

Cross-country convergence in times of crisis?

Integration policies before, during and after the refugee crisis

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Integration policies before, during and after the refugee crisis

This article analyses if, how and why Scandinavian integration policies converged as a result of the refugee crisis in 2015, studying policies of permanent residence, citizenship, family reunification and access to social benefits. The analysis of policy processes finds that a logic of regulatory competition led to goal convergence, as all three countries explicitly adapted their policies relative to other countries' policies. Nonetheless, when comparing the configuration of policy instruments and their settings, the cross-country gap persists as all three countries took restrictive steps, thus showing traits of path dependency. The conclusion discusses a severe challenge in the current policy convergence debate in the integration literature: how an insufficient level of precision 1) concerning different dimensions of the policies and 2) concerning how to assess convergence could lead to inaccurate and even opposite conclusions when interpreting empirical analyses.

Keywords: immigration policy, integration policy, refugee crisis, policy convergence, comparative analysis

Introduction

In 2015, Europe faced one of its worst refugee crisis since the Second World War, with 1 million people applying for asylum (Migration Policy Institute 2017: 15).¹ Lacking a unified and collective solution to the crisis, Europe experienced a ‘race to the bottom’ in national asylum policies (Gammeltoft-Hansen and Malmvig 2016). However, have similar traits of a ‘race to the bottom’ also appeared in national integration policies? Successful integration of newcomers into society has been atop the political agenda in many countries, and has even been presented as a precondition for the survival of the current welfare state in Western European countries (Tronstad and Hernes 2017: 124). Faced with a high increase of refugees, these countries’ successful integration of refugees into society becomes even more crucial. Nevertheless, integration policies are not exclusively means to ensure successful integration. The intention behind integration policies could be a wish not only to improve the social and/or economic integration of immigrants, but also to deter further immigration (Djuve 2011: 114). Because European countries generally have restrictive asylum policies, differences in rights and benefits are perceived to affect the overall influx of immigrants, that is, generous conditions of integration are perceived to constitute a pull factor for potential immigrants (Brochmann and Hammar 1999: 319). Thus, the two policy domains of immigration and integration are intertwined. Although integration measures sometimes could support both immigration and integration objectives, often there is a trade-off between the two.

One of the major ongoing debates in the integration literature questions whether the ‘national models of integration’ are declining, being replaced by a trend of converging integration policies. The idea of national models assumes that historical legacies determine integration policies, thereby causing cross-national divergence. Several scholars have debated

¹ In this article, the ‘refugee crisis’ refers to the situation European governments were facing because of the high influx of refugees in 2015.

and challenged this idea with studies showing cross-national trends of both convergence and divergence (Baldi and Goodman 2015; Brochmann *et al.* 2012; Carrera 2006; Goodman 2010; 2011; Joppke 2007; 2017). Most studies include historical accounts since the birth of national integration policies in the respective countries; however, this study narrows the scope to a more particular phenomenon: how a crisis affects these policies. Crises may result in social, political, or organisational change (Christensen *et al.* 2016: 887), but case studies of policy change in times of crisis show differences concerning the degree, direction and mechanisms of the change (Boin *et al.* 2009). Still, a crisis that simultaneously confronts countries with similar challenges constitutes a particularly interesting case to test if a crisis actually leads to cross-country policy convergence.

To analyse if a crisis leads to convergence, the starting point on the dependent variable must be divergence, but simultaneously other factors which are presumed to affect the likelihood of convergence must be kept stable across cases. The Scandinavian countries as cases meet these criteria. First, earlier analyses of Scandinavian integration policies show highly divergent immigrant integration policies (Borevi *et al.* 2017: 6; Migration Policy Group 2017), as the countries have been classified at opposite ends of the restrictive-permissive spectrum of immigrant integration policies (Goodman 2010; 2012b), providing initial divergence on the dependent variable. Second, countries which are culturally, institutionally and economically close are more likely to adopt converging policies (Knill 2005). The Scandinavian welfare states share strong political, social, cultural and economic similarities, making them a suitable 'most likely case', where cross-country convergence during a crisis would likely emerge (Borevi *et al.* 2017: 2). More specifically, by studying Scandinavian integration policies right before the outbreak, during and after the refugee crisis, the study asks three questions: 1) Did the Scandinavian countries experience a change in

national integration policies? 2) Are converging cross-country traits apparent? and 3) What caused these changes?

After decomposing and clarifying how policy convergence will be assessed, I introduce a hypothesis predicting more restrictive and conditional integration policies during the crisis. Then follows a presentation of the case selection and data, before a brief account of the relevant policy processes in each country. The cross-country comparison finds clear traits of goal convergence in the Scandinavian integration policies during the crisis; however, because all three countries move in a more restrictive direction, the initial gap concerning the concrete instruments and settings of these instruments persists. In the conclusion, I discuss a severe challenge in the current policy convergence debate in the integration literature: how an insufficient level of precision 1) concerning different dimensions of the policies and 2) concerning how to assess convergence can lead to inaccurate and even opposite conclusions in the convergence-divergence debate when interpreting empirical analyses.

