

Sources and References

Citizenship Rights for Immigrants in Western Europe, 1980-2008

General remarks on references

Rights on the individual equality dimension are mostly laid down in formal legislation and entailed the study of laws and other legal texts. Much of the information for the individual dimension could be derived from secondary literature (in particular Bauböck et al. 2006a; 2006b; Davy 2001). The data collection for the indicators of the cultural difference dimension was more difficult because it has been neglected in earlier cross-national research and because these rights are not always laid down in formal legislation and depend more strongly on jurisprudence, administrative decrees, and local implementation practices. We therefore relied, besides available secondary literature, on information directly requested from ministries, immigrant organizations, and national experts, as well as from websites and newspaper archives.

General remarks on the scoring procedure

We used the variation among countries as the standard of comparison for allocating scores for each country-year combination. These scores all range between -1 and 1. Depending on how fine-grained the distinctions were that an indicator allowed, we distinguished two (-1 and 1), three (-1, 0, and 1), or five score levels (-1, -0.5, 0, 0.5, 1). The -1 score was always given to the country-year combination or combinations that granted the least rights to immigrants or implied the most severe restrictions within our sample. Conversely, the +1 score was given to the country-year combination or combinations that granted the most rights or implied the least restrictions within the sample.

1 Nationality Acquisition

1.1 Years of residence before naturalization can be requested

If migrants can request naturalization after twelve years of residence, we assign a score of -1. If a request for naturalization is possible after 10 years, the score is -0.5. A requirement of six to nine years receives a score of 0. If naturalization is already possible after five years, we assign a score of 0.5, and if it is possible after only three years of residence, the score is 1.

Bauböck (2006) provides a general overview on the topic. Most countries have passed nationality laws that regulate the number of years of residence prior to nationality acquisition. Examples are §15 of the Swiss Nationality Law, §6(2) and §7e of the Norwegian Nationality Law, Art. 4(2) of the British Nationality Act of 1981, and §6 of the Swedish Nationality Law of 1950 and §11 of the Swedish Nationality Law of 2001.

The Austrian Nationality Law dates back to 1965, but was updated in 1985, 1998, and 2006. In Germany, §8 of the Nationality Law and Provision 3.2.1 of the Naturalization Guidelines for the Administration regulated nationality acquisition until 1990, and were then replaced by §85(1) of the Foreigner Law. In the Netherlands, information from 1990 onwards is derived from Art. 8(1)(c) of Netherlands Nationality Act 1985. For 1980, we refer to the 1977 circular specifying the conditions for naturalization laid down in the Nationality Act of 1892 (European Union Observatory on Democracy (EUDO)). Danish regulations are derived from the Circular on Naturalization of 1983, §2 and Circular on Naturalization 2006, §7. French regulations date back to the Ordinance of 2nd November 1945, and were later replaced by Art. 21-7 of the Code Civil. Belgian scores were derived from secondary literature (Verwilghen 1985) in addition to the Code of Belgian Nationality dated June 28, 1984, and amended January 1, 1992.

1.2 Welfare and Social Security dependence as obstacles to naturalization

Countries receive a score of -1 if welfare and social welfare dependence are a reason to refuse naturalization. We assign a score of 0 if it is a reason to refuse naturalization, but there are some exceptions, and a score of 1 if welfare dependence is not an obstacle for naturalization.

Insights in the regulations of several countries are provided by Bauböck et al. (2006) and Davy (2001). For most countries, the Nationality Law regulates this issue. In Austria, information refers to the Nationality Law of 1965 and its changes in 2005. In Germany, the 1980 score was derived from §8(1)4 of Nationality Law and Provision 3.4 of the Naturalization Guidelines for the Administration, in 1990 from §85(1)3 Foreigner Law, in 2002 from §10(1)3 of Nationality Law of 2000 and provisions 8.1.1.4 and 85.1.1.3 in law accompanying guidelines for administrative procedures, and in 2008 new exceptions were introduced in §10(1) of Nationality Law. For Denmark, we refer to §5 of the Circular on Naturalization 1983, respectively §23 of Circular on Naturalization 2006. In France, we refer to DPM circular n° 2000/254. In Switzerland, financial requirements are regulated on the Cantonal and municipal level (Benz 1968:66). For an example see regulations on citizenship in the Canton Zurich by *Regierungsrat* Zurich in 1978. A reference for Belgium is Wallace Goodman (2010b).

1.3 Automatic attribution or facilitated naturalization for the 2nd generation

We assign a score of 1 if the second generation automatically obtains the citizenship of the country of residence at birth, without further conditions. If citizenship attainment is automatic at birth when certain conditions are fulfilled or automatic at majority we assign a score of 0.5. If naturalization for the second generation is only an option or requires a declaration, the score is 0. If there are other forms of facilitation we assign a score of -0.5, and if there is no facilitation for the second generation we assign a score of -1.

A general overview is provided by Bauböck et al. (2006), Vink and de Groot (2010) and Hansen 1998. Nationality Laws regulate this issue in several countries. Examples are §15 of the Swiss Nationality Law; §4(3) of German Nationality Law 2000; § 3 of Danish

Nationality Law 1950, amendment of 1978 and §3 Danish Nationality Act, amendment of 2002; Austrian Nationality Law from 1965 and its updates in 1985, 1998, and 2006; §3 of Norwegian Nationality Law 1950 and Section 11 of the Norwegian Nationality Act 2005; and Section 1 British Nationality Act 1981. In France, Art. 44 Nationality Code 1945 regulates naturalization for the second generation. In the Netherlands, Section 3(3) Netherlands Nationality Law 1953 offers double *ius soli*. Further information was retrieved from Ersanilli (n.d.). Information for Belgium refers to the Code of Belgian Nationality and a publication by Boussetta (2004).

1.4 Allowance of dual nationality

We assign a score of 1 if dual nationalities are allowed. If they are not generally allowed, but there are generous exceptions, we assign a score of 0. If dual nationality is not allowed or there are only limited exceptions, we assign a score of -1.

Freeman and Ogelman (1998), Bauböck et al. (2006) and Faist (2007) provide an overview on dual nationality regulations. In most countries, allowance of dual nationality is regulated in Nationality Laws. Examples are the Austrian Nationality Law 1965, the Code of Belgian Nationality from 1984 and 2000, §6 of the Norwegian Nationality Act of 1950 and Section 10 of the Norwegian Nationality Law of 2005, and the Swedish Nationality Law 2001. In Germany, information is derived from Provisions 5.3.3 – 5.3.6c of Naturalization Guidelines for the Administration, §87 Foreigner Law 1991, and §12 Nationality Law. In 2008, 52,9% of all naturalization were granted with dual nationality. For Switzerland, we refer to §17 of Swiss Nationality Law and its cancellation in 1992. Confer also (Burger 1971: p.48).

1.5 Cultural requirements for naturalization

We assign a score of 1 if there are no cultural requirements. If only language skills or an oath are required, we assign a score of 0.5. If civic knowledge is required in addition to language skills and an oath, we assign a score of 0. A score of -0.5 is given, if naturalization requires a formal language and civic knowledge test in addition to an oath. If assimilation is required for naturalization, we assign a score of -1.

A general overview of cultural requirements for naturalization in different countries is provided in a volume edited by Ersbøll et al. (2010) and by Bauböck et al. (2006). For Austria, we refer to the Nationality Law of 1965 (§10(1)6), and its updates in 1997 (§10a) and 2005 (§10a). Further information was taken from Perchinig (2010). In Belgium, cultural requirements for naturalization are regulated in §2 Nationality Code 1984 and for later years in Code on Nationality, as of 2000. Further information was taken from Martiniello and Rea (2003). In Switzerland, §14 of the Nationality Act regulates cultural requirements for naturalization. Further information was taken from Arend (1991) and Achermann et al. (2010). In Germany, regulations are derived from Section 3.1 of the Naturalization guidelines from 1978, Section 86.1 of the New administrative guidelines on naturalization 2000, §10 of Nationality Law and the Ordinance on Citizenship Test and Citizenship Course. See also Michalowski (2011). In

Denmark, Circular of 2 February 1990 of the Ministry of Interior concerning Danish Citizenship (Naturalization) and Circular Letter No. 55 of 12 June 2002 on New Guidelines for Admission to Naturalization. Further information was taken from Ersbøll (2010) and Steffensen (1991:41). In France, regulations are guided by the Immigration and Integration Law of 2003. For earlier years, information is provided by Weil et al. (2010). In Norway, cultural requirements are specified by Section 8 of the Nationality Act. For the Netherlands, we refer to Art. 1 of the instructions for naturalization, Staatscourant, 2 April 1979, no. 65. Further information is taken from van Oers (2010, van Oers et al. 2006), Ersanilli (2007) and van Hattum and Winter (2006). Information about the UK is taken from the Nationality, Immigration and Asylum Act 2002. Further references are Mensah (2006), Davy (2001), Vink and de Groet (2010), Langellier (2005), and the Home Office.¹

2 Conditions for Expulsion

2.1 Years of criminal conviction leading to expulsion for short-term residents

If only prison sentences of three years and more can lead to expulsion, we assign a score of 1. If prison sentences of 2 years are sufficient, the score is 0.5, and if a prison sentence needs to be at least one year to justify expulsion, the score is 0. A score of -0.5 is given if specific crimes can lead to expulsion no matter of lengths of prison sentence. A score of -1 indicates that any prison sentence can lead to expulsion.

