**Requirements for Family Reunification**

**DENMARK**

# Background

## Immigration to Denmark

While Denmark has not traditionally been a magnet for immigration, it hasn’t necessarily been an unpopular place for migrants either. Over the course of the 20th century, Denmark has become home to refugees and immigrants from the Soviet bloc, the Balkans, the Middle East, and beyond. Today, immigrants and their descendants account for more than 10 percent of the total population of Denmark.[[1]](#footnote-1) Denmark has also been a prominent advocate for refugees and asylum seekers. It was one of the first countries to become a party to the 1951 UN Refugee Convention, and the Danish Refugee Council - a humanitarian group partly funded by the Danish government – is actively involved in supporting refugees and internally displaced peoples around the world.

But the past year brought something different with it. In 2015, 21,316 people sought asylum in Denmark—up from 14,792 asylum applications in 2014 and 7,557 in 2013.[[2]](#footnote-2) (Denmark happens to be sandwiched between two of the most popular European destinations for today’s migrants and refugees: Germany and Sweden.) These are numbers that the Danish welfare state is struggling to handle. Therefore, the Danish immigration law and issues such as the numbers of immigrants and how not to welcome refugees is one of the biggest political disputes today.

The number of family reunifications has increased since 2010. In the figure below, it is obvious that the number of families reunified with refugees / beneficiaries of international protection increased remarkably last year. *Source: Oxford Research 2016, based on Statistics Denmark (Table VAN8)*

## Changes in legislation (especially after 2010, but earlier as well if relevant)

The Danish legislation concerning immigration is called Alien (Consolidation) Act[[3]](#footnote-3) (Udlændingeloven) and include rules on foreigners’ entry and stay in Denmark, visas, asylum, family reunification, permanent residence, cancellation and revocation of residence permits, expulsion and rejection of foreigners as well as accommodation and subsistence of asylum seekers.

Danish immigration law has seen a long period of significant changes. Since 2001 immigration, refugees and questions of citizenship have been intensively politicised issues. These issues have been the main topics in the election campaigns since 2001 and has had a crucial impact on the outcome of the elections and legislation. The development in legislation is also very much influenced by the strong new right wing party, the Danish People’s Party (DF) that is hostile to immigration. When the Liberals (Venstre) and Conservatives took office in 2001 they depended on the Danish People’s Party as an external coalition partner. This gave the DF significant influence over the government and drove the legislation to take a very restrictive stand on immigration policy.

Therefore, significant tightening of immigration policies became effective after the election in 2001, with various laws being passed to reduce the number of immigrants coming to Denmark. Asylum laws were restricted, along with rules on family reunification, with a so-called 24-year rule preventing young people from bringing a foreign born spouse to Denmark. Since 2001 it has also become considerably more difficult to get a permanent residence permit, and the rules on naturalization became stricter: this was the case in terms of the required period of legal stay, the language requirement, a difficult knowledge test, and proof of financial self-support. Also in this period, integration requirements and targeted policies – including the length, content, and conditionalities attached to the official integration program – became urgent on the agenda[[4]](#footnote-4)

On 7.11.2016 the government and the Danish People's Party reached an agreement on the modernization of the rules on family reunification in Denmark (Nye Tider, Nye Krav[[5]](#footnote-5)). The agreement aimed to ensure that foreigners must document that they have the capacity and willingness to contribute to the Danish Society. In June 2011, the Parliament subsequently voted in favour of new rules for family reunification among which a point system was implemented. The introduction of a point requirement means that the application for family reunification must obtain a certain number of points in relation to a number of integration relevant criteria, related to language skills, work experience and completed training[[6]](#footnote-6).

Following the Danish parliamentary election in September 2011, three political parties formed a new center – left government coalition. This has somewhat changed the immigration policy. Most elements of the restrictive immigration policy remained in place, but with some notable exceptions. In 2011, the 28-year rule was changed to a 26-year rule - the rule means that people who have held Danish citizenship for 26 years will not be required the attachment requirements (Danish: Tilknytningskravet). Furthermore the point system was rolled back and the fee for filing an application for a family reunification was abolished[[7]](#footnote-7). Moreover, there has been some liberalization of citizenship and permanent residence policies, like the introduction of dual citizenship acceptance in 2014.

A new election was held in June 2015, which resulted in a new – minority one party government consisting of The Danish Liberal Party (Venstre). Since then, the Danish government has step by step implemented a 34-point strategy to reduce the number of migrants coming to Denmark[[8]](#footnote-8). Among the initiatives are higher charges on registration and asylum processes, longer period for family reunification, lower social benefits for refugees, and lower daily allowances for asylum seekers. Some of the initiatives should give the refugees an incentive to enter the labour market while the main target is to make Denmark less attractive to asylum seekers on their way through Europe.

Most notable was probably the controversial legislation empowering authorities to seize cash and valuables from asylum seekers to help cover their expenses. In January 2016 Danish lawmakers voted in favor of the so-called jewelry bill (smykkeloven) which empowers Danish authorities to seize any assets exceeding 10.000 DKK from asylum-seekers in order to help pay for the migrants’ subsistence in the country (items of “sentimental value,” such as wedding rings, are exempt – the law still haven’t been used).

