even though Dutch policies have recently become more restrictive, this cannot undermine those changes that were the result of more open policies in the past.

### **3.3. Local voting rights for non-EU citizens**

The most visible aspect of active civic participation is political participation in the receiving country. The limitations of participation and representation in a democratic nation-state are traditionally defined by the denial of voting rights.

The only exception to this involves EU nationals. Under EU directive 94/80 it has been stipulated that all EU member states must grant resident EU citizens voting rights in local and European level elections. However, both EU citizens and non-EU nationals are excluded from voting on the national level. They are only able to vote or stand for office if they are able to acquire citizenship through the various naturalisation procedures outlined above.

Nevertheless, some countries have offered non-EU immigrants access to voting rights at the local level. The 2004 report on immigration from the EU Commission noted that the majority of EU member states grant immigrants local voting rights. We can roughly distinguish three modes of incorporation: (1) the denial of voting rights on local level, (2) the granting of the right to vote but not to stand as candidate in local elections, and (3) the granting of full voting rights on the local level (see table 2).

*Table 2: Local voting rights for third-country nationals in EU-member states*

| <b>Mode of political incorporation on local level</b>                         | <b>Countries</b>   |
|---|--|
| Denial of local voting rights   | Austria, Cyprus, Czech Republic, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxemburg, Poland |
| Granting of voting rights but not of the right to stand as candidate          | Belgium, Estonia   |
| Full voting rights on the local level when special requirements are fulfilled | Denmark, Finland, Ireland, Netherlands, Malta, Portugal, Slovakia, Slovenia, Spain, Sweden, UK                 |

Source: 25 POLITIS country reports

(1) Denial of local voting rights: Nearly half of the EU member states belong to the first group of countries that do not grant voting rights on the local level to their resident foreign population. Altogether twelve countries strictly deny local enfranchisement (see table 2). But the fact that these countries deny immigrant voting rights on the local level does not mean that the issue is not part of the political debate. In those Western countries with a higher percentage of immigrant population such as Luxembourg, Italy, Germany or Austria, the introduction of voting rights for immigrants was at one moment or another already an issue on the political agenda. While the government of Luxembourg did not even consider the opportunity, legislators in some other countries took the proposal to enfranchise foreign residents more seriously but ultimately did not do so. The case of Germany with its federal constitution is illuminating. Here, some of the federal states had passed a law that foresaw the voting right for resident non-EU nationals. However, the project was cancelled after a court ruling by the Federal Constitutional Court in 1994 which underlined that the political voting right on every

level of decision making is perceived to be the exclusive privilege of citizens. The only way to get political voting rights is the acquisition of citizenship.

(2) Reduced local voting rights: Two countries, Belgium and Estonia, have introduced a reduced voting right on the local level that gives resident non-EU citizens the right to vote but not stand in elections. In the case of Belgium where voting is compulsory for citizens, the enfranchisement of foreign nationals on the local level will come into force for the first time in 2006. The main requirement is to maintain a legal residence for at least five years. The regulation is a response to the claims of immigrant associations and their supporters to grant local voting rights. In the case of Estonia, foreign citizens and stateless persons – here the relatively large group of former Soviet citizens who lost their citizenship with the formation of the Estonian nation-state – are entitled to vote in local council elections if they hold a permanent residence permit and have resided legally on the territory of the corresponding municipality for at least five years by January 1 of the election year. However, the right to stand as a candidate is reserved for Estonian citizens.

(3) Enfranchisement: Currently at least eleven EU member states have enfranchised the resident foreign population on local level. Local voting rights were introduced in some countries several decades ago (e.g. Sweden 1976, Denmark 1981), while in other countries foreign nationals will enjoy local voting rights for the first time in forthcoming elections. All countries require the observance of particular conditions that define the eligibility of non-EU citizens to participate in local elections as voters or candidates. The most general requirements are legal status of a minimum duration (usually 5 years time) and that individuals have to register in order to vote. In some countries enfranchisement is restricted to immigrants who hold the citizenship of specific countries. A notable exception to these obligations is Ireland where third-country nationals who are 'ordinary residents' have enjoyed full local voting rights from the first day of their registration with the local register since 2004.