A general reference for conditions of expulsion is Davy (2001). For Austria, information was taken from the Alien Police Law of 1954, §3(2) and the Alien Police Law of 1992. Belgian scores are retrieved from the Act of 15 December 1980 on the entry, residence, settlement and expulsion of aliens (Aliens Act). In Switzerland, §10 of ANAG (Law on the Stay and Settlement of Foreigners 1931) has regulated conditions for expulsion. In 1997, the Federal Court took a guiding decision, proposing a two year prison sentence as a criterion for expulsion. See also Wurzbürger (1997: 45). In Germany, scores refer to the Foreigner Law of 1990, §47(2). Information about the UK is derived from the Immigration Act of 1971. In Sweden, information is based on Aliens Act 1980: 376, §40, Aliens Act 1989: 4th chapter §7 and the Aliens Act 1994: 515. In Denmark regulations are specified in Aliens Act 1982, §24 and Bekendtgørelse af udlændingeloven LBK nr 608 af 17/07/2002, §23. Information about Norway is based on the Immigration Act of 1988 §29 which was amended in 2000 and changed again in 2007. See also Fisknes (1994: 1983). For the Netherlands, information was taken from de Heer (2007).

¹ Home Office – Press Office, English Language Test for Those Seeking to Settle, 04-12-2006, available at: <http://press.homeoffice.gov.uk/press-releases/migrants-english-tests?version=1> (accessed 2008-02-08)
Home Office, UK Border Agency:
<http://www.ukba.homeoffice.gov.uk/britishcitizenship/applying/applicationtypes/naturalisation/kol/life-in-uk-test/> (accessed 2008-02-05)

2.2 Years of criminal conviction leading to expulsion for long-term residents

We assign a score of 1 if expulsion is not possible for long term residents. If only prison sentences of five to six years or other serious reasons can lead to expulsion, we assign a score of 0.5. A score of 0 is given in case that a prison sentence of three to four years can lead to expulsion or expulsion is discretionary. If a one to two years prison sentence is sufficient for expulsion, we assign a score of -0.5, and if there is no protection for long-term residents, the score is -1.

General references are Davy (2001), Frowein and Wolf (1985), and Groenendijk et al (1998). For Austria, information was taken from the Alien Police Law of 1954, §3(2) and the Alien Law of 1997. Belgian scores are retrieved from the Aliens Act 1980, and its updated versions of 1999 and 2007. German Scores are derived from the Foreigner Law of 1990, §47(2). Swedish scores are derived from Aliens Act 1980: 376, §41, Aliens Act 1989: 4th chapter §10 and Aliens Act 2005:716, §12. Information about Norway is based on the Immigration Act of 1988 §29 which was amended in 2000. See also Fisknes (1994: 1983). For the Netherlands, information was taken from Groenendijk and Minderhout (2001:553), Kuijer (2007) and de Heer (2007). For Denmark, we refer to Groenendijk et al. (2000) and §22 of Bekendtgørelse af Udlændingeloven 2007. For Switzerland, we refer to Article 11(3) of the Aliens Act and Article 16(3) of its Regulation. A reference for the UK is Home Office – Border and Immigration Agency 2007: Ch 13.

2.3 Expulsion not possible or extremely difficult for persons socialized in the country

We assign a score of 1 if all migrants who arrived before the age of 15 are protected from expulsion. A score of 0.5 corresponds to protection for all migrants who arrived before the age of 12. A score of 0 indicates that migrants who lived in the country of residence from an early age on, for 15 years or at least half of their lives are protected from expulsion. If only the second generation is protected from expulsion, we assign a score of -0.5, and if there is no absolute protection, a score of -1.

A general reference is Davy (2001). In Austria, protection from expulsion for persons socialized in the country was specified for the first time in Alien Law 1997, §35. Information on changes in the rules is derived from Feik (2008:23). In Belgium, information is taken from the Aliens Act as of 2005. In Germany, we refer to Foreigner Law of 1990 and Residence Law of 2004. In Denmark, the Aliens Act does not contain any specific measures of protection for those socialized in the countries. In Norway, information was retrieved from Immigration Act of 1956 §13 and Immigration Act 1988 (which changed the last time in 2007) §30. In Switzerland, scores refer to a Federal Court decision (BGE 122 II 433: 2c). In Sweden, information was derived from Aliens Act 1980:367, §41, Aliens Act 1989: 4th chapter §10 and Aliens Act 2005:716, §12. For the UK information is taken from Home Office – Border and Immigration Agency (2007: Ch 13). Concerning France, we refer to Engler (2007:6). For the Netherlands, our references are Kuijer (2005) and an e-mail from a legal expert of the Odysseus network (2011-12-07).

2.4 Welfare dependence as reason for expulsion

We assign a score of 1 if welfare dependence is not a reason for expulsion. If welfare dependence can lead to expulsion for short-term residents, but not for long-term residents, the corresponding score is 0, and if welfare dependence can generally lead to expulsion, the score is -1.

Information on Austria is taken from Alien Police Law 1954, §3(2)e. In Switzerland, we refer to §10 ANAG (Law on the Stay and Settlement of Foreigners 1931). In Germany, the Foreigner Law 1978, §10(1), Foreigner Law 1990 §46 and Residence Law 2004 §55 regulate in which cases welfare dependence can lead to expulsion. The Belgian Aliens Act, the Swedish Aliens Acts of 1980, 1989 and 2005, and the Norwegian Immigrant Act do not specify welfare dependence as a reason for expulsion. For France, we refer to Engler (2007), for the Netherlands to de Heer (2007), and for the UK to Çinar et al. (1995:35, 43), Groenendijk et al (2000: 96, 1998: 62) and an e-mail from a legal expert of the Odysseus network (2011-12-07). For Denmark, information was taken from IOM (2004:75) and an e-mail from a legal expert of the Odysseus network (2011-12-05).

3 Marriage Migration

3.1 Age limits for incoming spouses

We assign a score of 1 if there is no age requirement. If the spouse needs to be at least 16 years old, the corresponding score is 0.5. In case of an age requirement of 18 years, the score is 0, and in case of an age requirement of 21 years the score is -0.5. If the incoming spouse needs to be at least 24, we assign a score of -1.

A general reference is Davy (2001). In Austria, there is no legislation on family reunification before 1992. Information for later years is taken from Alien Law of 2002 and 2006. For Belgium, we refer to Aliens Acts of 1980 and 2006. In Germany, an age limit was introduced in Residence Law 2007 §30(1)1. The Swiss laws do not specify a minimum age for marriage migration. In Norway, information was taken from Lov om utlendingers adgang til riket m.v. (Fremmedloven) av 27. juli 1956 §42, Utlendingsloven of 1988, Foreigner Law 1994 Ch. 2 §24 and Norwegian Directorate of Immigration (2006). In Sweden nothing is mentioned in the Aliens Act prior to 2005. Email correspondence with the Swedish Migration Board confirmed that there were no age requirements before 2005. For changes in 2005 we refer to SOU (2005: 103, p.52). The Danish Aliens Act 2002 §9 specifies a minimum age for the first time in Denmark. Further information was taken from Niessen et al. (2003:12). For France, Turpin (2007) was taken as a reference, for the Netherlands we refer to Holterman (2002) and for Britain to Macdonald and Weber (2001) and Home Office, UK Border Strategy (n.d.).

3.2 Income requirement for the sponsoring spouse

A score of 1 indicates that there is no income requirement or that welfare benefits can be counted as income. A simple income requirement, such as minimum wage or equivalent is scored 0, and a strict income requirement that significantly exceeds minimum wages or equivalent is scored -1.