The law also extends, from one year to three, the period that those who are resettled must wait to apply for family members to join them in Denmark. These rules are also applied on refugees fleeing from war. The rules have met harsh critique from Amnesty international among others.[[9]](#footnote-9)

Furthermore, in the beginning of January 2016 the Government established a temporary border control with reference to the Schengen protocol article 23 and 24. The border control has been prolonged seven times. It runs until at least the 12th November 2016. The border control was introduced shortly after Sweden announced their border control on the border between Denmark and Sweden. The Government was afraid that the Swedish border control would lead to a higher number of asylum seekers in Denmark.

Recently, June 2016 the Danish Parliament has passed a bill entailing that all children over the age of 8, with a parent in their country of origin must meet the integration requirement unless special reasons apply.[[10]](#footnote-10)

## 1.3 Draft laws / bills (those being prepared)

Recently, there has been a political agreement between the government, the social democrats, the Danish People’s Party and the conservatives on initiatives directed at religious proclaimers – also known as hate-preachers (Danish: hadprædikanter)[[11]](#footnote-11). The agreement includes an initiative that enables Danish authorities to refuse visa in Denmark for persons on the list of the religious proclaimers – the list of these people is publicly accessible. All initiatives have to be passed in the Danish Parliament in the coming Parliamentary session.

The Danish Parliament begins with the opening of Parliament on the first Tuesday of October and finish the same time the following year. However, in the middle of June the Parliament is in summer recess until the first Tuesday of October 2016.

## 1.4 Discussion (possible future developments on legislation)

The national debate dominated by the political parties has two pillars. The first pillar is about reducing the number of migrants coming to Denmark. The second pillar is to integrate the refugees and family reunified faster into the Danish Labour market and society.

As mentioned earlier, immigration issues have played a key role in the outcome of the Danish elections since 2001. But the media too has played an important role in placing immigration and integration issues on the agenda. Among topics frequently debated are high unemployment figures among immigrants, the crime level of immigrants and their descendants, residential segregation in deprived neighbourhoods (Ghettoes) and the wearing of headscarves among female Muslims.

In the last years, the discussion has mainly focused on the refugee crisis and the resulting increases in immigration and the associated integration challenges. These discussions have in general led to a large majority in the parliament managing the issue as a crisis. Only The Red-Green Alliance, The Danish Social-Liberal Party and the Alternative are more moderate in their approach to the refugee situation. The three parties have 32 of 179 seats in the parliament.

Due to recent years’ increased legislation that seeks to reduce the number of asylum seekers, the Danish lawmakers have all but exhausted their options for further tightening in immigration law due to the international conventions. Danish People's Party has announced a discussion about Denmark's agreement to some international conventions on immigration. However, it is doubtful – and hardly realistic – that Denmark will be allowed to take reservations for parts of the Conventions.[[12]](#footnote-12)

## 1.5 Impacts of changes in recent legislation (or expected impacts in the future)

Since November 2015 there has been a clear strategy from the government to reduce the number of migrants coming to Denmark. Therefore, it is also expected that the impact of the 34-point strategy – for example the adoption of Law 62[[13]](#footnote-13) in November 2015 and Law 87[[14]](#footnote-14) in January 2016 will reduce the number of asylum seekers in Denmark, which over time will affect the number of family reunifications. However, it is difficult – and perhaps misleading – to conclude that these changes has resulted in a decrease in immigration. The number of asylum seekers has declined from 2015 to 2016.[[15]](#footnote-15) But the same pattern is seen in Germany and Sweden, so there could also be other reasons than the recent changes in legislation.

# 2. Requirements allowed in Council Directive 2003/86/EC and how they are applied in Denmark for beneficiaries of international protection

Beneficiaries of international protection basically hold the same rights as Danish citizens, but there are some rules concerning staying period and assimilation to Danish culture that mostly apply to foreign citizens. Beneficiaries of international protection must have stayed in Denmark in three years before they can apply for family reunification.

The rules do however also sometimes affect Danish citizens that have been living abroad for a period.

There are special rules for family reunification of spouses or children that are beneficiaries of international protection themselves. If the spouse/partner in Denmark still risks persecution in his/her country of origin, and if the couple cannot live together in the country of their origin, the Immigration Service can suspend one or more requirements.

The standard rules for family reunification are listed in the following paragraphs. Under each headline the debate on the rules will be shortly summarised.

## 2.1 Stable and regular resources

**Debate:**

The requirement of stable and regular resources has not been in the center of the debate on family reunification. It has however drawn some attention from time to time, especially around 2010 and 2011, when the financial guarantee was introduced by the center-right wing government and later reduced from DKK 100,000 to DKK 50,000 by the Center-left wing government in 2011.

This requirement however is much less controversial than the minimum age and especially the attachment requirement.

**Rules:**

Normally, it is a requirement that the spouse/partner in Denmark is able to support him/herself. This means the spouse/partner in Denmark may not have received public assistance under the terms of the Active Social Policy Act (lov om aktiv socialpolitik) or the Integration Act (integrationsloven) for the past three years prior to the application for family reunification being processed by the Immigration Service.

It makes no difference how long a person has received public assistance if it was received in the past three years. Even short periods on social benefits (Danish: Kontanthjælp) may result in an application for family reunification being turned down.

If the spouse/partner in Denmark has received few, minor payments which are not directly related to support, or payments which compare to, or replace, a salary or pension, this will not keep the applicant from being granted a residence permit.

If the person has received unemployment benefits under the terms of the Active Social Policy Act (lov om aktiv socialpolitik) after being referred to a flex job it does not prevent family reunification. If the person on the other hand received unemployment benefits in advance at the time of being referred to a flex job and this has happened within the last 3 years, it will continue to prevent family reunification.

