



NATURALISATION AND THE SOCIO-ECONOMIC INTEGRATION OF IMMIGRANTS AND THEIR CHILDREN

NATURALISATION AND INTEGRATION OF IMMIGRANTS AND THEIR CHILDREN: POLICY INTERACTIONS IN BELGIUM

This document has been prepared by Mélanie Knott and Altay Manço (IRFAM). The views expressed are those of the authors and do not commit the European Commission, the OECD or the national authorities concerned.

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SUMMARY

Since June 1984, access to nationality for foreigners in Belgium has been facilitated considerably with a view to promoting the integration of immigrants into society. In March 2000, an accelerated naturalisation procedure made it possible to increase the number of people acquiring Belgian nationality significantly (more than 62 000 naturalisations in 2000 and 2001). Even though there is no obvious direct link between the acquisition of citizenship and the improvement of living standards and conditions for immigrants, foreigners who apply for naturalisation are motivated by a desire to gain access to social and civil rights and to be considered as full-fledged Belgians.

This document, based on the case of Belgium, shows that naturalisation is a means of facilitating the integration process. It is neither the first nor the last stage, but it is an important stage on immigrants' pathway towards integration. This means that naturalisation in and of itself should be considered more as one tool among others, which is useful to the process of becoming integrated and settled in Belgium and in the European Union more broadly. It is an indicator of integration, alongside improved language skills, better academic performance by children, labour market access, home ownership and participation in elections. Naturalisation makes it possible to forge a national tie with the host country and very often goes hand in hand with the decision to settle permanently in Belgium.

NATURALISATION AND INTEGRATION OF IMMIGRANTS AND THEIR CHILDREN: POLICY INTERACTIONS IN BELGIUM

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1. According to the commonly accepted definition, naturalisation is the act of granting the nationality of a given country to a person who does not have this nationality by birth². The etymological meaning of the word “naturalisation”, from the verb to naturalise, suggests a fundamental change, a lasting and permanent acclimatisation.

2. In Belgium, foreigners may obtain Belgian nationality in three ways, i.e. by declaration, by option or through naturalisation. It is this last procedure of acquiring nationality that will concern us in this document.

3. Some 6.2 % of Belgian citizens come from another country of the European Union and 2.9 % from a non-EU country³. Three non-European immigrant communities stand out clearly because of their large numbers in Belgium, i.e. Turks, Moroccans and Congolese (nationals of the Democratic Republic of the Congo). According to the National Institute of Statistics, some 8 722 Moroccans, 3 039 Turks and 1 793 Congolese obtained Belgian nationality in 2007. Increasing numbers of children of immigrants from these communities are also applying for naturalisation.

4. This document seeks to show the relationship between naturalisation policy and integration policy in Belgium. The first part presents the changes that have taken place in naturalisation policy and the conditions for obtaining naturalisation. The second part reviews integration policy and all the indicators that make it possible to measure it. The conclusion tries to answer the question of whether naturalisation is a cause of integration or whether it is the culmination of the integration process.

1. Obtaining Belgian nationality through naturalisation: changing conditions

5. Currently, the Nationality Code specifies that in order to apply for naturalisation, applicants must be at least 18 years of age and have made Belgium their principal residence for at least three years. They

¹ The Institute for Research, Training and Action on Migration (*Institut de Recherche, de Formation et d'Action sur les Migrations*), (www.irfam.org), is a resource and continuing training body created in 1996 by stakeholders and researchers in order to provide assistance to professionals in the fields of social work, education and economic and cultural development. The Institute seeks, through a multidisciplinary approach, to build ties between research and the initiatives being taken in the fields of integration, development and action against discrimination.

² The *Petit Robert* dictionary, Paris, 1997.

³ EUROSTAT, *Population of foreign citizens in the EU27 in 2009. Foreign citizens made up 6.4% of the EU27 population (2008 figures for Belgium)*, http://epp.eurostat.ec.europa.eu/cache/ITY_PUBLIC/3-07092010-AP/FR/3-07092010-AP-FR.PDF, placed on website on 07.09.2010, consulted on 17.09.2010.

must also be legally residing in Belgium at the time of filing their naturalisation request. The term “legally residing” means that they have been admitted or authorised to stay for more than 3 months in the country or have been authorised to settle there, in accordance with the provisions of the Act of 15 December of 1980 on the access to Belgian territory, residence, settlement and expulsion of foreigners. This three-year period is reduced to two years for persons whose status as a refugee or a stateless person has been recognised in Belgium. Applicants for naturalisation may obtain the application form from their municipal authorities or if they are abroad, from a Belgian diplomatic mission or consulate. Once the application has been completed and signed, it must be sent to the registrar of the municipality in which the applicant resides or to the registrar of the Naturalisation Service of the Chamber of Representatives. Only the Chamber of Representatives has the authority to grant naturalisations under Article 74 of the Constitution. Applicants for naturalisation state that they wish to acquire Belgian citizenship and that they will comply with the Constitution, the laws of the Belgian people and the Convention for the Protection of Human Rights and Fundamental Freedoms. The Naturalisation Service then asks for the opinion of Crown Prosecutor’s Office in the applicant’s place of residence. A background check is conducted to ensure that there are no serious facts that would be an obstacle to obtaining Belgian citizenship. The application is finally submitted to the Chamber’s Nationalisation Committee. The Committee can either approve or reject the application, or postpone the naturalisation. The Committee’s proposal must also be approved by the Plenary Assembly of the Chamber. The act of naturalisation must be approved and promulgated by the King and be published in the *Moniteur Belge* (Belgian Official Gazette). The applicant for naturalisation becomes a Belgian citizen upon the publication date. Children under the age of 18 and who have not yet been emancipated automatically become Belgian citizens when their parents acquire Belgian nationality through naturalisation.

6. The Belgian Nationality Code dating from 28 June 1984 significantly improved access to nationality for foreigners. Having chosen to promote naturalisation as a means of integration into society, policymakers have amended the law a number of times in order to make naturalisation more accessible to immigrants and their Belgian-born children⁴. Over the past 25 years, the Code has been amended five times as a result of changing political majorities in Parliament. This situation is explained by the fact that the rules governing access to nationality are generally linked to political considerations and occasionally to other issues such as the right of foreigners to vote. If one reads the different amendments to the Code, one can observe a pendulum-like movement, with one amendment making access to nationality easier and then the following amendment making it more difficult.