Analytical approach

Decomposing 'policy convergence'

Knill (2005: 768) defines policy convergence as any increase in similarity between one or more characteristics of a certain policy across a given set of jurisdictions over a given period. A general problem in policy convergence research is, ironically, the lack of convergence, because it applies a multitude of theoretical approaches and concepts, complicating the ability for cross-study comparison (Heichel *et al.* 2005). This problem relates to how both *policies* and *convergence* are assessed in analyses. Decomposing *policies* first, empirical studies often have an insufficient level of precision regarding the policy dimensions investigated (Heichel *et al.* 2005: 817, 828). To avoid such ambiguity, the analysis will build on Hall (1993: 278) and distinguish between three dimensions of: policy 1) the overarching *goals* that guide policy

in a particular field, 2) the techniques or policy *instruments* used to attain those goals, and 3) the precise *settings* of these instruments. Using permanent residence permits to exemplify: If the goal is to restrict access to permanent residence to make the country less attractive for asylum seekers, one of the instruments could be a self-sufficiency requirement for obtaining such a permit, and the setting could be the required number of years of self-sufficiency.

The assessment of *convergence* concerns how convergence is measured and evaluated empirically. Empirical studies may have different underlying criteria for assessing similarity change over time, and Heichel *et al.* (2005: 831–834) present four basic approaches to assess convergence: sigma convergence as decrease in variation; beta convergence as catching up, gamma convergence as mobility in rankings, and delta convergence as parallel moves in the same direction towards a model or on a continuum. This analysis will focus on sigma and delta convergence for the three dimensions of policies mentioned above, investigating if the crisis led to 1) a decrease in variation when comparing national policies, and/or 2) parallel moves towards more restrictive and conditional national policies.

Causal mechanisms leading to policy convergence

Holzinger and Knill (2005: 778–786) identify five main categories of causal mechanisms for policy convergence: imposition, international harmonisation, transnational communication, independent problem solving and regulatory competition. The first three involve elements of international coordination, either through more compulsory mechanisms (imposition and legal harmonisation) or through more voluntary forms (transnational communication). Although the EU has taken converging steps towards cross-national coordination of integration policies to create a common minimum standard,² both before and during the refugee crisis, several

² For example, the 2001 ‘Directive on Temporary Protection’, the 2003 ‘Directive on the Right to Family Reunification’, the 2003 ‘Directive on the Status of Non-EU Nationals who are Long-

European countries are not bound by these directives (including the United Kingdom, Ireland, Denmark and non-EU countries like Norway). Additionally, the directives provide countries with great leeway for national variations and have faced severe implementation challenges (Carrera *et al.* 2015). Thus, although European coordination of both asylum and integration policies has led to more convergent policies, national variations in integration measures and social rights still represent stumbling blocks for the EU's harmonisation project (Brekke and Brochmann 2015: 148–159). During the refugee crisis, the international community, and particularly the EU, was criticised for not being able to find a unified solution to the crisis (Gammeltoft-Hansen and Malmvig 2016; Pyrhönen *et al.* 2017: 15). In the absence of (sufficient) international coordination of policies, policy convergence could appear through other mechanisms, such as independent problem solving and regulatory competition.

Independent problem solving as a causal mechanism challenges the premise that a transnational explanation must be apparent for policy convergence to appear. Convergence of the policies of several countries can arise because of similar but independent responses to parallel problem pressures. As Holzinger and Knill (2005: 786) write, 'Just as individuals open their umbrellas simultaneously during a rainstorm, governments may decide to change their policies in the presence of common challenges'. A common crisis that hits countries simultaneously could result in similar, but independent solutions.

Regulatory competition, on the other hand, focuses especially on how countries that face competitive pressure mutually adjust their policies. Previously, studies of this causal mechanism have mostly focused on economic policies, and particularly international trade, with the following logic: International trade puts pressure on the national states to redesign domestic market regulations towards a common (minimum) standard, so that economic actors

Term Residents', and more recently, the 2016 'Action Plan on the Integration of Third-Country Nationals'.

will not shift their activities elsewhere. Consequently, regulatory competition among governments may lead to a ‘race to the bottom’ in regulatory policies (Holzinger and Knill 2005: 782). The general assumption underlying this mechanism is that when faced with a common challenge, countries will adjust their national policies competitively according to other countries’ policies, leading to cross-national convergence (Holzinger and Knill 2005: 782). This logic may also be applicable within the field of immigration and integration policies (Heichel *et al.* 2005: 831). However, unlike the end goal of financial regulatory policies, the end goal of immigrant and integration policies for refugees is often not to attract certain actors, but instead to make the country *less attractive* for potential asylum seekers.³ Thus, according to the competitive logic, politicians may compete to restrict refugees’ access to certain legal and financial benefits to redirect them to other countries.

The linkage between immigration and intergration could shift the focus of integration policies, from their functioning as a measure to enable integration to their potentially being subordinated to the necessity of migration control (Baldi and Goodman 2015; Joppke 2007). During the refugee crisis in Europe, the nation states’ ability to secure their borders and their institutions’ capability to tackle the high increase in asylum seekers were brought into question, elevating immigration policies into the realm of ‘high politics’. This study investigates the assumption that, in times of crisis, when immigration and integration objectives meet and compete, high politics (immigration) trumps low politics (integration),

³ When looking at immigration policies targeting all migrants, this mechanism could result in two contrary objectives and subsequent mechanisms: A race to attract high-ability immigrants and a race to not appear to be an attractive destination country for less attractive migrants (Damm and Åslund 2017: 14). However, since this study focuses on the refugee crisis and policies targeting refugees, a race to become less attractive to asylum seekers is the expected mechanism.

subordinating the objective of integration to the objective of restricting further immigration. Thus, either because of an independent logic or as part of a regulatory competition, politicians may restrict refugees' access to certain legal and social benefits. Such restrictions could be operationalised by introducing stronger elements of conditionality in the national integration measures (Goodman 2015: 1916). Consequently, the following hypothesis is put forward: *The refugee crisis led the Scandinavian countries to introduce more restrictive and conditional national integration policies for refugees, leading to increased cross-country convergence.*

Continuing divergence?