Unemployment benefits paid by the spouse/partner's unemployment insurance fund is not public assistance under the terms of the Active Social Policy Act or the Integration Act and will not keep the applicant from being granted a residence permit.

In addition to this, the spouse in Denmark must normally post DKK 53,224.98 (2016 level) in collateral in the form of a financial guarantee. This guarantee is designed to cover any future public assistance paid by the local council under the terms of the Active Social Policy Act (lov om aktiv socialpolitik) or the Integration Act (integrationsloven) after they relocate to Denmark.

## 2.2 Compliance with integration measures

**Debate:**

The compliance with integration measures, and especially the so-called attachment requirements have been in the centre of the debate on immigration and family reunification for more than a decade now. The recent developments have led to a gradual tightening of the requirements, only to be set on hold in the beginning of the centre-left wing government’s term from 2011-2015. The social democracy have had internal disagreements on the issue, especially the rules concerning children and their potential to integrate. The latest tightening of the rules came in July, when the parliament passed a bill saying that children from 8 years of age must be assessed for their integration potential.[[16]](#footnote-16) This law was heavily debated and the minimum age for the assessment was changed in the last minute from 6 to 8 years.

Some of the requirements, e.g. the rule that the foreign spouse must have visited Denmark at least once has some economic implications to the applicants as well. To some families it is hard to pay for a visit from their countries of origin to Denmark, and it may affect the processing time of an application.

**Rules:**

A family reunification can initially only be granted if the spouse residing in Denmark and the applicant’s combined connection to Denmark is greater than their combined connection to another country.

The attachment requirement can be suspended if special reasons apply. Reasons can be personal persecution in the resident’s home country or relations to children living in Denmark. Also serious illness is a reason for special dispensation.

When assessing whether the couple meet the attachment requirement, the Immigration Service will take a number of factors into consideration, such as:

* Staying period of the spouse living in Denmark
* whether both partners have family or other acquaintances in Denmark
* custody of or visiting rights to a child under the age of 18 living in Denmark
* completion of an educational programme in Denmark, or a solid connection to the Danish labour market
* Danish language skills
* how strong the spouses’ connection to another country is, and whether the spouse living in Denmark has made extended visits to the foreign spouse’s country, or whether he/she has lived there
* Family relations in other countries

There are requirement to both the partner in Denmark as well as the partner abroad. The attachment requirements to the **Danish partner / partner residing in Denmark** are as follows:

The spouse/partner in Denmark will normally be required to have resided permanently in Denmark for no less than 12 years in order to meet his/her part of the attachment requirement.

The spouse/partner must have resided legally in Denmark, that is, he/she must have held a valid residence permit for 12 years, and may not have stayed outside Denmark for extended periods of time.

Furthermore, the spouse/partner in Denmark must have made an effort to become integrated into Danish society, for instance, through education or work - even if he/she has resided in Denmark for more than 12 years.

The required duration of the spouse’s/partner's residence in Denmark can be reduced to less than 12 years if the foreign spouse/partner has made a special effort to become integrated into Danish society through education or work, for example if the partner has held a regular job in Denmark for 7-8 years. The job must have been full-time or on similar conditions, and without extensive breaks. In other words, the spouse/partner in Denmark must have formed a close, continuous attachment to the Danish labour market.

The required duration can also be reduced if the Danish partner has held a particularly integration-furthering job in Denmark for 4-5 years. Work considered to be highly beneficial to integration must involve a considerable degree of contact and communication in Danish with co-workers and customers, if applicable. He/she must have worked for no less than 4-5 years with no significant interruptions.

The required duration can also be reduced if the partner in Denmark has completed a full-time vocational programme in Denmark and has since completing the programme been employed for an extended period within that field.

The requirements of the **foreigner’s spouse’s** attachment is of course lower than those of the Danish spouse. There are however some requirements that must be met.

The foreign spouse must have visited Denmark at least once on a visa stay or a visa-free stay.

The spouse coming to Denmark has to pass a **language test** within six months.

If the person takes the test before the six-month deadline, but fail to pass, the person will be granted an additional three months to pass.

Once the test is passed the amount of collateral required will be reduced by DKK 21,289.99 (2016 level).

**Children**

There are special rules on family reunification of children.

Foreign nationals under the age of 15 whose parents are living permanently in Denmark can be granted a residence permit under the family reunification rules, provided that certain requirements are met.

There are also some requirements that must be met by the parent living in Denmark

The parent living in Denmark (or his/her spouse or partner) must either:

* be a citizen of Denmark or another Nordic country,
* hold a residence permit issued in accordance with Aliens Act Section 7 (1) or (2) or Section 8 (refugee or protected status),
* hold a residence permit that has been extended in accordance with Aliens Act Section 7 (3),
* have a permanent resident, or
* have the possibility to become a permanent resident at some point.