7. Initially, the Code had been built around the key concept of integrating those applying for nationality into the Belgian community. If they were acquiring nationality through naturalisation, foreigners who had no other tie with Belgium except for a significant period of residence in the country could acquire nationality through a parliamentary procedure in the course of which the country’s authorities verified the applicant’s commitment to integration. Naturalisation was originally considered to be a favour granted by the legislative branch. Its main purpose was to integrate people who had been of service or were going to be of service to Belgium.

8. There were different levels of difficulty in obtaining nationality, which corresponded to the applicants’ presumed level of integration into the community of the host country. The more fully the applicants were “integrated” (having been born and always lived in Belgium, having lived there much of their life, being a child with a Belgian parent, being married to a Belgian, etc.) the faster they would be able to acquire Belgian nationality.

⁴ *Direction Générale Emploi et Marché du Travail, L’immigration en Belgique. Effectifs, mouvements et marché du travail. 2001, 2003 Report, p.13.*

9. The Law of 13 June 1991, which entered into force on 1 January 1992, altered the Code profoundly by simplifying access to nationality for second and third-generation children. It introduced a provision by which Belgian nationality is automatically granted to third-generation children by a simple declaration by the foreign parents, and to second-generation children born in Belgium if the declaration is made before they reach the age of 12.

10. A new naturalisation procedure, which was established by the Law of 13 April 1995 and entered into force on 1 January 1996, further facilitated the naturalisation procedure and sought to prevent any excessive delay in the processing of applications. Since 1998, the procedures for obtaining citizenship by declaration, option or naturalisation have been linked. Thus, if the authorities issue a negative opinion for declaration and option procedures, the file can be forwarded directly to the Chamber of Representatives and be changed into an application for naturalisation.

11. The Law of 1 March 2000 sought to encourage the integration of immigrants into society by facilitating access to nationality somewhat further. This law introduced an accelerated naturalisation procedure by eliminating the need to verify applicant's commitment to integration while reducing the time required to process applications and making the procedure free of charge. This reform, known as "*snel-Belg-wet*", placed Belgium in the forefront of countries with a liberal policy for the acquisition of nationality, since by a mere declaration to the responsible authorities anyone who has resided legally in Belgium for seven years can become a Belgian citizen in one month following an investigation of his/her conduct by the Public Prosecutor's Office⁵. Concretely, this means, for example, that there is no requirement for the person of foreign origin to know one of the three national languages. It has also meant that the authorities responsible for verifying within a single month whether an applicant has a criminal record or whether the acquisition of Belgian nationality by a foreigner might pose a threat to national security have had to face an unmanageable situation given the number of applications filed.

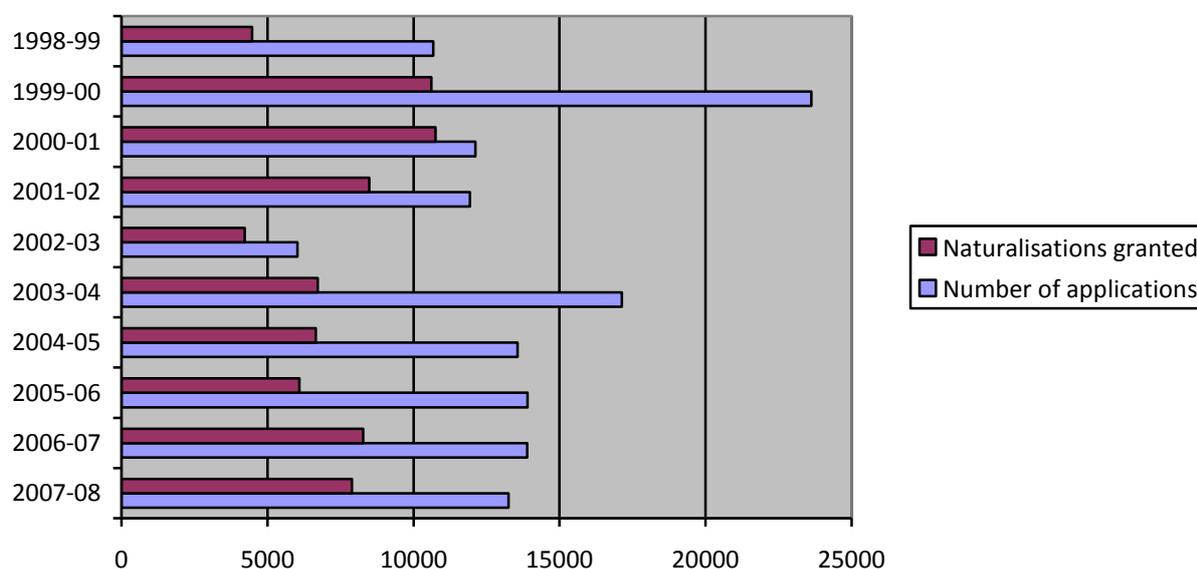
12. Thus, the first four reforms of the Nationality Code, which were very liberal, significantly facilitated access to Belgian nationality. However, the reform of 2006, by clarifying certain concepts of the code, restricted access to nationality somewhat. For example, the clarification of the term "principal residence" excludes foreigners who are not legally residing in Belgium, whereas it previously sufficed for them to be residing or have resided *de facto* in the country⁶.

13. The chart below shows that the amendments to the Code have had a lasting effect on the number of naturalisations. It is the Law of 1 March 2000 that led to the greatest increase in the number of naturalisations. In the years in which naturalisations peaked, it could be observed logically that the foreign population fell sharply while the Belgian population increased proportionately⁷.

⁵ LAMBERT Pierre-Yves, *La participation politique des allochtones en Belgique. Historique et situation bruxelloise*, Academia Bruylant, June 1999, 122 p.

⁶ SPF Emploi, Travail et Concertation Sociale, *L'immigration en Belgique. Effectifs, mouvements et marché du travail*, 2009 report, *Etudes et Recherches*, October 2009, p.16.

⁷ Op.cit

Chart 1: Number of naturalisation applications and of naturalisations granted in Belgium between 1998 and 2008⁸

14. The chart shows clearly the impact of the Law of March 2000 on applications for naturalisation. The “1999-2000” peak shows naturalisation applications between September 1999 and September 2000, i.e. several months after the publication of the Law. As from 2004, applications levelled off at between 13 000 and 14 000 per year and the naturalisations granted range between 6 000 and 8 000 par year.

15. In Belgium, Moroccans are the foreign community that files the most naturalisation applications. According to the most recent figures provided by the Chamber’s Naturalisation Committee, Moroccans rank first, both in the number of applications (21.83 % / 6 550 applications) and the number of applications approved (15.96 % / 2 119 applications)⁹. They are followed by Congolese, Turks and Russians. The nationality of origin does not seem to have any impact on the decisions of the Naturalisation Committee.