Although the main theoretical expectation in this study is that the crisis led to increased policy convergence, the opposite may also be the case. Although policy changes are portrayed as plausible during a crisis, such plausibility does not necessarily imply changes leading to convergence, as studies of policy change in times of crisis have shown differences concerning the degree, direction and mechanisms of the change (Boin *et al.* 2009). In earlier studies of national integration policies, path dependency and the composition of national political parties have been highlighted as important factors to explain cross-national divergence (Baldi and Goodman 2015; Borevi 2014).

Historical institutionalism posits that leeway for radical change of previous policies is limited (Thelen 1999: 386–388). The role of inherited policies matters, as policies are not only outputs, but also inputs into the political process (Goodman 2012a: 670), resulting in continuing cross-country divergence. Additionally, earlier studies have shown how having different political parties in government could affect the direction of policies on the permissive-restrictive scale (Borevi *et al.* 2017; Goodman 2012a). Thus, cross-country differences concerning the composition of governing coalitions in parliament and the political

block controlling government during the crisis may affect the direction and degree of policy changes.

Operationalisation of integration policies

Earlier research has mainly focused on the conditionality between civic integration requirements and paths to a secure status (e.g., entry, permanent residence and citizenship) (Borevi *et al.* 2017), but legal status is only one subset policy of integration policies (Goodman 2015). Baldi and Goodman (2015) illustrate how different spheres of integration policies are interlinked, and how an assessment of a country's overall direction is contingent on comparatively analysing different sub-policies. Thus, the analysis will include permanent residence and citizenship, but will also incorporate other less-studied aspects of integration policies that lie at the heart of the immigration-integration nexus: family reunification (Bech *et al.* 2017) and immigrants' access to social benefits (Baldi and Goodman 2015). The four sub-policies differ in how directly and explicitly they are linked to immigration control. For permanent residence and family reunification, the connection is obvious, as the policies directly address access to the country; however, policies concerning citizenship requirements and access to social benefits are more indirectly connected to immigration control. Still, because permissive policies for legal status, family reunification and access to welfare benefits often are perceived to function as potential pull factors for immigration (Boucher 2017; Brekke and Brochmann 2015; Brochmann and Hammar 1999), these policies could be expected to be subject to change during the refugee crisis.

Legal status and family reunification – preconditions for integration or tools for immigration control?

Access to a secure legal status could be viewed as not only a necessary precondition to enable integration, but also a measure to control immigration (Da Lomba 2010). The same argument

applies to family reunification. Assuming that having family members join the immigrant in the receiving country is an important precondition for individual well-being and integration, that is, the refusal of family reunification may have negative consequences for integration (Brochmann and Hammar 1999: 319). Nevertheless, while the European Commission has considered family migration as a ‘vehicle to integration’ (Bonjour and Kraler 2015: 1409), states increasingly use family migration policies as tools to limit immigration (Bech *et al.* 2017: 1). Attaching mandatory integration requirements to status acquisition and family reunification has increased in recent years, both in the number of countries that apply them, and in the number of requirements. Typical requirements are residence time, language or civics tests, and income requirements (Bech *et al.* 2017; Goodman 2010). During the crisis, policies of legal status and family reunification could become more conditional, where such policies as a tool to limit further immigration trump their function as a ‘vehicle for integration’.

Conditional or universal access to social benefits?

Universalism has been both an important ideology and a measure to end stigmatisation of groups (e.g., the poor) by extending social insurance to the whole population, simultaneously promoting equality and solidarity between classes, regions and genders (Anttonen, Häikiö, and Stefánsson 2012). Conditional social benefits based on legal status or other equivalent criteria that particularly affect immigrants (e.g., residence time in the country) challenge the universalistic ideal of the welfare state (Bech *et al.* 2017: 3). Boucher (2017: 20) describes how governments increasingly use welfare policy to ‘disincentivise’ potential immigrants. If this idea prevails, that welfare state arrangements function as a pull force for potential migrants (Brochmann and Hammar 1999: 316–317), a crisis could be used to legitimise cutbacks in benefits for refugees to prevent further immigration. Legal status policies or policies that target specific groups may be used to regulate access to social benefits in two

ways: Positive discrimination provides immigrants (and especially refugees) exceptions from requirements that apply to the majority population (e.g., number of years of employment or time of residence to achieve pension). Negative discrimination restricts immigrants' access to or cuts social benefits that the majority population enjoys.

Case selection and data

Borevi *et al.* (2017: 5) describe Sweden, Denmark and Norway as 'ideal candidates for a "most similar" comparative case study' because of their political, social, cultural and economic similarities. All three countries have a generous, universal welfare state, which could make them more attractive to enter from the view of potential migrants (Brochmann and Hammar 1999: 15). Despite their strong similarities, the countries have approached immigrant integration quite differently (Migration Policy Group 2017). In all indices of integration policies, regardless of the indicators, Denmark and Sweden are at opposite ends, placing Denmark in the restrictive corner, Sweden in the permissive one, and Norway somewhere between (Borevi *et al.* 2017; Goodman 2010; 2012b). Consequently, the Scandinavian countries' otherwise strong similarities, but differences in the immigrant integration policies under study (Hernes 2017),⁴ make them relevant cases to investigate if a crisis leads to a converging turn in policies. They are particularly interesting because of their respective previous histories of adapting conditional requirements for obtaining certain rights (Borevi *et al.* 2017: 3), for example, rights to legal status, family reunification and access to social services.