In addition, both of the following must apply to the parent living in Denmark:

* The parent in Denmark must have sole or shared custody of the child seeking family reunification
* The parent in Denmark or his/her spouse may not have been convicted of child abuse for a period of at least 10 years prior to family reunification being granted. Additional requirements

In certain cases, it will be required that:

* The parent living in Denmark can document that he/she has adequate accommodation at his/her disposal. Read more about [the housing requirement](https://www.nyidanmark.dk/en-us/coming_to_dk/familyreunification/children/housing-requirement.htm)
* The parent living in Denmark can support him/herself. Read more about [the support requirement](https://www.nyidanmark.dk/en-us/coming_to_dk/familyreunification/children/support-requirement.htm)
* The child has potential for successfully integrating into Denmark. Read more about [potential for successful integration](https://www.nyidanmark.dk/en-us/coming_to_dk/familyreunification/children/successful-integration.htm)

If the child was born in Denmark by foreign parents, and at least one of the parents has a residence permit in Denmark, these requirements will not need to be met.

It is an absolute requirement that family reunification must not be manifestly contrary to the interest of the child. These requirements are essential and must be met in order for the child to be granted family reunification.

**Children of the family reunified spouse**

When the Immigration Service receives an application for family reunification with a spouse/partner, it will assess whether the children have formed an individual attachment to Denmark.

Included in this assessment will be the children's familial, linguistic and cultural attachment to Denmark and to other countries, including how long the children have lived in Denmark, whether the children speak Danish, whether the children have gone to a Danish school, kindergarten or other kind of daycare for children etc.

According to normal procedure, the children will have formed an individual attachment to Denmark after six to seven years of living in Denmark and going to Danish school, kindergarten or other kind of daycare for children.

## 2.3 Staying period

**Debate:**

The recent government changed the legislation on the staying period in January this year. The new legislation set up a waiting period on three years for refugees with temporary protected status for being eligible to family reunification. The bill supported by the government and the right wing parties was heavily criticized by both the left wing parties and NGOs. The Danish Refugee Council has called the legislation “a catastrophe” because the family waiting for family reunification lives in dangerous areas, in warzones or refugee camps.[[17]](#footnote-17) At the same time it will be mentally damaging for the partner living in Denmark.[[18]](#footnote-18)

**Rules:**

Foreign citizens with a staying permit in Denmark can be family reunified with their spouse/partner. If the spouse in Denmark has been granted temporary protected status in accordance with Aliens Act Section 7 (3), he/she must normally have had his/her residence permit extended after the first 3 years of residence in order to qualify to sponsor an individual applying for family reunification. Only if based on international conventions applying to Denmark will it be possible to sponsor an individual applying for family reunification before 3 years have passed. However, the international conventions do not normally require Denmark to grant family reunification before three years have passed. This applies to all family members applying for family reunification with a person in Denmark with temporary protection status.[[19]](#footnote-19)

## 2.4 Accommodation

In order to be granted family reunification, the spouse/partner in Denmark must be able to document that he/she has an independent reasonably sized residence at his/her disposal.

An **independent residence** is a residence that has a separate entrance and appears as one unit.

It is not a requirement that the residence has its own kitchen or toilet.

To have an independent residence at **his/her disposal** means that the spouse/partner residing in Denmark must own, co-operatively own (andelshaver or anpartshaver), sublease or rent his or her place of residence.

In addition, the residence must be of **reasonable size**. This means that once the family reunification is completed, the residence must meet at least one of the following requirements:

* The total number of people living in the residence may not be more than double the number of rooms, **or**
* The total residential area must be at least 20 sq. metres per person.

However, if the spouse/partner in Denmark has recently returned to Denmark after having lived in another country for an extended period of time, it may be difficult to find residence which meets the requirements right away. In these cases, the Danish Immigration Service can postpone the time to meet the requirements by up to six months after the residence permit was granted.

## 2.5 Sickness insurance

**Debate:** In Denmark the health system is public and free for all. This is backed by a large majority in both the population and the parliament. The Liberal Alliance[[20]](#footnote-20) has suggested, that aliens of all kinds should pay for use of the public health system, but the suggestion has never really had any support.

**Rules:**

Apart from the DKK 53,224.98 (2016 level) in collateral in the form of a financial guarantee, there is no demand for sickness insurance. The Danish Health system is public and funded through the taxation.

## 2.6 Minimum age

**Debate:**

The so-called 24 year rule has been debated since it was introduced 2001 as a means to prevent forced marriages. Despite the debate it has remained in the legislation and is supported by a majority of the parties in the parliament. With the support from the Social Democrats and the entire right wing, the attention to the 24-year rule is declining, and it seems to be generally accepted in the population.

**Rules:**

In order to qualify for family reunification, both the spouse living in Denmark and the foreign spouse, must normally be older than 24.

Children up until the age of 15 can be unified with their parent(s).

The 24-year rule can be waived if the spouse in Denmark has an occupation that is on the Positive List.

Other family members can only be family reunified if failing to do so would violate international conventions applying to Denmark. This applies before and after the person’s temporary protected status is extended beyond three years.

Other types of family members include spouses under the age of 24, children over the age of 15 or the parents or siblings applying for family reunification with a child living in Denmark.

# 3. Family reunification of Danish citizens´ family members with foreign citizenship

There are two ways for Danish citizens to be family reunified. The Danish way and the EU way. The freedom of movement in EU makes it possible to loophole the Danish rules and avoid the requirements concerning age, housing and income.[[21]](#footnote-21) The EU-rules apply to:

* Danish citizens who reside in Denmark but are employed in another member state, and as a result regularly travel to that country (frontier workers)
* Danish citizens who reside in Denmark, and are employed by a Danish employer, but who carry out a certain amount of labour in another member state (business travelers)

To be able to family reunify under EU law a number of young married couples have taken residence in Sweden or other EU countries in a short period before moving to Denmark on a permanent basis. This maneuver is known as “the Malmö trick” named after the Swedish city bordering Copenhagen. [[22]](#footnote-22)

## 3.1 Requirements on stable and regular resources (income)

The income requirements are the same for foreign as for Danish citizens. To sum up the Danish resident has to:

* Not have received public assistance for three years
* Be able to guarantee DKK 53,224.98 (2016 level)
* Have an **independent residence**

## 3.2 Other possible requirements related to family reunification of Danish citizen’s family members

All described in chapter 2.