16. In September 2009, some 10 000 naturalisation applications were pending in the Naturalisation Committee, awaiting a reply. Many applications do not in fact have sufficient information to be accepted, which explains why the Committee has fallen behind, since it must request additional information for each incomplete application before reaching its decision. According to the official information available at the beginning of August 2010, the Committee has reviewed 11 440 naturalisation applications. Of this total, 3 958 applications have been accepted, 3 507 postponed and 3 975 rejected¹⁰.

⁸ La Chambre des Représentants, *Compétences spéciales: Naturalisations*, n°11.11, http://www.lachambre.be/kvvcr/pdf_sections/pri/fiche/fr_11_11.pdf, consulted on 03.09.2010.

⁹ Bladi.net, *Belgique-naturalisations: 22 % des demandes sont marocaines*, placed on website 17.07.09, <http://www.bladi.net/marocains-naturalisation-belgique.html>, consulted on 20.09.2010.

¹⁰ La Libre, *Naturalisation: le MR sous les foudres PS-Ecolo*, mis en ligne le 05.08.2010, <http://www.lalibre.be/actu/belgique/article/600557/naturalisation-le-mr-sous-les-foudres-ps-ecolo.html>, consulté le 18.09.2010.

17. Among the new profiles identified in naturalisation applications, there are homosexual couples, primarily French who wish to be able to marry, a possibility available in Belgium that is virtually unique worldwide. Among 2009 applications, many people of Maghreb origin and from Balkan countries were also identified.

18. In the Governmental Declaration to Parliament of 13 October 2009, the Federal Government committed itself to changing once again the conditions for acquiring Belgian nationality: “(...) *In future, foreigners who wish to obtain Belgian nationality will be required to possess a right of residence of unlimited duration. The conditions relating to the naturalisation procedure in the Chamber will also be adapted (...)*”. The CIRE, an organisation for assisting asylum-seekers, states in a document dated October 2009 that “(...) *with regard to the concept of legal residence, it is going to be defined. This will concern any legal stay, other than a short stay. With regard to naturalisation, the duration of the stay is being extended to five years and to two and a half years for refugees. With regard to deprivation of citizenship, a list of serious crimes is going to be established (crimes against humanity, war crimes, crimes subject to a sentence of five years’ imprisonment and a ten-year statute of limitations). If the nationality and the crime are interlinked, the person may be deprived of nationality for five years. These cases will be dealt with by a judge(...)*”¹¹. The Government Agreement of 18 March 2008 already specified that “*The obtaining of nationality will be made more objective and more neutral in terms of immigration, so that only persons registered in the Population Register or the Register of Foreigners will be able to obtain nationality. In other respects, acquisition of nationality by declaration will remain unchanged. The acquisition of Belgian nationality will also be subject to conditions of right of residence for an indeterminate duration, prior legal and uninterrupted residence for a period of five years and proof of a commitment to integration, which maybe proved, inter alia, by an attestation from the local authorities or an approved entity*”¹².

19. Belgium therefore seems to be headed towards a sixth reform of the Code, but also towards stricter conditions for access to nationality. However, this change will not take place until a stable federal government has been formed. The positions of the political parties differ strongly on this issue. The parties on the right want to increase the conditions required to obtain nationality and make them more “stringent”. They are asking to return to the policy of requiring proof that the foreigner is well integrated and they would also like knowledge of at least one of the national languages to be mentioned in the law. They would also like to include the possibility of depriving naturalised foreigners of their Belgian nationality if they commit a felony (theft, serious offence, etc.). The parties on the left and the Greens are asking for the current law to be clarified, but without recommending overly restrictive conditions¹³.

20. In the spirit of the Belgian law, naturalisation and integration are two closely linked elements and naturalisation constitutes an important step on the path to integration. However, the meaning of this link is not explicit and seems to differ from one political party to another and to vary over time. *Is integration a cause or a consequence of naturalisation?*

21. Over the past 15 years, Belgium has chosen to liberalise naturalisation, which has led to a significant increase in naturalisation rates. Immigrants have become able to apply for naturalisation earlier, but the number applying has also risen. More flexible rules for granting nationality partly explains this increase. Immigrants from the Turkish and Moroccan communities, which previously only applied in small

¹¹ CIRE, *Des nouvelles mesures en matière de regroupement familial, mariages et nationalité?*, 2009, http://www.cire.irisnet.be/ressources/rapports/analyse_10_09_regroupement_familial.pdf, consulted on 21.09.2010.

¹² Centre pour l’Egalité des Chances et la Lutte Contre le Racisme, *Migrations. Rapport annuel 2009*, May 2010, p. 100.

¹³ *op.cit. La Libre*.

numbers, have now also been seen to join in the process and increased their rate of naturalisation. Very large numbers of Congolese also acquire Belgian nationality (60 % to 80 % of them have been naturalised after 10 years of residence)¹⁴. This is also the case for groups from Eastern Europe. There are also large numbers of EU nationals in Belgium. Italians, Spanish, French, German and Dutch nationals have lived in Belgium for a long time, especially in border areas. However, with the construction of Europe, naturalisation no longer seems to interest them (see Table 1). This distribution of nationalities is a reversal of the previous situation since from the 1980s until the early 1990s, EU nationals were still the group that acquired Belgian nationality most often, while Moroccans and Turks still rarely did so. Among the immigrant groups settled in Belgium for a long time, in particular Turks and Moroccans, it can be observed that their children account for a significant proportion of the “new” Belgians. Among the groups from Eastern Europe, which have settled more recently, marriage with Belgian citizens is still more prevalent than naturalisation. For certain nationalities, women are the predominant group applying for naturalisation (Polish women, in particular)¹⁵.

Table 1: Acquisition of Belgian nationality by country of previous nationality¹⁶

	1999	2000	2001	2002	2003	2004	2005	2006	2007
Morocco	9.133	21.917	24.018	15.832	10.565	8.704	7.977	7.753	8.722
Turkey	4.402	17.282	14.401	7.805	5.186	4.467	3.602	3.204	3.039
Italy	1.187	3.650	3.451	2.341	2.646	2.585	2.086	2.360	2.017
Congo DRC	1.890	2.993	2.991	2.809	1.796	2.271	1.876	1.569	1.793
France	363	948	1.025	856	698	780	772	820	836
Algeria	520	1.071	1.281	926	826	830	739	658	687
Rwanda	794	1.012	557	571	700	635	924
Netherlands	234	492	601	646	522	665	672	692	668
Poland	253	551	677	630	460	465	470	550	586
Romania	...	384	297	282	271	311	330	423	554
Pakistan	...	315	425	360	248	293	298	338	666
Russia	...	142	134	170	147	231	267	301	1.533
Other	6.291	12.337	12.887	12.748	9.787	12.581	11.723	12.557	14.038
Total	24.273	62.082	62.982	46.417	33.709	34.754	31.512	31.860	36.063

22. Since 5 June 2010, Italian nationals living in Belgium may have dual Italian and Belgian nationality. This measure taken by Belgium and Italy, which recently came into force, reverses a measure in place for more than 45 years which prohibited them from holding more than one nationality. Over 180 000 persons in Belgium are estimated to be concerned by this new measure¹⁷.