⁴ Integration policies incorporate many different sub-policies. In some areas, Scandinavian integration policies are relatively similar in a European context, for example, their extensive introduction programs for refugees (Hernes and Trondstad 2014). Still, for the four sub-policies under study, which focus on policies particularly relevant for the immigration-integration nexus, earlier analyses show highly divergent policies (Borevi *et al.* 2017).

This study will not analyse the historical development of Scandinavian integration policies (several comparative studies have done so thoroughly; e.g., see Borevi and Bengtsson 2015; Brochmann *et al.* 2012), instead, it concentrates on changes in immigrant integration policies from 2015 until June 2017. Table 1 shows that although the Scandinavian countries have experienced large differences in the absolute numbers of asylum seekers, all countries experienced a substantial increase of asylum seekers, ranging from 160 to 200%, when comparing asylum applications in 2015 with those in 2013, followed by a drop in 2016. Thus, all three countries faced significant fluctuations in the number of asylum seekers during the period investigated, making them relevant cases to compare the governments' reactions to these fluctuations.

[Table 1 near here.]⁵

The analysis does not focus on integration policies that target immigrants in general, but instead shifts the empirical focus to integration policies and particular requirements that apply to refugees. Naturally, several policies and requirements are the same for the two groups. Thus, the analysis covers policies that apply to both refugees and other immigrants, but policies that apply solely to non-refugee immigrants are not included. To exemplify possible differences between the two groups: To obtain citizenship in Sweden, most immigrants must fulfil a five-year residence requirement, while this requirement is four years for refugees. Another example is the Norwegian and Swedish integration benefit which targets refugees exclusively, and which other immigrant groups are not entitled to. However, several of the policy changes studied address all immigrants and are not exclusively 'refugee integration policies'. Still, these policies are important to include in the analysis, because if the policies

⁵ Sources: Statistics Denmark 2017; Swedish Migration Agency 2017; The Norwegian Directorate of Immigration 2017

are perceived to constitute possible pull factors, politicians might consider changing them during a crisis.

The term 'refugee' will be applied to describe persons who have obtained asylum and a residence permit, either persons receiving asylum on the basis of the UN Refugee Convention, quota refugees, or persons who obtain asylum under subsidiary protection. Thus, policies regulating the rights and obligations of asylum seekers who are awaiting an answer to their asylum applications are not part of the analysis. For an overview of the policy processes analysed in each country, see Appendices 1–3. The first part of the empirical analysis compares policies of 2015 to those of June 2017 in each country, using legislation and policy documents, to address if there has been policy convergence across the three countries. The second part examines the mechanisms leading to change and (potential) convergence, by studying the different steps of the policy processes, government platforms, cross-party conciliations and parliamentary debates.

When the crisis hit

From August to November 2015, Scandinavian countries all experienced an exponential increase in asylum seekers. As a response to the high increase, all three countries introduced temporary border controls and other restrictive measures to control the influx; however, the crisis also pushed integration policies to the top of the political agenda.

In Sweden, the minority government formed in October 2014, consisting of the Social Democratic Party (S) and the Green Party (Mp), had not made substantial changes in the integration policies during its first two years in office (for a list and description of the Swedish policy processes from 2015 to 2017, see Appendix 1). However, as a response to the crisis, the government and centre-right opposition parties, the Conservatives (M), the Agrarian Party (C), the Liberals (L) and the Cristian Democrats (KD), agreed on an asylum and integration conciliation (a broad compromise). The conciliation was followed by a policy

process that introduced a temporary three-year law, restricting the rights for permanent residence and family reunification. In the fall of 2016, a restriction in social benefits was passed, which implied a reduction of the number of days with paid parental leave for immigrants with children more than a year old who are born outside Sweden. In June 2017, parliament voted in favour of mainstreaming integration and employment measures for refugees into regular employment programs. The new legislation did not make any changes in the refugees' rights to social benefits; however, the new model made it easier to sanction financially participants who did not participate in agreed upon activities, but only to the same extent as other unemployed persons could be sanctioned.

The Norwegian government responded to the crisis by presenting a revised budget in October 2015 (for a list and description of the Norwegian policy processes from 2015 to 2017, see Appendix 2). Additionally, in November and December, all parties (except the Social Left Party (SV)), agreed upon two conciliations concerning changes in both asylum and integration policies. Many of the agreed upon restrictions in the conciliation, however, were already announced in 2013 when the Conservatives (H) and the Progress Party (Frp) established a minority government with the Liberals (V) and Christian Conservatives (Krf) as supporting parties. The 2013 governmental platform presented plans to restrict policies of family reunification, permanent residence and citizenship. A process to introduce new requirements for obtaining citizenship was initiated in 2014, but was first finalised during the peak of the crisis in December 2015. First in April 2016, the government presented a proposal to parliament with new restrictions for permanent residence and family reunification. A unified opposition rejected the introduction of both financial self-sufficiency requirements and employment requirements for refugees to be eligible for family reunification, and rejected an increase in residence requirements to obtain permanent residence. Other requirements for obtaining permanent residence, for example, self-sufficiency and language and civics tests,

got the necessary majority in parliament. During the fall of 2016, the government proposed to provide municipalities with the possibility to introduce a reduced introduction benefit for refugees until they had passed a language test, but the proposal did not receive support from the opposition parties in parliament. In the existing legislation, refugees were excepted from the earning principle to ensure their right to several social benefits; however, in April 2017, the government proposed to remove those exceptions. Except for the introduction of residence time requirements for obtaining the ‘cash benefit’ (*kontantstøtten*) – a benefit given to parents with children aged 1–2 who do not attend kindergarten – the opposition parties rejected all the other proposed restrictions in refugees’ access to social benefits.