Three EU member states have only enfranchised individuals from particular countries. In the UK only citizens of commonwealth countries qualify to vote for local elections. In Spain and Portugal only those citizens of countries which have signed a mutual agreement to grant local voting rights can participate in local elections. In 1996, for example, Portugal introduced the immigrants' right to vote and stand for election on the local level. However, only citizens from some countries are entitled to this political participation (namely Argentina, Brazil, Cap Verde, Chile, Israel, Norway, Venezuela, Uruguay and Peru) because enfranchisement is based on the principle of reciprocity between states.

When examining the distribution of local voting rights among EU member states, the following observations can be made. First, there are no geographical clusters. Northern, Southern and Eastern European countries are dispersed among all three groups. There is also no clear division with regard to the level of immigration and its composition: countries with high or low immigration numbers, with recent or long-term relevance of immigration debates, with or without the importance of ethnic and post-colonial

immigration are in all three groups, and local voting rights are granted in new and old member states.

It can also be argued that local voting rights are granted in situations with a restrictive naturalisation regime and low naturalisation rates, in order to compensate for these practices. But it appears that countries with an open naturalisation regime are also less reluctant to grant local voting rights. At this stage, we cannot analyse these suggestions in detail or provide more evidence from the literature, but the overview indicates that easy answers are not possible and that comparisons of only a few countries may lead to misleading conclusions.

It can be observed that states with a strong ethnic or national element tend to be in the group that denies local voting rights, even though there is a certain trend towards local enfranchisement of immigrants in the European Union.

### 3.4. Foreigners' advisory boards on local, state or federal levels

Many EU countries have introduced consultative bodies that include representatives from immigrant communities. Such institutions exist mainly at the local level and in a few cases also at the federal level (see table 3). We refer to these consultative bodies as foreigners' advisory boards, regardless of the existing differences between national names and compositions of these bodies.

*Table 3: Introduction of advisory boards at federal and local level*

| <b>Foreigners' advisory boards at</b>                | <b>Country</b>   |
|--|--|
| Federal level  | Czech Republic, Finland, Italy, Luxembourg, Netherlands, Spain, Sweden   |
| Some institutional representation at the local level | Austria, Belgium, Czech Republic, Denmark, Finland, France, Germany, Hungary, Italy, Luxembourg, Netherlands, Portugal, Slovakia, Sweden |
| No local representation                              | Cyprus, Estonia, Greece, Ireland, Latvia, Lithuania, Malta, Poland, Slovenia, Spain, UK  |

Source: 25 POLITIS country reports

Governments of seven EU member states have introduced advisory boards at the federal level. As a rule, the composition of federal advisory boards is controlled by state agencies. The members are either directly appointed by authorities or are chosen by those immigrant associations entitled to make selections for membership in the advisory

board. Federal advisory boards normally counsel legislators and authorities at the federal level. In practice, the federal boards have only restricted influence.

At the local level, advisory boards exist not only in a wide variety of forms but also on different legal basis. As a rule, in countries where advisory boards exist the national law does not always oblige municipalities to introduce advisory boards. In Austria for example, municipalities may establish an advisory board but they are not required by law to do so. On the other hand, in Denmark or Luxembourg national law obliges all municipalities with a certain proportion of immigrant population to establish local integration councils. In Germany, the legal framework is set at the state level and differs considerably. In some federal states, municipalities with a certain percentage of foreign population are obliged to organise advisory board elections for the foreign population.

In Italy, some consultative bodies have been instituted at the local level. Large immigrant associations have been asked to elect representatives who then acquire legitimacy to express opinions on behalf of these associations within the consultative bodies. Interesting differences between the various municipalities can be noted when the composition of the consultative bodies and electoral regulations are taken into consideration. In some cases, these bodies are formed exclusively by immigrants while in others immigrants represent only a small part of the membership.

According to a general appraisal, the institution of advisory boards is often criticized because these bodies only have advisory competencies and therefore cannot put forth decisive proposals that have a binding force for decision making. Thus, the extent to which they are able to contribute to the political empowerment of immigrants is restricted. In effect, such consultative institutions are blamed for not necessarily offering the appropriate vehicles or opportunity structures through which immigrant 'voices' can be integrated in the host country's politics.