## 3.3 Impacts of the requirements

There is a lot of debate and a lot of different views on the impacts of the requirements. There is however very little research in the impacts of the requirements. One evident impact is of course, that it makes it more difficult to become family reunited. Whether it has decreased the number of family reunifications is still an open question.

In the publication “Rules on family reunification and its’ consequences” some of the possible impacts have been analysed.

First of all, the rules affect some unintended groups of the population. It is much harder for Danish citizens to marry who they want, and live with them in Denmark afterwards. One of the editors of the book says in an interview, that a consequence of the rules is that young Danes who marry foreigners become more dependent of their parents, because they have to meet the housing and income requirement.[[23]](#footnote-23) It has also had the direct effect that young transnational couples have moved temporarily to Sweden.[[24]](#footnote-24)

Ethnic minorities in Denmark who are overrepresented in the statistics of family reunification is now older at the time of their marriage, than they were in the time before the rules were tightened in 2001. This has not led to a higher rate of education, which was one of the arguments for the 24-year rule.[[25]](#footnote-25)

There is no evidence that the 24-year rule has caused a decrease in the number of forced marriages.

# 4. Economic impacts of family reunifications

## 4.1 Short term costs and benefits of family reunifications

It has not been possible to find a study that analyses the economic impact of family reunification in Denmark. However, the Rockwool foundation research unit has recently published a report about the impact of immigration on public finances. [[26]](#footnote-26) The main conclusion is that immigrants from richer countries have a positive fiscal impact, while immigrants from poorer countries have a negative one. The negative effect is caused by both weak labour market performance and early retirement in combination with the universal Danish welfare schemes.

The report analyses the expected net contribution to public finances. It is expected the net contributions to public for non-Western immigrants and second generation immigrants in 2014 will require a net outlay of EUR 2.2 billion from public funds. That is to say, the total amount paid out to immigrants in the form of individual and public state services and income transfers will be EUR 2.2 billion higher than the total sum they will pay into the public purse in the form of taxes and fees.

The Rockwool foundation also analysed the forecast of the impact of immigration on public finance in the future. The report shows that immigration from non-Western countries will not generate a net income for the state in the foreseeable future, if trends in immigration and integration continue as they are today. In 2050 non-Western immigration will still generate a net deficit, although this will have fallen to EUR 0,8 billion.

## 4.2 Employment and wellbeing of family members

The Rockwool foundation have also analysed register data from Statistics Denmark and present the employment rates for different groups of immigrants in their report from 2016.[[27]](#footnote-27)

The study shows that family reunified to refugees have a lower rate of employment than other groups of family reunified. The numbers in the table below are cited directly from the report. The numbers indicate the rate of employment for different groups of immigrants.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Type of immigrant /Staying period** | **1 year** | **5 year** | **10 year** | **15 year** |
| Refugee | 3,4 % | 34,3 | 42,5 % | 36,8 % |
| Family reunified to refugee | 3.4 % | 34.3 % | 42.5 % | 36.8 % |
| Family reunified to Danish citizen | 24.6 % | 65.8 % | 71.6 % | 69.0 % |
| Family reunified to others | 21.8 % | 49.0 % | 58.3 % | 57.4 % |
| Studies | 28,1 % | 54,6 % | 68,7 % | 71,4 % |
| Work | 57,4 % | 67,8 % | 70,5 % | 78,3 % |
| EU/EEA | 50,8 % | 63,3 % | 73,8 % | 77,1 % |
| Unknown type of immigrant | 47,3 % | 59,1 % | 57,7 % | 54 % |

The Rockwhool fundation has also analysed register data on income data (Registerbaserede arbejdsstyrkestatistik RAS) which covers the yearly salary income from employment, both full-time and part-time employment. The income study shows that refugees and family reunified to refugees have a lower income than other groups of immigrants. The numbers in the table below is also cited directly from the report. The number is in DKK.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Type of immigrant /Staying period** | **1 year** | **5 year** | **10 year** | **15 year** |
| Refugee | 87.300 | 215.800 | 239.900 | 245.800 |
| Family reunified to refugee | 79.000 | 183.500 | 217.000 | 244.200 |
| Family reunified to Danish citizen | 86.600 | 214.100 | 265.500 | 277.700 |
| Family reunified to others | 94.500 | 204.800 | 232.100 | 241.400 |
| Studies | 83.000 | 225.600 | 292.300 | 301.900 |
| Work | 209.100 | 367.600 | 442.400 | 450.500 |
| EU/EEA | 180.800 | 317.100 | 349.400 | 373.000 |
| Unknown type of immigrant | 190.500 | 269.500 | 248.500 | 235.100 |

## 4.3 Impact on population structure

The Rockwool foundation has analysed what characterizes the immigrants coming to Denmark, such as sex, age and education[[28]](#footnote-28) (See table below).