¹⁴ PERRIN Nicolas, *L'obtention de la nationalité dans l'histoire de vie des immigrés. Un exemple belge* (long summary), GédAP-UCL, Louvain-la-Neuve, 2005, p.4.

¹⁵ Ibidem

¹⁶ SPF Emploi, Travail et Concertation Sociale, *L'immigration en Belgique. Effectifs, mouvements et marché du travail*. 2009 Report, *Etudes et Recherches*, October 2009, p.18.

¹⁷ WATRIN Dominique, *La double nationalité est désormais accessible à tous les italiens de Belgique*, *Echos Horizons* 3, July-August-September 2010, p.15.

2. Integration and the various indicators for measuring it

23. The integration of persons of foreign origin into their host society is the outcome of an “ongoing negotiation” that enables individuals and groups, both native and immigrant, to situate themselves within the social setting of their lives. It is a process by which immigrants participate in social life, just as the general population. As they become mutually acculturated to each other, immigrants and natives acquire, lose, renew, develop, interpret, reject and accept a variety of cultural elements. They participate actively in building negotiated identities. Integration is a reciprocal process by which different persons and groups come into contact and transform each other. It requires the deliberate participation of everyone in setting the rules that govern the functioning of society. It is facilitated by the openness of the structures of the host society, and if there are many times and places that enable the different populations to meet and interact and engage in negotiation and acculturation, integration will be facilitated greatly. Integration is something that develops over time and has a multidimensional aspect. It can take many different forms and can involve all the psychological, sociological and economic dimensions of life in a variety of ways. Integration is neither the outcome of a cautious and conservative attitude nor of an unconditional acceptance of the standards of others. It is generated by the interaction of these two fundamental attitudes. It is by charting a course between the two extremes of this interaction that individuals become “integrated”, transform themselves and help to transform the social setting of which they are becoming a part¹⁸.

Integration policy in Belgium: a complex organisation

24. The policy for the reception and integration of immigrants in Belgium is focused on welcoming newcomers to Belgium in order to make them aware of their rights and duties so that they will be able to participate fully in life within society. Integration, a concept that falls under the heading of “social assistance” just like family policy and social welfare policy, is initially the responsibility of the different Belgian Communities and each Community therefore has its own vision of how this responsibility should be exercised. In 1994, the French Community transferred the responsibility in the field of social assistance to the Walloon Region and to the French Community Commission of the Brussels-Capital Region.

25. In Wallonia, the implementation of integration policy is largely entrusted to the Regional Integration Centres, which have a certain autonomy regarding the projects to be developed and supported. The Flemish policy, however, includes language and citizenship courses, both of which are mandatory. For the Brussels-Capital Region, the French Community Commission and the Flemish Community Commission are responsible for deciding upon the policy to be implemented.

26. Consequently, the policy for integrating persons of foreign nationality or origin has developed in significantly different ways depending on the Region. The legal aspects, the programmes, the players involved and the budgets in each of these Regions differ significantly.

27. The federal government is primarily responsible for the major issues of immigration policy, the right of residence, the management of asylum-seekers and undocumented immigrants and the fight against discrimination. However, strictly speaking, no integration measures are taken at this level other than a campaign to facilitate diversity within the federal government and the recently held “Roundtable on Intercultural Relations” (*Assises de l’interculturalité*), which follows in the path of previous similar commissions.

¹⁸ MANÇO Altay, *Processus identitaires et intégration. Approche psychosociale des jeunes issus de l’immigration*, L’Harmattan, Paris, 2006, 188 p.

Target groups

28. Since 1960, the main immigration flows from outside Europe have come from the Maghreb region, Turkey and Sub-Saharan Africa. The largest group of immigrants is from the Maghreb region and mostly lives in Brussels, with an average age of 25 and a high unemployment rate. Turks mainly live in Flanders and their community is characterised by a slower process of cultural integration than the Maghreb community, for they are more likely to preserve the way of life of their community. These two groups came to settle in Belgium because of the large-scale need for low-skilled labour in the 1960s. The migration flows from Sub-Saharan Africa are much more recent and mainly come from Burundi, Rwanda, and especially the DRC, former Belgian colonies. These groups come to Belgium to attend school, as asylum-seekers or through religious missions. Most of them have diplomas, unlike the Turks and Moroccans, but they have great difficulty in obtaining recognition of their diplomas and thus finding a job that matches their skills.

29. The broad issue of the integration of these foreigners into the various regions of Belgium undeniably involves the issue of citizenship, which in turn encompasses other concepts, such as social, economic and political participation, but also health care, language, the education of children, housing, etc., i.e. a whole series of elements that become “measurable indicators” of the integration of foreigners in Belgium.

The impact of Belgian integration policy

30. In the Walloon Region, the reference text in the field of integration is the Decree of 4 July 1996, which recognises the diversity of the population in Wallonia. It defines seven Regional Integration Centres located in Namur, Liège, Charleroi, Mons, La Louvière, Verviers and Tubize, as well as local initiatives for foreigners. This decree is also regularly amended and adjusted to specific needs. The Regional Integration Centres co-ordinate initiatives such as the promotion of the social, economic and cultural rights of immigrants and the issues of their political participation, co-ordination of reception, guidance for newcomers, training of professionals in intercultural mediation, collection of statistics and organisation of an interpretation service for immigrants and refugees. The local integration initiatives concern French language programmes, assistance with rights, guidance in the integration process, promotion of cultural exchanges, social and intercultural mediation, translation services for immigrants and refugees, the fight against discrimination and the promotion of citizenship, and, more recently, the promotion of co-development initiatives. In Flanders, the integration policy is more demanding and is focused on promoting Flanders as a community where everyone can live together in diversity, irrespective of their origins. To achieve this, the key words are “equality” and “active citizenship”. Various groups are targeted by a programme of “*inburgering*”, such as newcomers, settled immigrants, unaccompanied minors and religious leaders. Participation in the programme is mandatory although there are many exceptions. Courses in language, in the history of the host country and social information are provided to foreigners and adapted to their different education levels. The programme provides opportunities for activities in associations, as well as for vocational guidance. Lastly, in the Brussels-Capital Region, integration policy is focused on employment. This Region is bilingual and there are a number of institutions recognised as specific bodies in the field of integration, such as the Brussels Centre for Intercultural Action, Co-ordination and Initiatives for Refugees and Foreigners and their Flemish counterparts. There are many other associations and in particular immigrants’ associations. Each commune has its “Local Mission” which is responsible for the reception, assistance, training and professional integration of foreigners, together with other categories of the population¹⁹.