In Denmark, right before the crisis hit, the moderate party *Venstre* (V) formed a minority government with support from the Danish People’s Party (DF), the Liberal Alliance (LA) and the Conservatives (KF). The Government Platform from June 2015 announced a more restrictive turn in the immigration and integration policies, for example, to cut and reduce immigrants’ access to social benefits, along with tougher requirements to obtain permanent residence and citizenship (for a list and classification of the Danish policy processes from 2015 to 2017, see Appendix 3). The government quickly followed through on several of the promises in the Platform. In July 2015, the government presented three propositions to parliament, which were passed in parliament in August: one introducing a reduced ‘integration benefit’ (*integrationsydelse*), with a possible language bonus, for persons who had not lived in Denmark seven of the last eight years; one removing an existing exception for refugee parents from an earning principle to achieve child benefits; and one removing the refugees’ rights to full access to social pensions. In October 2015, the requirements for obtaining citizenship, concerning self-sufficiency and language and civics test results, were sharpened. In January 2016, the government heightened the requirements for obtaining permanent residence and, for persons with subsidiary protection, expanded the

eligibility time for family reunification from one to three years. In the beginning of 2017, as a continuation of an agreement made by the coalition parties in the Financial Regulation of 2017 (*Finanslovgivningen 2017*), further restrictions for obtaining permanent residence were passed in parliament.

Converging policies in times of crisis?

The hypothesis predicts traits of cross-country convergence, according to the assumption that all three countries would introduce more restrictive and conditional integration policies within four areas during the crisis: permanent residence, citizenship, family reunification and social benefits. So, did the Scandinavian integration policies converge?

Permanent residence

Conditions to obtain permanent residence changed in a more restrictive direction in all three countries; however, they did so by very different instruments and the settings of these instruments. Table 2 presents the detailed changes in each country. Denmark, which already had conditional requirements for obtaining permanent residence, sharpened them even further, for example, increasing requirements for employment, time of residence, and language and civics tests. Norway and Sweden also introduced increased restrictions, but through different instruments. In Norway, immigrants now must pass a language and civics test, along with demonstrating one year of self-sufficiency. Sweden did not take the same civic path Norway did, instead, Sweden changed one of the fundamental principles in its refugee policy.

Refugees had normally been granted permanent residence immediately when granted asylum; however, the new three-year legislation introduced temporary residence permits for all refugees except for quota refugees. Consequently, Sweden introduced a three-year residence requirement for permanent residence. Additionally, although Sweden did not introduce employment as an absolute requirement for obtaining permanent residence, it did introduce an

employment ‘fast track’; if employed, persons with temporary residence permits could obtain permanent residence before three years had passed.

[Table 2 near here.]

Citizenship

The three countries diverge concerning the changes they made in requirements for obtaining citizenship. Table 3 presents the detailed changes in each country. Sweden already had relatively low requirements to obtain citizenship, and did not change them during the period analysed. Both Denmark and Norway took a step in a restrictive direction; however, as their starting point differed, Denmark continues to have more restrictive requirements than Norway. For the first time, Norway introduced requirements for passing language and civics tests, in addition to the already existing obligation to *participate* in language courses and tests. Denmark, which already had language, civics and employment requirements, raised the bar on language and civics test levels and the duration of employment.

[Table 3 near here.]

Family reunification

Denmark and Sweden took converging restrictive steps concerning family reunification, introducing a three-year limit for applying for family reunification for persons granted subsidiary protection. Nonetheless, it is necessary to highlight that the Swedish legislation was temporary for three years. Norway did not introduce similar instruments. During the crisis, the Norwegian minority government proposed to introduce a three-year employment requirement that would have implied at least a three-year postponement of family reunification; however, the opposition rejected the government proposition in parliament, leaving the Norwegian rules for family reunification as they were.

Social benefits

Denmark stands out as the divergent case concerning policy changes in refugees' access to social benefits. The government removed an existing clause that exempted refugees from normal residence requirements to be eligible to receive pensions and different children benefits. Additionally, the government reintroduced an 'integration benefit', which reduced the social benefits to immigrants by as much as 50% of regular social benefits (*kontanthjælp*), with the explicit intention to target immigrants and refugees. Norway and Sweden, on the other hand, have continued on the universalist path for welfare benefit access, with two minor exceptions. The Norwegian minority government proposed several restrictions – removing special privileges and cutting welfare benefits – however, most suggestions were rejected in parliament, except for one minor change: introducing a five-year residence requirement for parents to receive cash benefits for their 1–2-year-olds (*Kontantstøtten*). Sweden reduced the right for paid parental leave for parents who have children over the age of one who are born outside the country; however, the change is portrayed as fixing an overcompensation in the existing law, rather than restricting the refugees' right to social benefits.

Restrictive steps, but through different configurations of instruments and settings

To assess if the Scandinavian countries experienced policy convergence in their integration policies during the crisis, Hall's (1993) distinction between goals, instruments and settings helps clarify the picture. Although with different degrees of enthusiasm, all three countries explicitly expressed the same overarching goal, to use integration policies to influence (decrease) the number of asylum seekers during the crisis. To exemplify, in the proposition that proposed to restrict access to permanent residence, the Swedish government argued that although temporary residence permits would have negative consequences for the individual, it

was a necessary measure to reduce the influx.⁶ Similar arguments were applied in many of the other policy processes in all three countries. Thus, earlier cross-country disparities concerning the three countries' willingness to use conditional requirements in their policies (Borevi *et al.* 2017: 7), and to explicitly use integration policies to limit the influx of immigrants, have decreased. Consequently, goal convergence is apparent according to the sigma definition of convergence (meaning a decrease in variation).