It is argued that in a political system in which immigrants do not have the right to vote or stand for election, the principle of consultation can easily contribute to reproducing the political exclusion and powerlessness of immigrants. It is furthermore argued that these boards merely provide an illusion of participation in the structures of power and convey a deceptive image of a political system which is more open to the inclusion of immigrants than it actually is. Furthermore, it is commonly assumed that immigrants can only participate in consultative bodies on issues that are of specific concern to them thereby restricting their participation and not encouraging engagement on wider, more general societal issues.

However, the information gathered for the POLITIS country reports indicates that such a critique may be overgeneralised and misleading. In effect, advisory boards may serve as a substitute for denied local voting rights and thus may only function figuratively. Nevertheless, several countries have introduced both local voting rights and local advisory boards. In the case of the Netherlands, the municipalities are particularly interested in establishing local advisory boards as a complementary element of immigrant participation. The advisory boards provide different ways of communicating with immigrant communities. Elsewhere, the absence of advisory boards may be due to

low levels of immigration, as is the case for Cyprus and Poland where the participation of immigrants has never been on the political agenda. On the other hand, the case of the UK shows that the absence of advisory boards does not necessarily mean that immigrant voices have been neglected. In the UK, local authorities are obliged by national law to develop direct channels of communication with leaders and representatives of ethnic communities.

The relevance and usefulness of advisory boards is context bound. A main problem that hampers the usefulness of local advisory boards is their attached double function in many countries. Advisory boards are simultaneously designed to advise local policy makers and local authorities and to represent immigrants according to their nationality or ethnic belonging. The two targets are conflicting in so far as members of the advisory boards are appointed – or even elected - in order to represent a particular ethnic community or national group. Such a procedure of filling advisory boards does not fully comply with the counselling function which would require that members of advisory boards be appointed according to their personal expertise rather than elected according to their nationality or ethnic belonging. This situation may frustrate both inactive immigrants who do not see themselves represented and active immigrants who realise that their advice often does not carry much weight or is not taken into account at all.

#### **4. Some features of participation research in the EU-25**

The most general and unsurprising remark concerning the research landscape is that immigrants' participation is a relatively new research topic. Only in a very small number of countries is this subject at the centre of more intensive research efforts. Indeed, the majority of country reports indicate that the issue of immigrant participation has not been researched at all. This is the case for all new member states, Luxembourg, and the southern EU member states of Portugal, Spain, Italy, Greece. In Germany, the Netherlands, Belgium, Austria, Denmark, Sweden, France and the UK, a new research strand predominantly examines specific aspects of integration including immigrant political participation, integration in labour markets, and the formation of immigrant associations. In addition, growing interest in migration-related research has been observed in countries that are being transformed from emigration to immigration states such as Finland, Ireland, and Poland. There is also a growing body of comparative research that compares the opportunity structures in a few countries or interprets loosely related local studies.<sup>4</sup>

Three topics appear to be at the top of research agenda: (1) political participation of immigrants (i.e. voting behaviour and participation in foreigners' advisory boards); (2) mapping of immigrant associations and their impact on integration; (3) participation in

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<sup>4</sup> See in particular two issues of the *Journal of Ethnic and Migration Studies* with many contributions on related subjects (3/ 2004 and 5/2005) as well as Penninx, Rinus; Kraal, Karen; Martinello, Marco; Vertovec, Steven (eds.) (2004). *Citizenship in European Cities. Immigrants, Local Politics and Integration Policies*, Aldershot and Burlington: Ashgate.

institutions of mainstream societies (trade unions, parties and other). There is often no distinction made between the first and second generation of immigrants, and the second generation has received at least as much attention as the first.

The process of immigrant activation which is the primary concern of the POLITIS research project has not been well developed. However, some aspects have been dealt with indirectly through focused research on immigrant associations.