General references are Soysal (1994) and Davy (2001). For Austria we refer to Residence Law 1992, §8. There is no legislation on family reunification before 1992. References for Sweden are Aliens Ordinance 1980:377, §31, and Aliens Act 1989:529 Ch2, §4. In Norway, scores were derived from Foreigner Law 1994 Ch. 2 §25 and Norwegian Directorate of Immigration (2006). In Belgium, the Aliens Law of 1980 specifies no income requirements. A further reference for Belgium is Frowein and Wolf (1985). For Switzerland, we refer to Slominski (2001: p.771, footnote 65). Our references for Germany is Davy and Çinar (2001a:377) and Residence Law 2007 §2(3). For Denmark, we refer to Aliens Act 2002 §9. Further information was taken from Niessen and Schiebel (2003). In France, income requirements are regulated by Décret n^o 76-496 of 2 June 1976. Further references are Wihtol de Wenden (2002), LeMoigne (1991), Fabre-Alibert (1999) and Perrault (2006). References for the Netherlands are Boeles (1982), Holterman (1990, 2002) and OECD (2005:94). In the UK, Information is taken from Macdonald and Blake (1991).

3.3 Residence requirement for the sponsoring spouse

We assign a score of 1 if only a residence permit is required. If migrants have to reside in a country for at least one year before they are allowed to bring their spouse, the score is 0. If more than one year of residence is required or a quota system is used, we assign a score of -1.

General references are Davy (2001) and Çinar et al. (1995). Residence requirements for marriage migration in Denmark are specified in Aliens Act 1973, §25, Aliens Act 1986, §9 and Aliens Act 2002, §9. In Norway, we refer to Immigration Act of 1956 §42. References for Sweden are Aliens Ordinance 1980:377, §31, and Aliens Act 1989:529 Ch2, §4. In France, information is taken from Décret n^o 76-496 of 2 June 1976 and Code de l'entrée et du séjour des étrangers et du droit d'asile, Art. L411-1. Another reference is Fabre-Alibert (1999). In Austria, there is no legislation on family reunification before 1992. Information on residence requirements for later years is taken from Residence Law 1993, §3. Further references are Steurer (2008:51) and EMN Austria (IOM) (2008:16). For Switzerland, we refer Foreigner Law of 2008. References for earlier years are Frowein and Wolf (1985), Slominski (2001:717). Our references for Germany are Davy & Cinar (2001a: 285f) and AufenthG §30(1). Information on the Netherlands is taken from Groenendijk and Minderhoud (2001) and the website of the Center for Migration Law.²

² <http://cmr.jur.ru.nl/CMR/Qs/family/netherlands/> (accessed 2011-11-22)

3.4 Cultural requirements for incoming spouses

We assign a score of 1 if there are no cultural requirements for incoming spouses. If there is a language requirement of level A1 or A1 minus, we assign a score of 0. If requirements go beyond such language skills, we assign a score of -1.

A general reference is Erikson (1984). Further references are Davy and Çınar (2001b), Einwallner (2006) and Kutscher et al. (2006) for Austria, Traub (1992) and Slominski (2001) for Switzerland, Bischoff and Teubner (1992) and Bundesregierung (2007) for Germany, Perrault (2007) for France, and Semo et al (2007) and Michalowski (2007) for the Netherlands. Information was also taken from Residence Law 1992, §§3-4 in Austria, and Foreigner Law §17 and Residence Law 2007 §30(1) in Germany. In Switzerland we refer to BVO 38-40, ANAV §9, ANAG §17(2) for 1990, ANAG §7(1) for 2002 and Foreigner Law of 2008 Ch. 7 for 2008. In Denmark, cultural requirements for marriage migration are regulated by Law notice on foreigners' access to the country 22 June 1973, §52, Law notice on Foreigner Law 1986, §9 and Aliens Consolidation Act No. 685 of 24 July 2003.

4 Access to public service employment

4.1 Teachers

The score is 1 if third country nationals are allowed to work as teachers and a score of -1 is attributed if this is not the case.

Eurydice (2002) provides an overview of access to public service employment for teachers. For Switzerland, information was also taken from EKA (2006:41), for France from Bataille (2000), and for Denmark from Smith (1992:655). For Germany, we refer to Davy and Çınar (2001a: 345) and BBG, §7(3). Information on the Netherlands was taken from Ersanilli (2007). The respective laws are Public Services Law 1979, §4(1) in Austria, Obligations Law §342 in Switzerland, The Constitutional Act of Denmark of June 5, 1953, 27§, Article 92 of the Constitution and law 1995-08-04 nr 53 in Norway, Article 81 of Code de la Nationalité 1978 and Law n. 83-634 of 13 July 1983 in France, and the Race Relations Act 1976 in the UK. For Belgium, we refer to a web document of the Belgisch Staatsblad.³ In Sweden, and since 1993 also in Denmark, teachers are no civil servants.

4.2 Administration

The score is 1 if third country nationals are generally allowed to work in public administration, 0 if they are only allowed to work in special areas, and -1 if they are not allowed to work in public administration at all.

The respective laws are Public Services Law 1979, §4(1) in Austria, the Constitutional Act of Denmark of June 5, 1953, 27§, the Act on public employment 1976 and 1994 in

³ <http://reflex.raadvst-consetat.be/reflex/pdf/Mbbs/2011/01/18/117645e.pdf> (accessed 2011-12-19)

Sweden, Article 92 of the Constitution and Law 1995-08-04 nr 53 in Norway, and Obligations Law §342 in Switzerland. For Switzerland, information was also taken from EKA (2006:41), for Sweden from Widgren (1980:44), and for France from Bataille (2000). Relevant laws in France are Article 81 of Code de la Nationalité 1978 and Law n. 83-634 of 13 July 1983. Concerning the Netherlands, we refer to Ersanilli (2007). For Germany, we refer to Davy and Çinar (2001a: 345). BBG, §7(3) allows foreigner to work in civil service if there is an urgent need. In Denmark we further refer to an e-mail from Folketinget (the national Parliament of Denmark). References for the UK are Davy and Çinar (2001c:861) and Daily Mail Reporter (2009), and for Belgium, we refer to Marten and Peters (1997), Ouali (1997) and Fedweb (2006)⁴.

4.3 Police

The score is 1 if third country nationals are generally allowed to work in the police forces, 0 if this is only possible in exceptional cases, and -1 if they are not allowed to work in the police forces at all.

The respective laws are Public Services Law 1979, §4(1) in Austria, the Constitutional Act of Denmark of June 5, 1953, 27§, , law 1995-08-04 nr 53 in Norway, and BtG (Beamtenengesetz) and BPG, §8(3) in Switzerland. Further information on Switzerland was taken from Slominski (2001:759) and EKA (2005b: 9). For Denmark, we also took information from a website.⁵ In Sweden, relevant laws are Government 1974 SFS 1974:152 Ch 11 § 9, the 1976 Act on public employment SFS 1976:600, and the Act on public employment 1994 in Sweden. In Belgium, information is derived from the Belgian Constitution, Art. 10. Further information comes from Martens and Peeters (1997) and Ouali (1997). Relevant laws in France are Article 81 of Code de la Nationalité 1978 and Law n. 83-634 of 13 July 1983. We further refer to Battifol et al. (1993). Information on the Netherlands was taken from Ersanilli (2007). For Germany, we refer to Davy and Çinar (2001a: 345) and BBG, §7(3). BBG, §7(3) allows foreigners to work in the civil service if there is an urgent need. According to Thériault (2004) this was applied since 1993 in the police forces. Information about the UK is based on Home Office – Police (n.d.) and section 82 of the Police Reform Act of 2002.

4.4 Affirmative Action in the public sector

We assign a score of 1 if there are quotas for migrants in the public sector, a score of 0 if there are no quotas, but other measures at the national or local level, and a score of -1 if there are neither quotas nor other measures of affirmative action.

Information for several countries was available from the European Working Conditions Observatory (EWCO).⁶ Further information on Denmark was taken from European

⁴ Although this brochure was published already in 2006, it is still up to date:
http://www.fedweb.belgium.be/fr/publications/respect_multiculturalisme.jsp?referer=tcn:119-17150-64
(accessed 2011-11-28)

⁵ http://www.politi.dk/en/About_the_police/admission/ (accessed 2008-01-18)

⁶ <http://www.eurofound.europa.eu/ewco/studies/tn0807038s/index.htm> (accessed 2011-11-15)

Monitoring Centre on Racism and Xenophobia (2002: 17). Information for Belgium was taken from the Committee on the Elimination of Racial Discrimination (CERD) (2006). For France, information was taken from EPASI (2008). For the Netherlands we refer to the Ministerie van Binnenlandse Zaken (Ministry of the Interior) (n.d.) and Kombijdepolitie (2006). Information on the UK was taken from Philips (2007), O'Reilly (2007) and Civil Service (2007). For Sweden, we refer to Hagos (2001) and Integrationsverket (2004:16, 23). Norwegian scores were retrieved from the Fornyings- og Administrasjonsdepartementet (Ministry of Government Administration and Reform) (2008), Kontaktutvalget mellom innvandrerbefolkningen og myndighetene (Norway's Contact Committee for Immigrants and the Authorities) (2007) and an e-mail from employee at the Ministry of Labor and Social Inclusion (2008-07-03). For Switzerland, we obtained information via an e-mail from the Federal Commission against Racism (2008-05-06).