¹⁹ MANÇO Altay and SENSI Dina, *Politiques d'intégration des migrants au niveau local en Belgique (interview)*, L'Harmattan, October 2009, http://www.harmattan.fr/auteurs/article_pop.asp?no=14514&no_artiste=2415, consulted on 02.09.2010.

31. This variety of local measures is combined with the federal policies and EU directives in the field of the integration of persons of foreign origin. At the national level, the issues that predominate are immigration policies, the right of residence and the management of asylum-seekers and undocumented immigrants. There are no national integration measures strictly speaking. Other than research in this field financed by the federal level, one of the only initiatives that can be mentioned is the “*Diversité.be*” campaign aimed at facilitating the employment of persons of foreign origin in the public sector. With regard to the European level, Belgium does not yet have an action plan focusing on the principles underlying the fundamental values of the EU regarding the integration of foreigners. However, specific initiatives are undertaken, in particular in the field of employment (such as promoting diversity in recruitment).

Employment

32. Undeniably, there is still direct and systematic discrimination in employment in Belgium, even for second and third-generation immigrants, i.e. immigrants’ children who were mostly born and educated in Belgium. Differences still persist and people of foreign origin are very aware of this. In its report on the employment of immigrants (2007), the OECD stressed that the general feeling in this regard is that the outcomes of immigrants on the labour market are on the whole not as good as for natives, especially among women²⁰.

“I have been a naturalised Belgian citizen since 1999, but everyone always asks me where I’m from. When I chose to become a Belgian citizen I thought that it would make my life simpler, but I realise that there is still a good deal of discrimination against “new” Belgian citizens. It is still hard to find a job despite your new nationality. What is important for foreigners to become integrated is above all their determination. Their abilities, their potential and their motivation – these main things that will enable foreign people to become integrated into society”. Marie-Thérèse NDUMBA, co-ordinator of the association TRANSFAIRES in Liège.

33. In the final report of the 2010 Roundtable on Intercultural Relations, it is stated that nearly four out ten adults of Moroccan, Turkish, Algerian or Congolese origin are out of work. In some neighbourhoods, especially in Brussels, where there are large numbers of these minorities, the unemployment rate is higher than 50 %. At the same time, 10.3 % of the labour force is unemployed among the native Belgian population and 16 % among naturalised Belgians. Does this mean that naturalisation provides protection against unemployment?

34. It can also be observed that it is sometimes more difficult for skilled persons who become Belgian citizens to find jobs than it is for low-skilled non-Belgians. In addition, persons of European origin are over-represented in the higher segments (the primary market) while persons who have non-European roots or nationality are more concentrated in the lower segments (the secondary market). In comparison with the primary market, this secondary market is characterised by a higher risk of unemployment, lower salaries, less favourable working conditions and greater job insecurity. In other words, workers from non-European cultural minorities not only have greater difficulty in finding jobs, but they lose them more rapidly.

35. The latest population census dates from 2001 and shows that non-Europeans have the highest unemployment rates (see Table 2).

²⁰ OECD, *Jobs for Immigrants: Labour Market Integration in Belgium, 2007*, p.5.

Table 2: Unemployment rate by nationality and place of birth (%)²¹

	Men			Women			General total (M+W)
	Born in Belgium	Born abroad	Total	Born in Belgium	Born abroad	Total	
Belgians	6.9	15.6	7.3	12.1	23.8	12.7	9.9
Foreigners	17.6	17.0	17.2	30.3	28.9	29.2	21.9
Foreigners by country of nationality							
DRC	42.0	44.3	44.2	52.6	56.1	56.1	49.7
France	23.4	11.6	12.6	30.0	23.1	24.1	17.8
Germany	12.7	6.0	6.9	19.4	13.4	13.9	9.7
Greece	21.3	15.5	17.5	30.0	21.8	24.9	20.4
Italy	15.0	15.4	15.2	31.7	31.6	31.7	21.0
Morocco	50.0	34.1	36.2	56.9	56.6	56.6	41.7
Netherlands	5.7	4.2	4.4	15.2	10.8	11.3	7.0
Poland	26.4	16.8	17.7	46.2	41.4	41.4	32.5
Portugal	13.8	11.1	11.3	21.7	23.3	23.2	16.5
Spain	14.2	10.6	11.9	20.9	20.1	20.4	15.6
Turkey	45.1	32.4	33.8	62.1	55.5	56.3	40.9
United Kingdom	9.9	6.4	6.8	15.0	12.4	12.6	8.9
United States	4.2	8.2	8.0	10.5	20.4	20.0	12.1

36. The unemployment rate is higher for Moroccan (50 %) and Turkish (45.1 %) men born in Belgium than for Moroccan (34.1 %) and Turkish (32.4 %) men born abroad. Yet, Moroccans and Belgian-born Turks have been naturalising in large numbers in Belgium for many years.

37. Persons of foreign origin are affected by unemployment structurally, especially in the French-speaking part of the country. Belgium's complex federal structure seems to be one of the aggravating factors for the situation of foreigners on the labour market. In short, responsibilities in this field are exercised partly at the federal level and partly at the regional level, with significantly different approaches across regions and even municipalities. A number of ministries handle the same portfolios. This results in a scattering of initiatives, some of which, generally small, are implemented at the local level.

38. However, it should be pointed out that certain studies (OECD, 2007) show that Belgium's liberal provisions regarding naturalisation are favourable to the employment of foreigners from outside the EU²².

²¹ FELD Serge, *La main-d'œuvre étrangère en Belgique. Analyse du dernier recensement*, Bruylant Academia, Louvain-la-Neuve, 2010, p.83.

²² According to the OECD (2007), with regard to naturalisation: "the positive impact also holds after controlling for a range of observable socio-economic factors such as age, gender, marital status, education, origin of diploma, and duration of residence in Belgium. The impact is particularly large for non-EU-15 migrants. Given the relatively easy access to citizenship, this strong and robust result suggests that the easing of naturalisation laws over time may indeed have contributed to facilitating immigrants' labour market outcomes, for example by limiting discrimination".