When comparing the plethora of research in some countries with the extremely limited research on migration issues in others, a number of observations can be put forward. First, research is linked to the amount of immigration; countries that have not yet experienced large immigration flows tend to be less interested in dealing with the integration and participation of immigrants. It must be noted, however, that there are exceptions like Luxembourg where the presence of a large immigrant population does not automatically arouse research interest in immigrants' participation. Thus, a second observation is that research interest seems to initially be linked with the general perception that immigration has become a challenge for the host society. There are a number of studies in different countries that have been commissioned or funded by public authorities. This could explain, for instance, why there is practically no reliable data on immigrants' participation in Luxembourg where immigration has not been perceived as major challenge due to the country's economic prosperity and the kind of migrant workers it has attracted.

Lastly, a factor that has contributed to the development of a European research landscape in participation studies seems to be linked to a phenomenon that we can define as academic globalization. Research on immigrant participation in the USA has been increasingly prolific and seems to have encouraged similar research on the other side of the Atlantic.

However, the country reports indicate that this research is mainly descriptive and aims at offering information relevant for a more consolidated debate on immigration policy. As the country reports suggest, research is often implicitly guided by the main question of successful or failed integration. While participation in mainstream institutions is interpreted as successful integration, membership or active participation in immigrant associations is more controversial. As a rule, member states like the UK with a more multicultural concept of immigrant policies tend to attribute a positive value to membership in immigrant associations. Member states like France, Austria or Germany that are characterised by a republican or assimilationist concept of immigrant policies have met the creation of immigrant associations with some reservations even though there are existing support systems that encourage this associative activity (i.e. the availability of public funding to support these associations).

The comparative analysis of the country reports indicates a shift in the approach toward immigration. The Netherlands illustrate this paradigm shift from a multicultural approach in the 1990s to a more integrationist approach in the 2000s. This development is also reflected in the kind of research that is underway and the kind of funding that is available.

## **5. Final remark**

In the POLITIS research project, we seek to understand why temporary migrants and permanent immigrants from third countries become active in the receiving societies, what influences their choice of activity, and which factors promote or inhibit immigrant activism.

The twenty-five POLITIS country reports have made us aware that we have to be very careful with generalisations regarding receiving or sending countries. The selected observations that have been summarised in this contribution allude to the fact that most immigrants may face very specific conditions and potentially unique combinations of conditions that depend not only on national circumstances, but also on local circumstances in their countries of residence, on their nationality, their status, and the period in which they entered the receiving country. Our objective is to study the activation of immigrants in the receiving society under the influence of these supporting and hindering conditions. It is pertinent to our work to observe the specific circumstances of each individual case.



## 6. POLITIS Country Reports

|                |   |
|----------------|---|
| Austria        | Karin Sohler, Albert Kraler                     |
| Belgium        | Hassan Bousetta, Sonia Gsir, Dirk Jacobs        |
| Cyprus         | Nicos Trimikliniotis                            |
| Czech Republic | Jan Černík                                      |
| Denmark        | Shahamak Rezaei, Marco Goli                     |
| Estonia        | Mikko Lagerspetz                                |
| Finland        | Silvain Sagne, Sanna Saksela, Niklas Wilhelmson |
| France         | Ulrike Schuerkens                               |
| Germany        | Norbert Cyrus                                   |
| Greece         | Ruby Gropas, Anna Triandafyllidou               |
| Hungary        | Endre Sik, Iidikó Zakariás                      |
| Ireland        | Abel Ugba                                       |
| Italy          | Ankica Kosic, Anna Triandafyllidou              |
| Latvia         | Inese Supule                                    |
| Lithuania      | Rita Zukauskienė                                |
| Luxembourg     | Serge Kollwetter                                |
| Malta          | Katia Amore                                     |
| Netherlands    | Jessika ter Wal                                 |
| Poland         | Krystyna Iglicka                                |
| Portugal       | Rosana Albuquerque, Ana Texeira                 |
| Slovakia       | Boris Divinsky                                  |
| Slovenia       | Svetlozar Andreev                               |
| Spain          | Carmen González-Enríquez                        |
| Sweden         | Miguel Benito                                   |
| UK             | Franck Düvell                                   |