5 Anti-discrimination

5.1 ICERD provisions in criminal law: racial hatred

We assign a score of 1 if there are ICERD provisions on racial hatred in criminal law, and a score of -1 otherwise.

All information on this indicator is retrieved from laws, specifically from the Austrian Penal Code, §283, the Swiss Penal Code, §261, the German Penal Code, §§130, 131, the French Penal Code §225 1-2, the Norwegian Penal Code, §135a, the Dutch Penal Code, §137, the Swedish Penal Code Ch. 16, §8 and the Danish Penal Code, §266b. The corresponding law in Belgium is Law of July 30, 1981 on the punishment of certain acts inspired by racism or xenophobia, and in the UK the Race Relations Act of 1976 and the Public Order Act of 1986.

5.2 ICERD provisions in criminal law: discrimination

We assign a score of 1 if there are ICERD provisions on discrimination in criminal law, and a score of -1 otherwise.

All information on this indicator is retrieved from laws, specifically from the Swiss Penal Code, §261, French Penal Code, §225-1, Norwegian Penal Code, §349, Dutch Penal Code §§137g, 429quater, Swedish Penal Code, Ch. 16 §9, and 1996 Amendment to Penal Code, §33(5) in Austria. For Denmark, we refer to Act 1971/289 on the Prohibition against Discrimination Due to Race. The corresponding law in Belgium is Law of July 30, 1981 on the punishment of certain acts inspired by racism or xenophobia, and in the UK the Race Relations Act of 1976. Note however that discrimination is only dealt with under criminal law if it aggravates racial hatred.

5.3 Discrimination in Civil Law

We assign a score of -1 if there is no provision at all. If discrimination is covered only in specific spheres and not on all grounds, we assign a score of -0.5. If discrimination is either covered only in specific spheres but on all grounds or in all spheres but only on a few grounds, we assign a score of 0. If discrimination is covered in all spheres but not on all grounds, the corresponding score is 0.5, and if there is inclusive coverage in any respect, we assign a score of 1.

General references are the European Monitoring Centre on Racism and Xenophobia (2002: 8) and Hansen (2004:4). Relevant laws are the Belgian Anti-Discrimination Law 2003, the French Law on Social Modernization of 2002 and the Law on Equal Opportunities of 2006, the Norwegian Act relating to Workers' Protection and the Working Environment and Anti-Discrimination Act of 2006, the Dutch Equal Treatment Act, and the Race relations Act of 1976 and Equality Act 2006, Part Two in the UK. Relevant laws in Denmark are the Act on Prohibition against Differential Treatment in the Labor Market 1996, and Act on Ethnic Equal Treatment in 2003. In Sweden, relevant laws are the Act against Ethnic discrimination of 1994, Act on Equal Treatment of Students in Higher Education of 2001 and Act against discrimination outside of working life of 2003. For Austria we refer to the Austrian Civil Law Code 1997, §87(1) and 2004 Amendment of the 1979 Equal Treatment Act. For Germany, we refer to the General Equal Treatment Act (AGG) of 2006. Information for earlier years was taken from Peuker (2006:5).

5.4 State established anti-discrimination bodies and legal mandate

For obtaining the scores, we distinguish four indicators of anti-discrimination bodies and legal mandate. We assign points on each indicator separately and then use the sum of points to assign scores. For the first indicator, we assign 1 point if there are state anti-discrimination bodies and legal mandate, and 0 points otherwise. On the second indicator, we assign 1 point if anti-discrimination bodies can initiate judicial proceedings, 0.5 points if they cannot initiate legal proceedings but can assist victims through other measure, and 0 points otherwise. On the third indicator, we assign 1 point if anti-discrimination bodies have investigative powers on their own initiative, and 0 points otherwise. On the fourth indicator we assign 1 point if anti-discrimination bodies can make legally binding decisions. If decisions are non-binding and compliance only voluntary, we assign 0.5 points. We assign and 0 points if anti-discrimination bodies are not involved in decisions. For 0 points, we assign a score of -1, for 1-1.5 points a score of -0.5, for 2 points a score of 0, for 2.5-3 points a score of 0.5 and for 3.5 points or more a score of 1.

General references are Bell et al. (2007) and Hansen (2004). Further information was retrieved from the following laws: Equal Treatment Act 2004, §62 in Austria, General Equal Treatment Act of 2006 in Germany, the Act on Ethnic Equal Treatment of 2003 in Denmark, the Equal Treatment Act of 1994 in the Netherlands, the Race Relations Act of 1976, Section 43ff in the UK, the Swedish Act 1986:442 against ethnic discrimination and Act 1994: 134. Further references for Austria are Ludwig Boltzmann Institute of

Human Rights et al. (2004: 32f), ENAR (2006:49) and EMN/IOM (2005:49). Information for Switzerland was taken from EKR (1995) and the websites of FCR and SCRA.⁷ For Germany, information was also taken from Harrison et al. (2005:19). Information for Denmark was taken from Raxen Focal Point for Denmark (2002:18), migpolgroup⁸ and an e-mail the Complaints Committee for Ethnic Equal Treatment at The Institute for Human Rights (2008-07-08). References for France are Bertossi (1999), and Sénat Français (2007). Information for the Netherlands was taken from Holmaat (2007). For the UK, we refer to the Commission for Equality and Human Rights (CEHR)⁹, a Wikipedia article on CEHR¹⁰ and O’Cinneide (2007). Information for Norway was taken from Likestillings- og diskrimineringsombudet (2007) and Makonen (2007:38ff). For Sweden, we refer to Lappalainen & Johnsson (2003), Numhauser-Henning (2005:5) and the website of the Swedish Ombudsman¹¹.

6 Political rights

6.1 Voting rights at different levels

If there are no voting rights at any level, we assign a score of -1. If there are strong regional differences, the score is -0.5. If voting rights are either only passive or only inclusive, the corresponding score is 0. If voting rights are passive and either inclusive for all foreigners or not restricted to the local level we assign a score of 0.5. A score of 1 is given if voting rights are inclusive of all foreigners and not restricted to the local level.

General references are Bauböck et al. (2004, 2006) and Groenendijk et al. (2000). Rea (1997) was an additional reference for Belgium. For Germany, we refer to Bischoff and Teubner (1992:182). Information for Switzerland comes from the Immigrant Voting project.¹² For Denmark, we refer to the Danish Institute for Human Rights (2006:15), and for Norway to Bergh and Bjørklund (2011: 130). A reference for Sweden is Kalm (2003).

6.2 Immigrant consultative bodies (local level)

For obtaining the scores, we distinguish four sub-indicators of immigrant consultative bodies at the local level. We assign points on each sub-indicator separately and then use the sum of points to assign scores. The first sub-indicator shows whether there are immigrant consultative bodies at the local level at all. We assign 1 point, if there are nationwide consultative bodies, 0.5 points, if there are consultative bodies in some regions, and 0 points if there are none. On the second item countries receive one point if the consultative body is elected by immigrants and 0 points if it is appointed by the state.

⁷ FCR: <http://www.ekr.admin.ch/aktuell/index.html?lang=en> (accessed 2008-03-05)

SCRA: <http://www.edi.admin.ch/frb/index.html?lang=en> (accessed 2008-03-05)

⁸ http://www.migpolgroup.com/multiattachments/2900/DocumentName/Equinet_Denmark_en.pdf (p.2) (accessed 2008-01-16)

⁹ <http://www.equalityhumanrights.com/> (accessed 2008-01-14)

¹⁰ <http://en.wikipedia.org/wiki/CEHR> (accessed 2008-01-14)

¹¹ http://www.do.se/upload/Ladda%20ner/introducing_do.pdf (accessed 2008-03-18)

¹² <http://www.immigrantvoting.org/World/Switzerland.html> (accessed 2008-03-02)

On the third sub-indicator, countries receive one point if the share of immigrants in the consultative body 100%, 0.5 points if it is smaller than 100% but greater than 50% and 0 points if it is less than 50%. On the fourth sub-indicator, we assign 1 point if organizations are represented by the consultative body, 0 points if it only consists of individuals, and 0.5 points if it consists of both organizations and individuals. 0 points correspond to a score of -1, 1-1.5 points to a score of -0.5, 2-2.5 points to a score of 0, 3-3.5 points to a score of 0.5 and 4 points to a score of 1.