In some areas, such as public employment, which is large in Belgium, this is very clearly the case, since the public authorities and the sector of associations have in recent years launched many initiatives against discrimination, and Flanders in particular has championed a proactive approach to diversity policies²³.

Housing

39. Housing is a key aspect of the integration of immigrants. There are different structures responsible for receiving newcomers, such as the integration centres, the municipal social assistance centres and refugee reception centres. Translation and mediation services are made available to them to facilitate their arrival. The provision of social housing is an important form of assistance for immigrant families, for their access to private housing generally proves to be very difficult. This is because these families have limited financial resources, and as widely reported, landlords are often unwilling to accept immigrant families. There is also a housing crisis in large cities such as Brussels, the consequences of which are well known, i.e. immigrants are forced into residual rental housing, which is too small for large families, in old buildings ill-suited and dangerous, leading to health problems, problems of exploitation by “sleep merchants”, etc. Testimony given to the organisations that fight against discrimination (such as MRAX) shows that non-European prospective tenants – even naturalised ones – are excluded long before they even get a chance to show their identity card. Naturalisation is of little help in these situations.

40. Some cities are proposing original solutions for combating xenophobia and exclusion, for example by requiring landlords to rent their empty houses or apartments or pay additional taxes. In order to help immigrants, there are social rental agencies that assist tenant families in their relations with their landlords, who receive guarantees regarding the payment of rent and the condition of their property. With regard to immigrant families that have been in Belgium for a long time and have regular incomes, the rate of home ownership is close to the average for Belgians, since more than 60 % of Turkish households, for example, are home owners²⁴, which is further proof that people are the agents of their own integration. A survey conducted at the initiative of the Social and Economic Geography Institute of the Catholic University of Louvain, under the leadership of Professor Christian KESTELOOT, aimed at evaluating the level of satisfaction with housing conditions, also showed that there was continual improvement in the housing conditions of Turkish immigrant families in Belgium²⁵.

Children’s education

41. The educational situation of immigrant and second-generation children in Belgium remains problematic, as the OECD 2006 PISA Study has shown²⁶. The achievement gap between native and immigrant children is wide, even for second-generation children. Although it is not significantly different from that of Belgian disadvantaged children, the educational situation of children from recent waves of immigration to Belgium gives cause for concern, for the situations of underachievement are more critical

²³ MANÇO Altay, “*Discrimination des travailleurs migrants sur le marché de l’emploi*”, *Diversité et Citoyenneté*. La lettre de l’IRFAM, n°18, <http://www.transfares.org/irfam/e-journal-irfam-n-18.pdf>, consulted on 20.10.10, p.7.

²⁴ op.cit. MANÇO Altay and SENSI Dina.

²⁵ See the study by KESTELOOT C, DE DECKER P. and MANÇO A. (1997), “Turks and Their Housing Conditions in Belgium: Brussels, Ghent and Visé”, VAN KEMPEN R. and ÖZÜEKREN S. (Eds.), *Housing Careers of Turkish Immigrants in Europe*, Utrecht: ERCOMER, University of Utrecht, p. 67-96 and IRFAM, MANÇO Altay, *L’habitat turc en Belgique. Enquête*, <http://www.flw.ugent.be/cie/IRFAM/amanco2.htm>, consulté le 21.09.2010

²⁶ OECD, *Where Immigrant Students Succeed. A Comparative Review of Performance and Engagement in PISA 2003, 2006*, 223 p.

and above all they involve more problems of a cultural nature. Children of foreign origin account for approximately 30 % of pre-primary and primary level pupils, but they have higher class repetition rates than Belgian pupils, for while roughly 20 % of Belgian primary level children have repeated one academic year, one-third of foreign children have done so, and the repeater rate is even higher for children born outside Belgium²⁷.

42. However, successful participation in school is probably the factor that has the greatest impact on the various forms of social and economic integration. It is measured by the quality, quantity and content of the curriculum studied and by student achievement. High graduation rates, low repetition rates, the choice of high-quality studies and the high level of the qualifications achieved at graduation are the criteria that show that students have successfully participated in school – to which must be added, of course, the opportunity for young people to find rewarding and secure jobs in their specific field.

43. A large share of the children from an immigration background, in particular from families originally from Turkey, the Maghreb region and Sub-Saharan Africa, are enrolled, from the pre-primary and primary level, in schools “in difficulty” in poorer neighbourhoods, especially in Brussels. As some of them start their compulsory schooling as underachievers, they ultimately will not receive a primary school diploma. A significant share of these young people will drop out of school after having experience numerous failures. The risk faced by these young people is unemployment, i.e. economic marginalisation in addition to cultural marginalisation. The case of children from families originally from Turkey and the Maghreb region in the Belgian school system is also aggravated by the fact that they do not know French or Dutch, by the very low level of education of their parents, by the lack of relations between schools and families and, for some of them, by their difficult living conditions. It is well known that one of the major obstacles to integration in French-speaking Belgium is the low level of their fluency in French. Children from Turkish families are generally bilingual by the time they enter primary school, although they often enter pre-primary school with an imperfect knowledge of French but a certain fluency in their language of origin. These children’s language is often rejected because it does not have a fundamental role either in education or in society more generally. The bilingualism of children from an immigrant background is not valued and the language of origin is often considered as a reason why they underachieve in school²⁸.

44. A Belgian study analysed in depth the results of the 2006 PISA study in order to show the differences between the French and Flemish Communities with regard to the performance of pupils from an immigration background. Published in 2009, this study shows that the average results of pupils are on the whole higher in the Flemish Community than in the French Community, but that both of them face very significant social inequalities. Although native Flemish students tend to have higher scores than their French-speaking counterparts, there is really no significant difference between students of foreign origin on either side of the linguistic border. Their performance is poor throughout Belgium. In fact, no other industrialised country has so great a gap between students from an immigration background and other students, and the results of student of foreign origin are among the lowest in the developed world, despite the high rate of naturalised children in comparison with Germany Luxembourg and Switzerland, for example. The two Belgian Communities need to make considerable efforts to democratise the education system, which currently does not promote social mobility. Desegregation policies must play an important role even though they are not sufficient to eliminate the social inequalities of the education system²⁹.

²⁷ Altay MANÇO, *La scolarité des enfants issus de l’immigration turque et maghrébine en Belgique francophone*, IRFAM, <http://www.flw.ugent.be/cie/IRFAM/aMANCO5.htm>, consulted on 01.09.2010.