Although having similar goals, Sweden and Norway applied different instruments to achieve those goals. While Norway introduced new civics requirements for restricting access to permanent residence and citizenship, Sweden introduced residence requirements for permanent residence and family reunification. Denmark, which already had restrictive instruments in place before the crisis, sharpened the settings of those instruments, in addition to (re)introducing new restrictions on refugees' access to social benefits. As the configurations of instruments and the settings of these instruments still differ across countries, sigma convergence is not evident. Nonetheless, as all three countries take restrictive steps, the analysis shows parallel moves in the same direction, implying convergence according to the delta definition.

'Race to the bottom' – driven policy convergence

The Swedish Social Democratic MP and representative for the Social Committee, Yilmaz Kerimo, justified the government's restrictions on family reunification and residence permits in the parliamentary debate by stating that:

We are fully aware that temporary residence permits and restrictions on family immigration are not in the best interest for each individual. But as long as EU member states do not share the responsibility for asylum reception jointly, but choose to hand the

⁶ Proposition 2015/16:174 – Tillfälliga begränsningar av möjligheten att få uppehållstillstånd i Sverige, p. 29.

problem over to some countries, such as Sweden, we cannot have policies that are significantly different than those of our neighbours in the EU (author's translation).

This statement illustrates how more restrictive policies are explicitly justified by referring to how national policies must be aligned with, or in some cases be more restrictive than, those of neighbouring countries. Such arguments were applied extensively by the advocates for more restrictive policies in all three countries, demonstrating that the mechanism leading to more restrictive and conditional policies was cross-country regulatory competition. However, as discussed in the previous paragraph, the analysis reveals that the different dimensions of policies experienced different kinds of convergence, *sigma convergence* (decrease in variation) for policy goals and *delta convergence* (parallel moves in the same direction) for policy instruments and the settings of these instruments. Although the mechanism of regulatory competition adequately explains the decrease in variation for policy goals, it does not satisfactorily account for the continuing gap between the three countries concerning their choice of policy instruments and the settings of these instruments. This persistent gap is better understood through the logic of path dependency, as the existing policies clearly affect the degree of change in each country.

Comparing the policy processes, the governments in all three countries defended the decision to use integration policies to reduce immigration influx, but their enthusiasm differed. The Danish and Norwegian governments, which had political parties that generally advocated restrictive integration policies, actively used the crisis to legitimise the new restrictions; however, they also argued that (most of) the changes would have a positive effect on both immigration control and integration. Conversely, the Swedish Social-Green government portrayed the changes as an unfortunate, but necessary measure to prevent the collapse of the asylum system and other societal functions. Thus, when the crisis elevated

immigration into the realm of high politics, earlier ideological principles for both integration and immigration were (temporarily?) set aside.

As both Norway and Denmark had right-wing parties in government, parties which generally lean towards more restrictive immigration and integration policies, a question remains: Would left-wing governments have reacted differently? Based on the Swedish analysis, one could expect a restrictive turn regardless of the governments' political background. Sweden could be viewed as a least likely case for introducing restrictive policies because of its long and strong history of permissive policies (Borevi 2014), additionally, Sweden had a left-wing government. Nonetheless, the Swedish government still introduced more restrictive policies during the crisis. Additionally, most restrictive changes in all three countries were part of cross-partisan conciliations, indicating that restrictive measures would have been implemented irrespective of the political bloc currently holding the government office. This assumption could be subject to future analyses by comparing policy change and convergence in other Western European countries, which had left-wing governments during the crisis. Additionally, as the analysis focuses on the period from 2015 to June 2017, the short-term perspective is a methodological constraint, and the main evidence for lasting convergence is yet to be seen. An ultimate test for concluding that the crisis led to convergence would be if the Swedish three-year law proves to be not just a temporary breach, but the first step on a new path. This test is a task for future studies to analyse.

Conclusion: 'Policy convergence' – what is in a name?

This article has analysed if, how and why Scandinavian integration policies converged as a result of the refugee crisis in 2015. The analysis of policy processes before, during and after the crisis finds that a logic of regulatory competition led to goal convergence, as all three countries explicitly used integration policies to decrease the number of asylum seekers, and

referred to the policies in neighbouring countries to justify policy restrictions. Nonetheless, when comparing the configuration of policy instruments and their settings, the cross-country gap persists as all three countries took restrictive steps, thus showing traits of path dependency.

Beyond the empirical findings for the Scandinavian countries, this article demonstrates that how ‘policy convergence’ is operationalised and measured could directly affect the conclusions of the empirical analysis. A fundamental problem with the current debate in the integration literature about convergence versus divergence is the imprecision of what ‘policy convergence’ means. Joppke (2017: 1156) touches upon this question, but oversimplifies the challenge this imprecision actually imposes on the debate, as he quickly states that policy convergence for civic integration has never involved more than analysis of policy goals and instruments (referring to Bennett’s (1991) distinguishing between policy goals, content, instruments, outcomes and styles). An elaboration and specification of what is actually meant by converging policies deserves further attention, because how we as academics specify and analyse ‘policy convergence’ ultimately affects the very conclusions we arrive at.