General references are Bauböck et al. (2004) and Koopmans et al. (2005). Information on Austria was taken from Pelinka and König (2006:102f) and the website of Graz.¹³ A reference for Germany is Storz and Wilmes (n.d.). For Denmark, we refer to Hansen et al. (2006:18), the European Commission against Racism and Intolerance (2006) and an e-mail from the Council for Ethnic Minorities (2008-06-25). Information on Norway was provided by Kontaktutvalget mellom innvandrerbefolkningen og myndighetene (n.d.). Information on Sweden was taken from Justitiedepartementet (2004: 73), Aytar (2007:116), and a webpage¹⁴. Further information was provided via e-mail by an employee at the Swedish Parliament (2008-07-02). For the UK, we refer to the Race Relations Act of 1976. For the Netherlands, we refer to ter Wal (2005). Information on Belgium was obtained via e-mail from a country expert (2009-04-24). For Switzerland, we refer to the webpage of Le Forum des étrangers et étrangers de Lausanne.¹⁵ For France, information was obtained from the websites of cities that have established immigrant consultative bodies, as well.¹⁶

6.3 Immigrant consultative bodies (national level)

For obtaining the scores, we distinguish four sub-indicators of immigrant consultative bodies at the national level. We assign points on each sub-indicator separately and then use the sum of points to assign scores. The first sub-indicator shows whether there are immigrant consultative bodies at the national level at all. We assign 1 point, if there are permanent consultative bodies, 0.5 points, if there are non-permanent consultative bodies or ad-hoc consultations, and 0 points if there are no immigrant consultative bodies at the national level. On the second item countries receive one point if the consultative body is elected by immigrants and 0 points if it is appointed by the state. On the third indicator, countries receive one point if the share of immigrants in the consultative body is 100%, 0.5 points if it is smaller than 100% but greater than 50%, and 0 points if it is less than 50%. On the fourth indicator, we assign 1 point if organizations are represented by the consultative body, 0 points if it only consists of individuals, and 0.5 points if it consists of both organizations and individuals. 0 points correspond to a score of -1, 1-1.5 points to a

¹³ <http://www.graz.at/cms/ziel/411382/DE/> (accessed 2011-11-23)

¹⁴ <http://www.immi.se/alfa/inv.htm#invandrarnämnd> (accessed 2008-05-01)

¹⁵ <http://www.forumetrangers.ch/j/> (accessed 2011-11-23)

¹⁶ Lille: http://www.mairie-lille.fr/fr/Citoyennete_-_Concertation/conseil-lillois (accessed 2011-12-05)

Toulouse: <http://www.toulouse.fr/vos-quartiers/conseil-etrangers> (accessed 2011-12-05)

Strasbourg: <http://www.strasbourg.eu/vie-democratique/democratie-locale/le-conseil-des-residents-etrangers/le-conseil-des-residents-etrangers?ItemID=2451264394> (accessed 2011-12-05)

score of -0.5, 2-2.5 points to a score of 0, 3-3.5 points to a score of 0.5 and 4 points to a score of 1.

A general reference is Koopmans et al. (2005). Information on Belgium was taken from Boussetta et al. (1999) and an e-mail from a country expert (2009-04-24). For Switzerland, we refer to BFM (2006: 81) and the website of the Eidgenössische Kommission für Migrationsfragen (Federal Commission for Migration Issues).¹⁷ In Denmark, the Consolidation of the Act on Integration of Aliens in Denmark (the Integration Act) of June 2001 contains information on immigrant consultative bodies at the national level. Further information was taken from websites¹⁸ and e-mail correspondence with an employee at the Council for Ethnic Minorities (2008-06-25). Norway was provided by Kontaktutvalget mellom innvandrerbefolkningen og myndighetene (n.d. a, n.d. b) and Makonen (2007:24). Information on Sweden was taken from Justitiedepartementet (2004: 73), Aytar (2007:116), and the European Commission against Racism and Intolerance (2003: 13). Further information was provided via e-mail by an employee at the Ministry of Integration and Equality (2008-04-30). For Germany 2008, we refer to Integrationsgipfel (Integration summit) that was established in 2006. Further information was taken from the websites of the respective consultation bodies, such as Haut Conseil à l'Intégration in France¹⁹, Landelijk Overleg Minderheden in the Netherlands²⁰ and the Equality and Human Rights Commission in the UK.²¹

6.4 Muslim consultative bodies

For obtaining the scores, we distinguish four sub-indicators of Muslim consultative bodies. We assign points on each sub-indicator separately and then use the sum of points to assign scores. The first sub-indicator shows whether there are Muslim consultative bodies at all. We assign 1 point, if there are permanent consultative bodies, 0.5 points, if there are non-permanent consultative bodies and 0 points if there are no Muslim consultative bodies. For the second indicator, we assign 1 point if Muslims constitute the majority of the consultative body, and 0 points otherwise. For the third indicator we assign 1 point if the members of the consultative body are representatives of organizations or elected representatives, and 0 points otherwise. The fourth sub-indicator captures whether the consultative body is elected by Muslims (1 point) or appointed by the state (0) point. If a mixture of elections and appointments is applied, we assign 0.5 points. 0 points correspond to a score of -1, 1-1.5 points to a score of -0.5, 2-2.5 points to a score of 0, 3-3.5 points to a score of 0.5 and 4 points to a score of 1.

Concerning Muslim consultative bodies, Laurence (2006, 2009) is a general reference, and Euro-Islam (2007b, 2007c:5, 2007d:3f) provides overviews via country reports. Another general reference is Dassetto et al. (2007). Further information on Belgium was

¹⁷ <http://www.ekm.admin.ch/de/ekm/index.php> (accessed 2011-11-22)

¹⁸ <http://www.rem.dk/sw344.asp> (accessed 2008-01-29)

<http://www.gla.ac.uk/rg/eprodk01.pdf> (accessed 2008-01-28)

¹⁹ <http://www.hci.gouv.fr/> (accessed 2011-11-22)

²⁰ <http://www.minderheden.org/> (accessed 2011-11-22)

²¹ <http://www.equalityhumanrights.com/> (accessed 2011-11-22)

taken from Kanmaz (2002). For France, we also refer to Open Society Institute (2002: 73), and for the UK to Modood (2006:43). Information on Austria was taken from the website of the Islamic Religious Community in Austria (IGGiÖ).²² In Germany, we refer to the webpage of Islamkonferenz²³, and in Switzerland to the webpage inforel.²⁴

7 Educational Rights

7.1 Number of state-funded Islamic elementary and secondary schools (per 100,000 Muslims)

Scores are based on the number of Islamic schools in relation to the size of the Muslim population. If there are no Muslim schools, we assign a score of -1. If there is less than 1 school per 750,000 Muslims, we assign a score of -0.5. For 1-7 schools per 750,000 Muslims, the score is 0, and for 8-14 schools per 750,000 Muslims 0.5. If there are 15 or more schools per 750,000 Muslim, we assign a score of 1.