²⁸ CRUTZEN Danièle and MANÇO Altay, *Compétences linguistiques et sociocognitives des enfants de migrants. Turcs et Marocains de Belgique*, L’Harmattan, Paris, 2003, p.29.

²⁹ JACOBS Dirk, *L’ascenseur social reste en panne. Les performances des élèves issus de l’immigration en Communauté française et en Communauté flamande*, 2009, p.9.

Health care

45. Much progress has been made in the field of access to health care for foreigners. Between 2004 and 2007, for example, mental health services adapted to the needs of new immigrants were approved and established. Specific, centralised health care services are provided for these groups which often have special needs and administrative status.

46. However, the final report of the 2010 Roundtable on Intercultural Relations indicates that the growing cultural diversity is creating new requirements in terms of the accessibility and quality of health care. It is generating a variety of health problems that can be related to factors specific to immigration or to differences in ways of life. This diversity also has linguistic and cultural consequences with regard to the interaction between caregivers and patients. Lastly, the diversity of cultural origins generally goes hand in hand with differing socio-cultural perceptions of illness, health and the therapeutic process. Scientists and decision-makers believe that cultural minorities are not as healthy on average as Western citizens. It is difficult to show this accurately because of the lack of quantitative data on the state of health of cultural minorities in European countries, but research shows us that low-skilled persons on average have 18 to 25 fewer years of life in good health than higher-education graduates, and people from an immigration background generally belong to the first category. According to other research, some 30 % of people of Turkish and Moroccan origin in Flanders rate their health between average and very bad. Here too, other social factors seem to have a more predominant impact than the potential effect of naturalisation.

47. The health issue also concerns recently arrived immigrant children, for it has been observed that their quality of life sometimes deteriorates as time elapses after their arrival in Belgium. Children who receive social assistance or who have a resource person close to them do better. Most primary and secondary schools are planning to implement a new model of school medical consultation that will be taken into account more fully the psycho-social and behavioural factors affecting the health of immigrant children³⁰.

48. Health care should be accessible to everyone, and for this reason the health care of foreigners arriving in Belgium is fully covered until they have been able to regularise their situation. When immigrants become “legal residents”, they must then cover their health care costs, which can often be large when an entire family is involved. The insecurity of these “new” Belgian families is growing and there is a real risk of their falling into poverty.

Political participation

49. Political participation, on the other hand, is a particularly interesting aspect of integration in the light of its success. Numerous politicians and other influential people come from an immigration background. This is explained by the ease of access to Belgian nationality and by the richness of civil society, as exemplified by immigrants’ associations in particular. One of the best indicators of citizenship is the participation of immigrants in civil society in a number of ways, such as through these immigrants’ associations. There are many associations of this type that provide individual assistance services, cultural activities and initiatives of solidarity with the regions of origin. They are also a place where immigrants can discuss political issues, and they can lead to greater participation in society and thereby have an impact on integration.

50. During the most recent elections, at the communal, regional, federal and even European level, there was a significant increase in the number of candidates of foreign origin. There are a number of

³⁰ RENARD F. and DOUMONT D., *Immigration et santé des adolescents, Unité d’Education pour la santé*, UCL-RESO, October 2004, p.19.

reasons for this strong presence on the political scene, the first of which is certainly the series of amendments made to the Belgian Nationality Code, which have unquestionably helped increase the number of potential voters of foreign origin. The political parties have become aware of these new voters and are increasingly including candidates from an immigration background on their lists. The active participation of citizens of foreign origin is an effective means of ensuring the social development of groups from an immigration background. For elected officials from an immigration background, politics is an additional means of making themselves heard and gaining recognition as full-fledged citizens. As elected officials, they can act as spokespersons for youth, neighbours or the population of foreign origin, with whom they are in continual contact. Their presence within institutions can be seen as making a positive contribution in terms of knowledge of the foreign population, and makes it possible to develop a more adequate approach to the problems encountered.

51. Elected officials of foreign origin are now an integral part of decision-making processes, in local governments in particular and in Brussels. They can be seen as acting as cultural intermediaries, who defend issues specific to foreign populations, but without letting themselves be trapped in this role, since most of them consider themselves to be Belgian officials, elected to serve the interests of all Belgians.

Conclusion: is naturalisation a means of integration?

52. There is no obvious direct relationship between the acquisition of Belgian nationality and the improvement of immigrant standards of living. It is equally true that retaining the nationality of origin offers no guarantee against the risk of poverty. Naturalisation is above all a legal procedure and cannot be expected to immediately solve immigrants' broader social problems³¹. There are many reasons that prompt foreigners to apply for naturalisation and they are often quite similar. They primarily want to guarantee their access to social and civil rights and to be considered as full-fledged Belgians. They want to enjoy the same freedoms and individual rights and become more fully integrated into the Belgian society in which they live.

"I have filed an application for naturalisation and now I am waiting for an answer. I have been in Belgium for 3 years, with my Belgian girlfriend Sophie. I have worked a little in the restaurant business, but not on a regular basis. I have requested Belgian nationality because I would like to work full time and be better considered. I am already well integrated thanks to friends and Sophie's family. I like living in Belgium even though the working conditions are not ideal". Mamadou Ndiaye, age 28, Senegalese.

53. With the hardening in recent decades of the policy of access to EU countries and to the industrialised countries more generally, the right to mobility of nationals of developing countries has diminished significantly. Access to the nationality of an industrial country gives such persons much greater mobility.

54. Nevertheless, naturalisation is not the magic solution to integration. Naturalisation is a means of facilitating the integration process, of which it is neither the first nor the last stage, but an important stage on an immigrant's pathway to integration. Many foreigners in Belgium wish to be naturalised primarily for

³¹ Poverty rate by gender, place of birth and nationality: 37.5 % for non-naturalised immigrants born in Morocco, 67 % for naturalised immigrants born in Morocco and 61.1 % for naturalised Moroccans born in Belgium. Source: SAAF Abdallah, SIDI HIDA Bouchra and AGHBAL Ahmed, *Belgo-Marocains des deux rives. Une identité multiple en évolution. Etude quantitative et qualitative visant à mieux connaître les communautés marocaines vivant en Belgique*, King Baudouin Foundation, 2009, p.61.

economic, practical, social and family reasons. A study by CEFIS Luxembourg also reaches the same conclusions with regard to the integration of foreigners in Luxembourg³².

55. On the other hand, very few foreigners are interested in the right to vote, as is shown by the low participation rate of foreign voters in communal elections. In 2006, the year of the last communal elections, only 20.05 % of the non-Belgians eligible to vote in these elections completed the required registration formalities. Among the 529 878 EU citizens concerned, this percentage was 20.9 % (14.2 % of whom were registered automatically because they had been registered for the 2000 elections), i.e. a net increase of 3 % over 2000. Among the 108 617 non-Europeans authorised to vote for the first time, the proportion of registered voters was 15.7 %³³.