As shown in this analysis, ‘policy convergence’ could and should be decomposed explicitly. First, *the policy dimensions* that are the object of comparison should be clear. By distinguishing between Hall’s (1993) three policy dimensions – goals, instruments, and settings – I conclude that Scandinavian countries have experienced goal convergence during the crisis. However, when comparing their use of instruments, and especially the settings of these instruments, the initial gap remains, although they all move in the same direction. Thus, I conclude differently for the different dimensions of policies. The current debate in the integration literature has offered different ways of decomposing policies: For example, Joppke (2017) refers to Bennett’s (1991) operationalisation (see above); Goodman (2011) distinguishes between ideational and policy convergence. Although both Joppke and

Goodman discuss different dimensions of policies, they evaluate and weigh conflicting results for the three dimensions differently in their conclusion. To exemplify, Goodman (2011: 236) concludes in one study that ‘while the subsequent permutations of integration-from-abroad reveal variation (...), none abandon the central objective of migration control’, and she interprets these findings as support for continuing national divergence. Joppke (2007: 5) finds in one of his studies that ‘despite obvious national variation in the scope and level of restrictiveness of civic integration policies across Europe, a focus on “obligation” (and reverse de-emphasis on “rights”) is a shared feature of all of them’, and he interprets these findings as support for a cross-national converging trend. Translating these findings into Hall’s (1993) vocabulary, both Goodman and Joppke’s empirical findings could be interpreted as evidence of goal convergence, but at the same time demonstrate varieties in the national configurations of instruments and the settings of these instruments. Nevertheless, while Goodman emphasises the findings of cross-country *instrument* variation to support her conclusion of continuing cross-national divergence, Joppke emphasises the *goal* dimension most in his conclusion; his finding of goal convergence – rather than instrument variation – is highlighted when he concludes that the analysis supports a convergent cross-national trend. Thus, the examples drawn from Joppke (2007) and Goodman (2011) illustrate that lack of precision concerning how the different dimensions of policies are weighted when reaching conclusions could result in potential false disagreements in the academic dialogue.⁷

Thus, these examples demonstrate that the ongoing debate needs a higher level of precision, not only to reveal possible false disagreement, but also to reveal where the actual national

⁷ This article does not evaluate the overall convergence-divergence debate between Joppke and Goodman. The two studies discussed in this article are merely used to exemplify how imprecision about how different policy dimensions are weighted can complicate cross-study comparisons.

differences exist. A minimum standard should be clarity concerning which policy dimensions are subject to analysis and how we define those dimensions. Additionally, when summarising empirical findings in conclusions, divergent findings for different policy dimensions should be highlighted, either by concluding on each dimension separately (the path chosen in this article) or, if the authors wish to make an overall conclusion, by explicitly arguing why some policy dimensions are weighted more than others are.

Such clarity is crucial to enable us to both build on and criticise each other's analyses to expand our knowledge within the field.

Second, studies of integration policies often neglect to define explicitly how *convergence* is measured and evaluated empirically. Is a reduction in the gap between different countries' policies necessary, or is a step in the same direction towards a similar 'model' sufficient to conclude that a converging trend is apparent? In my analysis, I find sigma convergence, (decrease in variation) for policy goals, but only delta convergence (parallel moves in the same direction) for the policy instruments and their settings. Although different definitions of convergence may be relevant for different research questions (Heichel *et al.* 2005), which criteria we use to assess whether cross-country policy convergence is apparent should always be crystal clear, as different definitions may produce different conclusions.

Last, the analysis demonstrates the importance of including more than one sub-policy to assess the overall direction of the national integration policies. In this study, if only citizenship policies had been analysed, the conclusion would have identified Sweden as a divergent case compared to Norway and Denmark. On the other side, with family reunification as the only parameter, Sweden and Denmark would have shown converging traits in both instruments and settings, with Norway as the divergent neighbour. In alignment with Baldi and Goodman (2015), this study demonstrates that although in-depth analyses of

sub-policies provide important insight, analysing these in combination is necessary to get the full picture of the overall trends of convergence and divergence in national integration policies.

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Table 1 – Asylum applications in 2013–2016 in Denmark, Sweden and Norway

Year	Denmark		Sweden		Norway	
	N	% change since 2013	N	% change since 2013	N	% change since 2013
2013	7 557		54 259		11 983	
2014	14 792	96%	81 301	50%	11480	-4%
2015	21 315	182%	162 877	200%	31 145	160%
2016	6 235	-17%	28 939	-47%	3 460	-71%

Table 2 – Requirements for obtaining permanent residence for refugees in Norway, Sweden and Denmark, 2015 and 2017

	Norway		Sweden		Denmark	
	2015	2017	2015	2017	2015	2017
Residence time	3 years	3 years	0 years. Permanent residence obtained when granted asylum.	3 years (temporary legislation)	5 years	8 years residence and fulfilment of 2 of 4 integration requirements, ⁸ or 4 years and fulfilment of 4 of 4
Language test	Attended course and attended test	Passed oral exam, level A1	No	No	Passed language test, level A1	Passed language test, level A2
Civics test	Attended course and attended test	Passed civics test in native language	No	No	No	Passed civics test (1 of 4 integration requirements, ref footnote 2)
Employment or education	No	No	No	Partially. May be obtained before 3 years if employed.	Part-time employment or education for 3 of 5 years	Full-time employment for 3.5 of 4 years
Self-sufficiency	No	Last 12 months	No	No	Last 3 years	Last 4 years
Other	No	No	No	No	Exception for refugees who had shown 'willingness to integrate' after 8 years	Exception removed

⁸ The four integration requirements are 1) passed civics test or 1 year of voluntary work, 2) income over 270 000 DKK for two years, 3) full-time employment 4 of 4.5 years, and 4) passed language test at level A3.