General references are Hunter (2002), Nielsen (2004), Dassetto et al. (2007), Maussen (2007), and Merry and Driessen (2005). For Denmark, information was also taken from Haaber Ihle (2007). For Austria, we refer to Schmied (2004). References for Norway come from the European Muslim Network (n.d.) and an e-mail from an employee of Urtehagen Islamic School (2008-02-21). Further information for Switzerland was derived from Christen (2010). For Belgium, we refer to an e-mail from a country expert (2009-04-24), and the Euro-Islam website.²⁵

Information on the size of the Muslim population per year was taken from Norway Statistics, Centraal Bureau voor de Statistiek in the Netherlands, the censuses of 1981, 1991 and 2001 in Austria, the censuses of 1980, 1990 and 2000 in Switzerland. Numbers for the remaining countries in 1980 are provided by News on Muslims in Europe Nr.12/1982. Information on Belgium was taken from the census in 1989, Zemni (2006), and BuG 100 (Bericht uit het Gewisse) (11-09-2008). Data for Germany in 1990 refer to the Census 1987 For 2002 we rely on estimates of Deutscher Bundestag (2000:4f), and for 2008 on Zentralinstitut Islam-Archiv-Deutschland. Estimates for Denmark were derived from the Ministry of Foreign Affairs (2006). For France, we refer to Haut Conseil à l'Intégration (2000:26) and Institute of Islamic Information and Education.²⁶ Information for Sweden was also taken from the website of the Institute of Islamic Information and Education. For the UK, we refer to BBC Religion.²⁷

²² <http://www.derislam.at/?c=content&cssid=Entstehung&navid=110&par=10> (accessed 2011-11-15)

²³ <http://www.deutsche-islam-konferenz.de> (accessed 2011-11-15)

²⁴ <http://www.inforel.ch/i501.html> (accessed 2011-11-15)

²⁵ <http://www.euro-islam.info/key-issues/education/> (accessed 2008-01-28)

²⁶ <http://www.iiie.net/index.php?q=node/65> (accessed 2011-11-23)

²⁷ http://www.bbc.co.uk/religion/religions/islam/history/uk_1.shtml (accessed 2008-11-15)

7.2 How much funding do they get?

If there is no funding, or funding is extremely difficult to get, we assign a score of -1. If funding is only available in one or two cities, we assign a score of -0.5. If Islamic schools receive funding up to 60%, we assign a score of 0. If funding is about 85% we assign a score of 0.5 and if 100% are funded by the state, we assign a score of 1.

General references are Merry and Driessen (2005), Dassetto et al. (2007), and Soper and Fetzer (2007). Information on Austria was taken from the Austrian Law on Private School, §17-20. For Germany, we refer to Faist (2004:40) and a press release of the Government of Upper Bavaria.²⁸ A reference for Denmark is Haaber Ihle (2007). For the Netherlands, we refer to Euro-Islam (2007c) and for Sweden to the Euro-Islam website²⁹. For Norway, we refer to Norwegian Ministry of Education and Research (2007: 14) and an e-mail from Urtehagen Islamic School (2008-02-21).

7.3 Islamic religious classes in state schools

Scores of -1 are given if there are no Islamic religious classes in state schools. If Islamic religious classes are partly offered, we assign a score of 0, and if they are generally offered, a score of 1.

A general reference is Dassetto et al. (2007). For Austria, we refer to the Law on Religious Classes, §1. A reference for Belgium is Leman et al. (1992). For Switzerland, we refer to an e-mail from the National Research Program (NRP) 58 “Religions, the State, and Society” (2008-04-25). Information on Denmark was obtained via e-mail from the Ministry of Education (2008-02-11). Information on the Netherlands was derived from Shadid and Koningsveld (1991). In the UK, we refer to the Education Reform Act of 1988. References for Germany are Gartner (2006: 232ff), Mühe (2007: 25), and BT-Drucksache 16/2085: 65-75.

7.4 Right of Muslim teachers to wear a headscarf in public schools

We assign a score of -1 if negative case law is applied, or wearing a headscarf is prohibited. If regulations vary among regions or among schools, we assign a score of 0. If teachers are allowed to wear headscarves, the score is 1.

General references are Dassetto et al. (2007) and Bribosia et al. (2004). For Belgium, we refer to Centrum voor gelijkheid van kansen en voor racismebestrijding (2005) concerning Flanders, and a newspaper article in *De Morgen* (23-10-2007) concerning Wallonia. Information for Switzerland was derived from the Federal Court of Justice in 1997 (BGE 123 I 279). A reference for Germany was Henkes and Kneip (2010). For France, we refer to the law on secularity and conspicuous religious symbols in schools 2004, and for Norway to the Gender Equality Act and Anti-Discrimination Act of 2006.

²⁸ http://www.regierung.oberbayern.bayern.de/p/p_presse/pm2005/pm0905/pm05374.htm (accessed 2008-02-05)

²⁹ http://www.euro-islam.info/spip/article.php3?id_article=296 (accessed 2008-01-15)

7.5 Right of Muslim students to wear a headscarf in public schools

We assign a score of -1 if wearing a headscarf is prohibited. If regulations vary among regions or among schools, we assign a score of 0. If female students are allowed to wear headscarves, the score is 1.

General reference is Dassetto et al. (2007), Bribosia et al. (2004) and the Veil-project.³⁰ Information on Belgium was obtained from Helly (2005) and an e-mail from Infolijn Onderwijs (2011-11-30). For Switzerland we refer to Augsburg (2005:24) and Dolezal et al. (2008:14). For Denmark, we refer to Hussain (2007:6). References for France are the Law on secularity and conspicuous religious symbols in schools of 2004 and Jangahir (2006). Information on the Netherlands was derived from Shadid and Koningsveld (1991) and the website of Nederlandse Taalunie.³¹ Information on the UK was taken from Barnett (2006) and Goethals (1996). For Germany, we refer to Gartner (2006: 164ff). Information on Austria was taken from Bauer (2007: 4) and E.U. Network of Independent Experts on Fundamental Rights (2006: 53). Information on Sweden was obtained via e-mail from the Ligestillings- og diskrimineringsombudet (Ombud for equal opportunity and discrimination) (2008-02-28).

7.6 Mother tongue teaching in public schools

If mother tongue teaching is state funded and takes place during school hours, we assign a score of 1. If mother tongue teaching is state funded but outside of school hours or not state funded but during school hours, we assign a score of 0. If there is no mother tongue teaching or if it is only available outside of school hours without funding by the state, we assign a score of -1.

Information on Belgium was taken from Verlot (2001) and an e-mail from a country expert (2009-04-24). For Switzerland, we refer to d'Amato (2005: 226ff) and an e-mail from a country expert (2011-12-05). Information for Denmark was derived from the Danish Institute for Human Rights (2006:27f), an e-mail from the Municipality of Copenhagen and several websites³². For France, we refer to Open Society Institute (2002) and an e-mail from a country expert (2009-05-05). Information on the Netherlands was taken from van de Wetering (1992) and Turkenburg (2001). Information on Sweden was taken from RVD (22-08-2003) and an e-mail from a principal in Norrköping (2007-12-20). References for the UK are Joly (1990), Eurydice (2004) and the Eurodyce website.³³

³⁰ <http://www.univie.ac.at/veil/Home3/index.php?id=1,0,0,1,0,0> (accessed 2011-11-29)

³¹ <http://taalunieversum.org/onderwijs/termen/term/238/> (accessed 2011-11-29)

³² http://www.uc2.dk/horizontal%20menu/Hvad%20kan%20vi%20tilbyde/art_bergthora.pdf (accessed 2008-01-2)

http://www.euro-islam.info/spip/article.php?id_article=39#nb5 (accessed 2008-01-17)

<http://www.folkeskolen.dk/ObjectShow.aspx?ObjectId=42030> (accessed 2008-01-28)

³³ Wales: https://webgate.ec.europa.eu/fpfis/mwikis/eurydice/index.php/United-Kingdom-Wales:Support_Measures_for_Learners_in_Early_Childhood_and_School_Education (accessed 2011-12-05)

For Austria, we refer to BGBl. 528/1992, BGBl. 546/1993, BGBl. II 133/2000 and BGBl II 277/2004 and an e-mail from the Ministry of Education, BMUKK (2008-05-15). Information on Germany is based on Langenfeld (2001), d'Amato (2005: 108ff), Bundesregierung (2001) and the ministry for schools in North-Rhine-Westphalia.³⁴ For Norway, we refer to an e-mail from the Ministry of Education and Research (2008-02-08).

8 Other cultural and religious rights

8.1 Cultural requirements for granting residence permit

If there are no cultural requirements, we assign a score of 1. If there are both language skills and civic knowledge requirements, the score is -1. If there is only one requirement (language skills or civic knowledge), we assign a score of 0.

A general overview is provided by Groenendijk et al. (2000). Information for Austria was also taken from the Integration Agreement of 2003. A reference for Flanders in Belgium is De Cuyper and Wets (2007). For Switzerland, we refer to Eriksson (1984), Legal ordinance on the admission, residence and employment (VZAE), §62, Federal Act on Foreign Nationals, § 54 and a website³⁵. In Germany, there is a permanence regulation (Verfestigungsregelung -administrative guidelines along with Foreigner Law) stipulated in 1978 that specifies the conditions under which unrestricted residence permits could be issued, requiring among others basic knowledge of German and integration into economic and social life. Further Information was taken from Michalowski (2007). Information for Denmark was taken from the Aliens Act of 1980 and Law nr 365 of 06/06/2002. For France, we refer to Decree no. 2006-1791 and Agence Nationale d'Accueil des Étrangers et des Migrations (ANAEM) (2007). References for the Netherlands are Klaver and Odé (2009) and Joppke (2007). Information on Sweden was taken from Schönwälder et al. (2005) and Wallace Goodman (2010a). For Norway, we refer to Utlendingsdirektoratet (n.d.), and concerning the UK, to Bernhard (2009), Langellier (2005) and the website of Home Office, UK Border Agency³⁶.