56. There is reason, then, to conclude that opting for Belgian nationality is not really a significant civic act, but an act prompted by the benefits that derive from having citizenship. Nationality is taken for the opportunities, facilities and feeling of security that it brings. The Turkish and Moroccan wave of immigrants, who were initially reluctant to change nationality, underwent a shift in attitudes in the 1990s and became favourable to naturalisation, since the formalities were simplified and the first persons naturalised were not “assimilated”. The Congolese, on the other hand, seem to have been favourable to it immediately. It is also true that the nationality of origin continues to have great emotional importance for most immigrants, since it represents a strong tie with the country of origin whatever the foreigners’ origin. For many countries the practice of dual nationality is not only allowed, but encouraged, as is the case for Turkey. This provision tends to make naturalisation more popular.

57. People whose situation is most vulnerable, such as refugees, victims of human trafficking and young immigrants are more likely to request naturalisation since they realise that it can bring them security and they hope in this way to increase their opportunities of obtaining a job or housing in Belgium. However, it is important to point out that foreigners may feel perfectly well integrated even before they apply for naturalisation.

58. Naturalisation as such should therefore be considered more as one tool among other, which is useful to the process of becoming integrated and settled in Belgium and in the European Union more broadly. But it is not an end in itself, and having Belgian nationality does not determine whether foreigners will be integrated, but at the very least promotes their political and administrative integration. Naturalisation policy in Belgium is admittedly a good example of a policy mix to ensure the political integration of immigrants, but the issue of integration in terms of employment and education remains very problematic, more so than in countries bordering Belgium. Naturalisation cannot be considered as the ultimate conclusion of the integration process of immigrants, but rather as a two-way process that in fact does not have a predetermined end point.

59. The integration of persons of foreign origin remains difficult to measure even though the “indicators” mentioned in the text make it possible to give some idea of the extent to which they are acclimatised to our country. Naturalisation is one indicator of integration, as are improved language skills, better educational outcomes of children, access to the job market, access to housing and participation in

³² ACOBS Annick and MERTZ Frédéric, CEFIS Luxembourg, *La naturalisation/la nationalité luxembourgeoise, dimension importante de l’intégration ou facteur facilitant l’intégration ? Note interne dans le cadre de la recherche sur les indicateurs de l’intégration*, FEI-Luxembourg, 2010, 10 p.

³³ JACOBS Dirk and VAN PARIJS Philippe, “*Droit de vote des étrangers: un miracle !*”, *Le Soir*, 17 August 2006.

elections. Naturalisation makes it possible to forge a national tie with the host country and often goes hand in hand with the decision to settle permanently in Belgium³⁴.

60. From a purely legal standpoint, the future of the naturalisation procedure is currently uncertain and it is possible that it will undergo new amendments. At present, the Belgian political situation does not enable us to predict whether naturalisation policy will be made stricter or whether the *status quo* will continue. Until now, it is true that Belgian legislation in this field has been characterised as liberal and does not stipulate language or cultural requirements for granting nationality. Various political negotiations have taken place over the past two years on this issue and proposals have been made in order to incorporate these requirements.

61. For some years now, neighbouring countries and other European countries have had language and integration tests that are required before granting any nationalisation and, in some cases, even before granting visas. In its latest 2010 report, the OECD instead recommends that the member countries, including Belgium, lower the barriers to access to nationality such as “overly restrictive eligibility criteria”. The requirement that immigrants learn one of the national languages is indispensable for their integration and should therefore be included in the citizenship contract that nationalisation must become, provided that enough high-quality programmes are available for learning the language of the host country.

³⁴ Even on this point, caution is advised. The recent surveys of the King Baudouin Foundation show that many families from Turkey or the Maghreb region own a home in their country of origin. Elderly persons, in particular, spend part of the year there. Naturalisation enables them to avoid transit visas on the way between their two homes.

Naturalisation in Belgium: Summary table	
The advantages	The difficulties encountered
For immigrants and their children	
In recent decades, access to nationality has been facilitated, changes in the procedure are to be expected.	Procedure that is often long and requires scrupulous compliance with the conditions, with no guarantee that the application will be successful, despite the cost involved. Large numbers of applications.
Ability to make plans for the future, an act that confirms the decision to settle in Belgium.	A step that can have a psychological cost, sometimes with the feeling of losing the nationality of origin. The choice of Belgian nationality: primarily a pragmatic step seldom motivated by an emotional choice, although immigrants often identify with the specific place in which they live.
Feeling of safety, confidence and protection.	The benefit is subjective, little concrete impact on people's living conditions, especially given that naturalisation has become widespread among non-European immigrants.
Greater opportunities for obtaining and keeping a job (administrative facilities, in particular for starting up a business, access to public jobs, as confirmed by statistics).	There continues to be discrimination despite the efforts made.
Political participation, potential voters for parties, which are therefore sensitive to their needs. A significant increase in the number of elected officials of foreign origin.	Certain cases of the growing ethnicity of Belgian local politics. Foreigners' have right to vote in communal elections without being naturalised, but participation is very low.
Easier family reunification.	Barriers and difficulties remain for reunification through marriage. The cycle of reunification of elderly family members still in the country of origin has hardly begun.
Easier enrolment in higher education.	Frequent difficulties in schooling, which often does not give access to higher education. Discrimination in guidance, education system ill-adapted to diversity
No rejection of the culture of origin, as the experience of most naturalised immigrants shows.	The need to live between two cultures, "ongoing negotiation", no change in identity.
Dual citizenship encouraged by some countries	Only possible for few nationalities.
Mobility, travel abroad facilitated.	Certain difficulties when dual nationals have legal problems.
For the host country	
Decrease in the number of foreigners: political regularisation. Naturalised immigrants become voters at all government levels.	Naturalisation procedure difficult to manage because of the number of applications (delays). Ideological and emotional factors, constantly changing procedure.
Tool for social cohesion because of its political and philosophical dimension, development of the sense of citizenship.	Not to be confused with cultural assimilation. Does not produce "automatic integration". No major impact on the difficulties of education, employment, health care or housing of groups from an immigrant background.
For the country of origin	
Political and economic lobby because of the transplanted population. Entry into the host country can be facilitated or accelerated through networks of immigrants already settled in the country. Positive spillovers for the country of origin.	Risk of losing of former nationals or of losing ties with its former nationals.

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