Women are a minority among the refugees, specifically 37,2 % are women while 62,7 % are men. Among the group of family reunified to refugees the majority are women (67,1 %) reinforce the perception that men travel first and then get their family to Denmark. However, the numbers for family reunification cover both refugees reunited with their spouse (before they fled) and a new family formation, where the refugee later finds a partner from their home country. The group also includes children of refugees.

Regarding the immigrants’ age, it appears that family reunification for refugees is the youngest (average 21,2 years) which is not surprising since children are included. For refugees themselves the average age is higher, at 26,5 years. For family reunited with Danes, the average age is rather higher (29,5 years) than for family reunite to other (23, 9 years).

Concerning the average length of education for immigrants on arrival in Denmark, the data is very sparse. Statistics Denmark have conducted two large surveys in 2000 and 2001 but for a large group of the immigrants, the educational length is unknown. In 2004, 40% of the immigrants whose educational background was known had received about 12 years of education. Educational lengths are the shortest for family reunified to refugees (10,1 years).

|  |  |  |  |
| --- | --- | --- | --- |
| **Types of immigration /Immigrants characteristics** | **Female share** | **Average age** | **Average length of education on arrival in Denmark (Years)** |
| Refugee | 37,2 % | 26,5  | 11,1  |
| Family reunified to refugee | 67,1 % | 21,2 | 10,1 |
| Family reunified to Danish citizen | 70,9 % | 30,1 | 12,4 |
| Family reunified to others | 60,2 % | 23,9 | 11,3 |

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The Rockwool foundation has analysed to what extent the various population groups in Denmark contribute to finances today, and how much we can expect the immigration groups to contribute if we look forward in time by half a generation, to the year 2050[[29]](#footnote-29). The forecast is based on the economic structures of 2008 and assuming a continuation of these. In all the forecasts, public transfers related to individuals (unemployment benefit, child benefit, taxes, etc.) and all publicly-provided services linked to individuals (education, visits to the doctor, etc.) are assigned to each population group according to actual use.



It is forecasted that natives will make up 84% of the total population in 2050, while Western immigrants and second-generation immigrants will comprise 4.5% and 1.6% of the population respectively. Non-Western immigrants and second-generation immigrants will make up 6.1% and 4.3% of the population respectively.

## 4.4 Positive impacts on the economy (taxes, work force etc.)

As mentioned before, the Rockwool foundation has carried out a study[[30]](#footnote-30) which concluded that non-Western immigrants and second generation immigrants require a net outlay of EUR 2,2 billion from public funds. Even though the deficit will be significantly reduced in 2050, the balance will remain negative. In contrast, Western immigration already generates a surplus of EUR 0,5 billion, and this surplus will have increased to EUR 1.2 billion in 2050 (see figure below).

Furthermore, it should be noted that there is a difference between first-generation impacts on the economy in relation to second generation immigrants that are born in Denmark. Their present deficit in relation to public finances will have been transformed into a surplus of EUR 0.8 billion.

The analysis also shows second generation immigrants from non-Western countries perform better than their parents’ generation. In 2014 the average contribution to the Danish state budget was -2,240 EURO per person for first generation non-western immigrants. For second generation non-western immigrants the deficit on the contribution was less than half; -1070 EURO per person. To comparison the contribution per person for native Danes was -695 EURO.[[31]](#footnote-31)

# 5.

# 5. Administrational impacts of family reunifications

## 5.1 Administrational work and costs of public administration

When an asylum seeker is granted a residence permit, or a family reunifies in Denmark, the integration is handled in the municipalities. Their tasks related to integration can be divided into three main areas:

1. Municipalities are responsible for housing the asylum seekers and their families in relation to family reunification.
2. Within the first three years, the municipality must take special integration measures in order to ensure that newly arrived refugees takes the necessary actions to succeed in Denmark, such as learn Danish as quickly as possible and become self-supporting through employment.
3. Other tasks as part of municipalities' overall response to the various sectoral areas, including such tasks concerning education of children, health, childcare, social work etc.

In general, the municipalities’ direct costs for tasks associated with immigrants are funded as a whole through government reimbursement, income supplements, basic grant, block grants (budget guarantee) etc.

The following table provides an overview of the direct financing for the municipalities’ expenditure on refugees and integration for the period 2010-2014[[32]](#footnote-32). In addition, municipalities receive general funding through the municipal grant and equalization system.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Financial instrument (million DKK)** | **2010** | **2011** | **2012** | **2013** | **2014** |
| Basic subsidy | 502,4 | 533,6 | 333,4 | 358,6 | 435,7 |
| Subsidy for unaccompanied minor | 18,8 | 24,7 | 23,5 | 19,0 | 20,3 |
| Performance grants | 118 | 133,7 | 143,3 | 142,4 | 140,3 |
| Public support | 108,4 | 136,8 | 278,7 | 361,4 | 542,6 |
| Danish education and active offers | 539,9 | 575,7 | 612,2 | 607,1 | 675,6 |
| Aid for refugees etc. in individual cases | 201,2 | 278,5 | 337 | 337,7 | 375,4 |
| Aid in special cases | 21,4 | 25,3 | 22,1 | 27,9 | 51,6 |

## 5.2 Accommodation costs for the public sector

Regarding the municipalities’ task to accommodate refugees and reunified families, there is no requirement as to the standard or the nature of a temporary residence. The accommodation must however be lawful. This means that the place must be approved for residential use, in relation to fire regulations and sanitary conditions. Although local governments are responsible for the costs associated with the accommodation of refugees they can collect a co-payment from the refugee. There is a ceiling on how much a municipality may require for the co-payment (e.g. 2.152 DKK for a single person).