8.2 Allowance of ritual slaughtering

If ritual slaughtering is allowed without or under liberal conditions, we assign a score of 1. If ritual slaughtering is only allowed under strict conditions (certification, doctor present, immobilization), the corresponding score is 0. A score of -1 was given if ritual slaughtering is not allowed.

England: [https://webgate.ec.europa.eu/fpfis/mwikis/eurydice/index.php/United-Kingdom-England:Support Measures for Learners in Early Childhood and School Education](https://webgate.ec.europa.eu/fpfis/mwikis/eurydice/index.php/United-Kingdom-England:Support_Measures_for_Learners_in_Early_Childhood_and_School_Education) (accessed 2011-12-05)

³⁴ <http://www.schulministerium.nrw.de/BP/Unterricht/Faecher/Fremdsprachen/FAQMU/> (accessed 2011-11-22)

³⁵ http://www.migration-info.de/mub_artikel.php?Id=080404 (accessed 2011-11-15)

³⁶ <http://www.ukba.homeoffice.gov.uk/britishcitizenship/applying/applicationtypes/naturalisation/kol/life-in-uk-test> (accessed 2011-11-15)

A general overview is provided by Bergeaud-Blackler (2007). For Austria, we refer to the Animal Protection Law 2004, §32 and Euro-Islam (2007a). Information for Belgium was taken from the Law of 14 August 1986 for animal protection and Leman et al. (1992). The reference for Switzerland is the Animal Protection Law §20(1). Information for Germany is based on the Animal Protection Act in 1986, §4a(2)2, Constitutional Court Ruling BvR 1783/99 and Muckel (2004: 50ff). Information on Denmark is taken from the Animal Protection of 1994, §7 and an e-mail from the Ministry of Farming and Fishing (2008-04-02). For Norway, we refer to Ahlberg (1990:198) and Berg (2004: 9). Information on the Netherlands was taken from Euro-Islam (2007c). References for Sweden are Karlsson & Svanberg (1997: 70) and Otterbeck (2003:8). Information on the UK was taken from Dassetto et al. (2007).

8.3 Allowance of Islamic call to prayer

A score of -1 indicates that Islamic call to prayer is not practiced. If practice is limited to noon and not wide spread, we assign a score of 0. If it is widely practiced, or there is a national provision, the score is 1.

Information for Austria was taken from Schmied and Wieshaider (2004:206) and an article in *derStandard* (2010-10-28)³⁷. For Belgium, we refer to Parthoens et al. (2005:322). Information about Switzerland was derived from a newspaper article in *Le Temps* (July 22nd 2007) and the Euro-Islam website³⁸. Information on Germany was taken from Lemmen (2001: 29ff), Tippmann (1997: 64) and an e-mail from Islamrat für die Bundesrepublik Deutschland (Federal Muslim Council of Germany, 2011-11-24). Information on Denmark was obtained via e-mail from a representative of the Muslim Council of Denmark (2008-06-19). For France, we refer to Soper and Fetzer (2007). In Norway, we refer to Vintervoll, *Aftonposten* (2000-11-01) and an e-mail from Islamic Council of Norway (2008-02-08). A reference for the Netherlands is Rath et al. (1997). Information on Sweden was taken from the Network of Comparative Research on Islam and Muslims in Europe (2003:15). For the UK, we refer to Gale (2005), Joly (1990), Nielsen (2004) and an e-mail from a country expert (2009-03-20).

8.4 Number of Mosques with appropriate architecture

Scores are based on the number of Mosques with appropriate architecture in relation to the size of the Muslim population. If there are no such Mosques, we assign a score of -1. If there are one to five Mosques per 500,000 Muslims, we assign a score of 0. For more than 5 Mosques per 500,000 Muslims, the score is 1.

³⁷ <http://derstandard.at/1288160212733/Drei-Moscheen-in-Oesterreich-Ein-Muezzin-im-Land-der-Glocken> (accessed 2011-11-22)

³⁸ http://www.euro-islam.info/spip/article.php3?id_article=674 (accessed 2008-02-16)

Information on Austria was taken from a website.³⁹ For Switzerland, we refer to a newspaper article in *Le Temps*, July 22nd 2007 and the Euro-Islam website.⁴⁰ For Denmark, we refer to an e-mail from the Muslim Council of Denmark (2008-06-19). Information on Sweden was obtained from Svanberg & Karlsson (1995:37ff) and Otterbeck (2003:7) and a website.⁴¹ For Belgium, we refer to the website of the International Helsinki Federation of Human Rights.⁴² Information for Germany was also found at a website.⁴³ For the Netherlands, information was obtained from Marcel Maussen. Information on Norway was obtained via e-mail from a representative of the Islamic Council of Norway (2008-02-08). Information for France was gathered via e-mail correspondence with a country expert (2009-05-05), as well as information for the UK (2009-03-20).

Information on the size of the Muslim population per year was taken from Norway Statistics, Centraal Bureau voor de Statistiek in the Netherlands, the censuses of 1981, 1991 and 2001 in Austria, the censuses of 1980, 1990 and 2000 in Switzerland. Numbers for the remaining countries in 1980 are provided by *News on Muslims in Europe* Nr.12/1982. Information on Belgium was taken from the census in 1989, Zemni (2006), and BuG 100 (*Bericht uit het Gewisse*) (11-09-2008). Data for Germany in 1990 refer to the Census 1987. For 2002 we rely on estimates of *Deutscher Bundestag* (2000:4f), and for 2008 on *Zentralinstitut Islam-Archiv-Deutschland*. Estimates for Denmark were derived from the Ministry of Foreign Affairs. For France, we refer to *Haut Conseil à l'Intégration* (2000:26) and *Institute of Islamic Information and Education*.⁴⁴ Information for Sweden was also taken from the website of the *Institute of Islamic Information and Education*. For the UK, we refer to *BBC Religion*.⁴⁵

8.5 Existence of Muslim cemeteries and separate section of cemeteries

If there are separate cemeteries for Muslims, we assign a score of 1. A score of 0 is given, if there are no separate cemeteries but separate sections reserved for Muslims at ordinary cemeteries, and a score of -1 if there are neither separate sections nor separate cemeteries.

Dassetto et al. (2007) is a general a reference. Furthermore, the Euro-Islam country reports (2007b, 2007c, 2007d) provided valuable information. Further information on the UK was obtained via e-mail correspondence with Hammersmith & Fulham Borough Council. Information on Austria was taken from Schmied and Wieshaider (2004:206), Gartner (2006) and a website.⁴⁶ For Belgium, we refer to Leman (1992) and VMC (2004). For Switzerland, we also obtained information from various websites.⁴⁷ For

³⁹ <http://www.derislam.at> (accessed 2008-01-18)

⁴⁰ http://www.euro-islam.info/spip/article.php3?id_article=674 (accessed 2008-02-16)

⁴¹ <http://www.ur.se/Serie/Muslim-i-Europa/Moskeer-i-Sverige/> (accessed 2011-11-29)

⁴² http://www.ihf-hr.org/viewbinary/viewdocument.php?doc_id=5510 (accessed 2008-02-18)

⁴³ <http://www.moscheesuche.de> (accessed 2008-03-05)

⁴⁴ <http://www.iiiie.net/index.php?q=node/65> (accessed 2011-11-23)

⁴⁵ http://www.bbc.co.uk/religion/religions/islam/history/uk_1.shtml (accessed 2011-11-15)

⁴⁶ <http://austriantimes.at/index.php?id=12087-newentry> (accessed 2001-11-15)

⁴⁷ <http://www.islam-pluriel.net/2007/11/02/geneve-un-cimetiere-public-souvre-aux-juifs-et-aux-musulmans/feed> (accessed 2008-03-05)

Denmark, information was obtained via e-mails from employees at the Ministry of Ecclesiastical Affairs (2008-06-23, 2008-03-13). For Norway, we refer to Ahlberg (1990: 235) and an e-mail from a representative from the Islamic Council of Norway (2008-02-08). References for Sweden are Svanberg & Westerlund (1999: 272), the Burial Law of 1990:1144 §§2, 6, and the Euro-Islam website.⁴⁸ References for Germany are BT-Drucksache 16/2085: 23 and a website.⁴⁹

8.6 Allowance of burial without a coffin

A score of 1 is given if burial without a coffin is allowed. We assign a score of 0 if it is partly allowed or this issue is not formally regulated and a score of -1 if it is not allowed.