Table 3 – Requirements for obtaining citizenship for refugees in Norway, Sweden and Denmark, 2015 and 2017

	Norway		Sweden		Denmark	
	2015	2017	2015	2017	2015	2017
Residence time	7 of 10 years	7 of 10 years	4 years	4 years	5 years	8 years
Language test	Attended course and test	Passed oral exam, level A2	No	No	Passed language test, level A2	Passed language test, level A3
Civics test	Attended course and attended test	Passed civics test in Norwegian	No	No	Yes	Yes, increased curriculum and increased level for passed test
Self-sufficiency	No	No additional requirements, but 1 year for obtaining permanent residence	No	No	2.5 out of 5 years	4.5 of 5 years
Obligatory ceremony/ Loyalty oath	No, voluntary ceremony	No, voluntary ceremony	No, voluntary ceremony	No, voluntary ceremony	Yes	Yes

Appendix 1 – Integration policy processes in Sweden 2015–2017

Process	Final decision	Subject	Content	Result of policy process (political parties supporting)
Cross-partisan conciliation	Oct 2015	Permanent residence Family reunification Social benefits	Agreement to restrict temporarily access to automatic permanent residence and family reunification. New employment measures and other social benefits arrangements were to be reviewed and improved, with stricter requirements for those applying for social benefits.	Conciliation (S, M, Mp, C, L and KD)
Lag (2016:752)	June 2016	Permanent residence Family reunification	New requirements for residence time for obtaining permanent residence automatically and for family reunification for refugees with subsidiary protection.	Accepted (S, M, Mp and KD)
Lag (2017:559)	May 2017	Social benefits	Introducing a reduction in the number of days with paid parental leave for immigrants with children more than one year old who are born outside Sweden.	Accepted (S, M, Mp, SD, C, L and KD)
Arbetsmarknadsutskottets betänkande 2016/17:AU15	June 2017	Social benefits	Mainstreaming integration measures for refugees into regular employment programs.	Accepted (S, M, Mp, C, V, L and KD)

Appendix 2 – Integration policy processes in Norway 2015–2017

Process	Final decision	Subject	Content	Result of policy process (political parties supporting)
Immigration and integration conciliation	Nov./Dec. 2015	Permanent residence Family reunification Social benefits	Cross-partisan agreement to introduce more restrictive requirements for permanent residence, family reunification, and refugees' access to welfare benefits.	Conciliation (Ap, H, Frp, S, V and Krf)
Lovvedtak 23 (2015–2016)	Dec. 2015	Citizenship	Introduction of new requirements for obtaining citizenship (language and civics tests).	Accepted (Ap, H, FrP, Krf, S, V, MdG)
			Expansion of the target group to include people 55–67.	Accepted (Ap, H, Frp, S)
White Paper on Integration	May 2016	Citizenship Social benefits	Presentation of planned restrictive initiatives concerning citizenship and social benefits.	Government (H and Frp)
Lovvedtak 102 (2015–2016)	June 2016	Permanent residence Family reunification	Proposal to introduce income and employment requirements for family reunification.	Rejected (in favour: H and Frp)
			Self-sufficiency requirements to obtain permanent residence.	Accepted (Ap, H, Frp and S)
			Expansion of the target group to include people 55–67.	
			Language and civics tests requirements to obtain permanent residence.	Accepted: (Ap, H, Frp, Krf, S, V, MdG),
Lovvedtak 30 (2016–2017)	Dec. 2016	Social benefits	Proposal to let municipalities apply for exceptions from the Introduction Act, to test time-limited pedagogical, organization and economic local experiments.	Accepted – Pedagogical and organizational exceptions (All parties) Rejected – Financial exceptions (in favour: H and Frp)
Lovvedtak 113 (2016–2017)	June 2017	Social benefits	Proposal to remove an exception for refugees concerning their access to a state pension and to other benefits regardless of residence time.	Accepted: Restrictions in cash benefits (S, H, Frp, and V). Rejected: Other proposals (in favour: Frp and H)

Appendix 3 – Integration policy processes in Denmark 2015–2017

Process	Final decision	Subject	Content	Result of policy process (political parties supporting)
L 2	Aug. 2015	Social benefits	Reintroduction of a reduced 'integration benefit' for people who have not lived in Denmark 7 of the last 8 years.	Accepted (DF, V, LA and KF)
L 7	Aug. 2015	Social benefits	Removal of an exception for refugees concerning their access to children's benefits regardless of residence time.	Accepted (DF, V, LA and KF)
L 3	Aug. 2015	Social benefits	Removal of an exception for refugees concerning their access to a state pension regardless of residence time.	Accepted (DF, V, LA and KF)
CIS nr 10873	Oct. 2015	Citizenship	Introduction of more restrictive requirements for obtaining citizenship for employment, and language and civics tests.	Accepted (S, DF, V, LA and KF)
Government action plan	Nov. 2015	Permanent residence Family reunification	Presentation of restrictive initiatives for permanent residence and family reunification.	Government (V)
L 87	Jan. 2016	Permanent residence Family reunification	Introduction of more restrictive requirements for permanent residence (e.g., language tests, employment, self-sufficiency) and postponement of family reunification from 1 to 3 years for persons with subsidiary protection.	Accepted (S, DF, V, LA and KF)
L 53 A	Feb. 2016	Citizenship	Removal of the right for young immigrants to obtain citizenship by declaration, a right whereby they were not required to meet standard citizenship requirements.	Accepted (S, DF, V, LA and KF)
L 111	Mar. 2016	Social benefits	Expansion of the target group for the 'integration benefit'.	Accepted (DF, V, LA and KF)
L 154	May 2017	Permanent residence	Stricter requirements for obtaining permanent residence (e.g., concerning residence time, employment, self-sufficiency).	Accepted (S, DF, V, LA and KF)