Beside the information in the table above, it has not been possible to find any estimates of the municipalities’ direct costs of housing immigrants, refugees and of family reunification.

## 5.3 Educational costs (language, culture, integration)

As part of the municipalities’ main tasks regarding integration of newly arrive refugees and family reunified foreigners is the integration-program which involves active measures in form of Danish education and employment related offers. The municipal gross costs, before state funding, for integration-program has risen from about 0.7 billion DKK in 2010 to about 1.9 billion DKK in 2014[[33]](#footnote-33). This is especially seen in costs for public cash-benefits (kontanthjælpen).

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Costs for the integration-program (million DKK)** | **2010** | **2011** | **2012** | **2013** | **2014** |
| Public cash-benefits | 263 | 327,7 | 605,4 | 783,5 | 1.193,3 |
| Danish education offers\* | 358,2 | 374,5 | 378,6 | 396,9 | 515,2 |
| Active employment measures | 98,2 | 112,7 | 143,8 | 145,5 | 197,2 |
| Courses in society and Danish culture and history\* | 0,2 | 5,9 | 5 | 5,4 | - |

 \*Courses in society and Danish culture and history has been abolished as a separate category in 2014 and is now part of the overall Danish education offers.

## 5.4 Costs for service production in public sector

Within the first three years of a newly arrived refugee and family reunified people, the municipalities cover a series of costs on social initiatives which is 100 % funded by state reimbursement. Moreover, the municipalities also fund a series of service costs where there is no state reimbursement. These costs are included in the service frame as part of the annual agreements between the government and KL (Association of local governments). For 2016, costs for all services together have a framework of 237,40 billion DKK (2016-level).[[34]](#footnote-34)

A calculation of the municipalities' total costs from immigration will thus have to rely on a special examination by each municipality. However, there is no recent such study.

## 5.5 Benefits of family reunification for municipalities and other local/regional units

We have not found any study that deals specifically with the benefits of family reunification for municipalities.

# 6. Other Effects

The rules on family reunification are as mentioned in the centre stage of the political debate. New legislation regarding immigration affects the parliamentary situation almost every time it is implemented, and it is a common opinion that the immigration policy has decided the outcome of general elections since 2001.

## 6.1 Signal effects of the new legislation

Some of the most controversial initiatives on the immigration policy have gotten international press attention. It has mostly been the legislation aimed at asylum seekers, more than family reunification.

The Jewellery law is one good example of a law that is more about sending a signal than anything else. The law empowers Danish authorities to seize any assets exceeding 10.000 DKK from asylum-seekers in order to help pay for the migrants’ subsistence in the country (items of “sentimental value,” such as wedding rings, are exempt – the law still hasn’t been used). The law gained traction in international media, and the intention behind this and other initiatives is to redirect migrants away from Denmark. The government is very clear that they want to make Denmark a less attractive place for migrants.

In the autumn of 2015, the government made announcements in Turkish and Lebanese newspapers about the new initiatives and the new hard line on refugees and asylum seekers. This was supposed to make the migrants choose another destination than Denmark. The extension of the waiting period for refugees to apply for family reunification is also expected to decrease the number of asylum seekers in Denmark. The effects on the number of asylum seekers however is unknown, and very doubtful. [[35]](#footnote-35)

## 6.2 Security issues

Unlike Germany and Sweden, there have only been very few cases of violence involving asylum seekers in Denmark. Only a few cases of vandalism against asylum camps have been registered and only a few cases of violence or other criminal acts have been connected to asylum seekers or beneficiaries of international protection.

## 6.3 Other issues

There is no doubt, that the rules on family reunification have made the life a lot tougher for a lot of people living in Denmark. This includes both Danish citizens and foreign citizens like beneficiaries of international protection. The rules implemented to decrease the number of migrants coming to Denmark, is in many cases just making it more difficult. Hence the burdens for the administration as well as the families applying have a big impact on both parties. The system is frequently described as Kafkaesque and there is an NGO ‘Marriage without borders’ exclusively working to reduce the restraints on free marriages.[[36]](#footnote-36)