For Norway, we refer to Ahlberg (1990: 236) and an e-mail from the Islamic Council of Norway (2008-02-08). For Germany, we refer to Muckel (2004: 57). Information on Austria was taken from VIfgBestG §19(1), OöBestG, KrntBestG §23, StmkBestG §19(2), WrBestG §29(2), BgldBestG § 18, NöBestG § 15(1), as well as Gartner (2006:275) and Schmied and Wieshaider (2004:207). Information on Belgium was taken from Keulen (2006). For Denmark, information was obtained via e-mail from the Ministry of Ecclesiastical Affairs (2008-03-13). For France, we refer to AngloINFO Paris (2007). References for the Netherlands are Dassetto et al. 2007, Euro-Islam 2007c, and a website.⁵⁰ Information on Sweden was obtained via e-mail from the Swedish Church (2008-07-28) and the Islamic Kurdish Culture Center (IKKC) (2008-01-11). For the UK, we refer to Nielsen (2004) and Gatrad (1994) and an e-mail from a country expert (2009-04-16).

8.7 Programs in Immigrant Languages in Public Broadcasting

For obtaining the scores, we distinguish four sub-indicators of immigrant languages in public broadcasting. We assign points on sub-each indicator separately and then use the sum of points to assign scores. For the first sub-indicator, we assign 1 point if there is public TV-broadcasting directed at immigrants in immigrant languages, and 0 points otherwise. For the second sub-indicator, we assign 1 point if there is public radio broadcasting directed at immigrants in immigrant languages, and 0 points otherwise. The third sub-indicator captures how much time is devoted to such programs in TV-broadcasting. We assign 1 point if programs for immigrants are broadcasted regularly, 0.5 points if they are broadcasted seldom or irregularly and 0 points if there are no programs targeted at immigrants. The fourth indicator captures how much time in public radio broadcasting is devoted to immigrants. We assign 1 point if there are whole radio stations for immigrants, 0.5 points if there are some programs, and 0 points otherwise. 0

<http://www.ref.ch/rna/meldungen/8173.html> (accessed 2008-03-05)

[http://www.islam.ch/typo3/index.php?id=67&no_cache=1&L=1%23WT&tx_articlepl_pi1\[showUid\]=177](http://www.islam.ch/typo3/index.php?id=67&no_cache=1&L=1%23WT&tx_articlepl_pi1[showUid]=177) (accessed 2008-03-05)

⁴⁸ http://www.euro-islam.info/spip/article.php3?id_article=296 (accessed 2008-01-15)

⁴⁹ www.igmg.de (accessed 2008-03-06)

⁵⁰ http://www.uitvaart.nl/index.php?s_page_id=73&catid=B&woordid=20 (accessed 2007-12-20)

points correspond to a score of -1, 1-1.5 points to a score of -0.5, 2-2.5 points to a score of 0, 3-3.5 points to a score of 0.5 and 4 points to a score of 1.

We mainly rely on scientific studies such as Ormund (2002) and Bousetta and Maréchal (2004) for Belgium, and McGonagle et al. (2003) for France. Further information for France was obtained via e-mail from a country expert (2009-05-05) and for Belgium from the websites of VRT⁵¹ and RTBF.⁵² In Norway, information is derived from the CERD Reports of 2002 and 2005 which are submitted by states parties under article 9 of the Convention. References for Sweden are (Benito 2005:20), an e-mail from an employee at Sveriges Television (2008-02-20), and the website of Sveriges Radio International.⁵³ For Denmark, we refer to Carøe Christiansen (2004) and e-mails from the television channels DR1 (2008-02-02) and DR2 (2008-01-30). For the Netherlands, we refer to Rath et al. (2001: 84f) and a website.⁵⁴ Information on Austria was taken from Böse et al. (2001), the website of public broadcaster ORF⁵⁵ and the website of the multicultural radio station Orange 94.0.⁵⁶ For Germany, we refer to Weber-Menges (2005) and the websites of Cosmo TV⁵⁷ and radio station Funkhaus Europa.⁵⁸ Information on Switzerland was taken from Koopmans et al. (2005), Signer et al. (2011), and the websites of Radio LoRa⁵⁹ and the Union of non-commercial local radios.⁶⁰ Information on the UK was obtained from the BBC website⁶¹ and Cultural Diversity UK.⁶²

8.8 Islamic religious programs in public broadcasting

We assign a score of 1 if there are Islamic religious programs in public broadcasting and a score of -1 otherwise.

Information for Belgium was taken from Lambert (1998) and the websites of VRT⁶³ and RTBF.⁶⁴ For Switzerland, we refer to an e-mail from a cantonal Muslim organization (2008-04-29), and for Denmark to an e-mail from the radio station DR1 (2008-02-02). Information for France was obtained from Conseil Supérieur de l'Audiovisuel (2005, 2006) and via e-mail from a country expert (2009-05-05). References for the Netherlands are Ersanilli (2007) and Rath et al. (1997). For the UK, we refer to the BBC website.⁶⁵

⁵¹ www.vrt.be (accessed 2008-02-11)

⁵² www.rtbf.be (accessed 2008-02-11)

⁵³ <http://www.sr.se/cgi-bin/international/artikel.asp?Artikel=546932> (accessed 2008-01-15)

⁵⁴ http://www.nmo.nl/67-Ramadan_Special_2007.html?aflevering=3017 (accessed 2007-12-20)

⁵⁵ <http://tv.orf.at/> (accessed 2011-11-23)

⁵⁶ <http://o94.at/> (accessed 2008-01-15)

⁵⁷ <http://www.wdr.de/tv/cosmotv/> (accessed 2011-11-23)

⁵⁸ <http://www.funkhauseuropa.de/> (accessed 2011-11-23)

⁵⁹ <http://www.lora.ch/welcome.shtml> (accessed 2008-01-15)

⁶⁰ <http://www.unikomradios.ch/> (accessed 2008-01-15)

⁶¹ <http://www.bbc.co.uk/worldservice/languages/> (accessed 2007-12-18)

http://www.bbc.co.uk/bbcone/listings/index.shtml?service_id=4223&DAY=today (accessed 2007-12-18)

⁶² <http://www.cdnetwork.org.uk/index.html> (accessed 2007-12-18)

⁶³ www.vrt.be (accessed 2008-02-11)

⁶⁴ www.rtbf.be (accessed 2008-02-11)

⁶⁵ <http://www.bbc.co.uk/programmes/b0072wsg> (accessed 2007-12-18)

Information on Austria was taken from Dolezal et al. (2008: 15). For Germany, we refer to Muckel (2004: 76). Information on Norway was obtained via e-mail from the Norwegian Broadcasting Corporation NRK (2008-03-16), and on Sweden via e-mail from the Swedish Radio (2008-05-26 and 2008-08-11) and the Swedish Television (2008-05-28 and 2008-07-02).

8.9 Imams in prison

We assign a score of 1 if there are Imams in prison and a score of -1 otherwise.

A general reference is Dassetto et al. (2007). Information on Germany was taken from BT- Drucksache 16/2085. For Austria, we refer to BMJ 2008 (3674/AB XXIII. GP). Information on Denmark was obtained via e-mail from the Ministry of Justice (2008-02-01). For Norway, we refer to Islamsk Råd Norge (2006) and an e-mail from the Department of Justice (2008-05-27). A reference for the Netherlands is Shadid and Koningsveld (1995). For Sweden, we refer to Otterbeck (2003: 12). Information on the UK was taken from Beckford (2004) and Khosrokhavar et al. (2005). Information for France was also taken from Khosrokhavar et al. (2005), as well as Khosrokhavar (2004). References for Switzerland are §42 Anstaltsverordnung Zurich 1975 in BGE 113 Ia 304 and Strafanstalt Pöschwies.

8.10 Imams in the military

We assign a score of 1 if there are state financed Imams in the military, a score of 0 if there are imams in the military, but they are not funded by the state, and a score of 0 if there are no imams in the military.

A general reference is Dassetto et al. (2007). Information on Germany was taken from BT- Drucksache 16/2085. Information on Austria was obtained from a website.⁶⁶ For France, we refer to Bertrand et al. (2008:6). Information on Norway was obtained via e-mail from the Department of Justice (2008-05-30). For Sweden, we refer to U.S. Department of State (2008). Information on the UK was taken from BBC Team (2007).

⁶⁶ www.bmlv.gv.at/organisation/beitraege/mil_seelsorge/start.shtml (accessed 2011-07-01)

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