1. <http://denmark.dk/en/quick-facts/facts> [↑](#footnote-ref-1)
2. Tal og fakta på udlændingeområdet 2015 - <https://www.nyidanmark.dk/NR/rdonlyres/EBDF83E7-B151-4B3B-A87C-CC291B29CF14/0/tal_og_fakta_2015.pdf> [↑](#footnote-ref-2)
3. <https://www.nyidanmark.dk/NR/rdonlyres/2A42ECC8-1CF5-4A8A-89AC-8D3D75EF3E17/0/aliens_consolidation_act_863_250613.pdf> [↑](#footnote-ref-3)
4. Per Mouritsen & Christine Hovmark Jensen (2014), Integration Policies in Denmark [↑](#footnote-ref-4)
5. <https://www.nyidanmark.dk/NR/rdonlyres/DD9BA445-E4AA-431E-ADF6-10147E46CF0B/0/nye_tider_nye_krav.pdf> [↑](#footnote-ref-5)
6. <http://www.ft.dk/RIpdf/samling/20101/lovforslag/L168/20101_L168_som_vedtaget.pdf> [↑](#footnote-ref-6)
7. <https://www.nyidanmark.dk/NR/rdonlyres/C8CE4A15-6DB3-4416-8D87-11E081E81C65/0/Nyhedsbrev_til_kommunerne_s%C3%A6rnummer_maj_2012.pdf> [↑](#footnote-ref-7)
8. <http://www.stm.dk/publikationer/Asylpakke_15/index.html> [↑](#footnote-ref-8)
9. http://amnesty.dk/danske-pressemeddelelser/brutalt-at-udskyde-krigsflygtninges-familiesammenfoering [↑](#footnote-ref-9)
10. <https://www.nyidanmark.dk/en-us/news/news/danish_immigration_service/2016/modified_requirements_successful_integration_fam.htm> [↑](#footnote-ref-10)
11. <http://www.km.dk/fileadmin/share/kursus/Aftalepapir.pdf> [↑](#footnote-ref-11)
12. <http://jyllands-posten.dk/politik/ECE8907796/ekspert-tvivler-paa-danske-forbehold-for-konventioner/> [↑](#footnote-ref-12)
13. <http://uibm.dk/nyheder/2015-11/forste-aendring-af-udlaendingeloven-er-vedtaget> [↑](#footnote-ref-13)
14. <http://www.ft.dk/samling/20151/lovforslag/l87/index.htm> [↑](#footnote-ref-14)
15. https://www.nyidanmark.dk/nr/rdonlyres/e3c50ea0-bd36-4ddd-9c8d-7aaf44de1f12/0/seneste\_tal\_udlaendingeeomraadet.pdf [↑](#footnote-ref-15)
16. <https://www.retsinformation.dk/Forms/R0710.aspx?id=181794>

http://www.ft.dk/samling/20151/lovforslag/L191A/index.htm [↑](#footnote-ref-16)
17. https://www.dr.dk/nyheder/politik/df-alle-flygtninge-skal-vente-tre-aar-paa-familiesammenfoering [↑](#footnote-ref-17)
18. http://www.politiko.dk/nyheder/flygtninge-skal-vente-laengere-paa-at-gense-deres-familier-en-kaempemaessig- [↑](#footnote-ref-18)
19. https://www.nyidanmark.dk/en-us/coming\_to\_dk/familyreunification/spouses/refugees/individuals\_temporary\_protected\_status.htm [↑](#footnote-ref-19)
20. https://en.wikipedia.org/wiki/Liberal\_Alliance\_(Denmark) [↑](#footnote-ref-20)
21. <https://www.nyidanmark.dk/en-us/coming_to_dk/familyreunification/family_reunification_under_eu-law/family_reunification_danish_nationals_under_eu-law.htm> [↑](#footnote-ref-21)
22. http://politiken.dk/indland/politik/ECE1111833/malmoe-finte-underminerer-pointsystem/ [↑](#footnote-ref-22)
23. http://www.sfi.dk/nyt/nyheder/artikler/ny-bog-undersoeger-konsekvenserne-af-familiesammenfoeringsreglerne/ [↑](#footnote-ref-23)
24. Ægteskab og Migration, Aarhus Universitetsforlag 2014 [↑](#footnote-ref-24)
25. Ægteskab og Migration, Aarhus Universitetsforlag 2014 [↑](#footnote-ref-25)
26. <http://www.rockwoolfonden.dk/app/uploads/2015/12/Study-paper-90-The-impact-of-immigrants-on-public-finances.pdf> [↑](#footnote-ref-26)
27. <http://www.rockwoolfonden.dk/app/uploads/2016/05/Arbejdsmarkedstilknytningen-for-flygtninge-og-indvandrere.pdf> [↑](#footnote-ref-27)
28. [file:///C:/Users/AndersRandrup/FileSync/Projects/P%20-%20Familiesammenf%C3%B8ring%20-%20DK16-10642/Data/Desk%20Research%20-%20optional/Rockwool%20-%20Arbejdsmarkedstilknytningen-for-flygtninge-og-indvandrere.pdf](file:///C%3A/Users/AndersRandrup/FileSync/Projects/P%20-%20Familiesammenf%C3%B8ring%20-%20DK16-10642/Data/Desk%20Research%20-%20optional/Rockwool%20-%20Arbejdsmarkedstilknytningen-for-flygtninge-og-indvandrere.pdf) [↑](#footnote-ref-28)
29. <http://www.rockwoolfonden.dk/app/uploads/2015/12/Study-paper-90-The-impact-of-immigrants-on-public-finances.pdf> [↑](#footnote-ref-29)
30. <http://www.rockwoolfonden.dk/app/uploads/2015/12/Study-paper-90-The-impact-of-immigrants-on-public-finances.pdf> [↑](#footnote-ref-30)
31. http://www.rockwoolfonden.dk/app/uploads/2016/01/Newsletter-May-2015.pdf [↑](#footnote-ref-31)
32. <http://sim.dk/media/1033861/eftersyn_080216-1.pdf> [↑](#footnote-ref-32)
33. <http://sim.dk/media/1033861/eftersyn_080216-1.pdf> [↑](#footnote-ref-33)
34. <http://sim.dk/media/1033861/eftersyn_080216-1.pdf>, p. 63 [↑](#footnote-ref-34)
35. <http://politiken.dk/indland/politik/ECE2770285/forsker-stoejbergs-kampagne-faar-ingen-effekt-paa-antal-asylansoegere/> [↑](#footnote-ref-35)
36. http://www.aegteskabudengraenser.dk/ [↑](#footnote-ref-36)