

The Way Forward

Europe's role in the global refugee protection system



Towards the Integration of Refugees in Europe

Acknowledgements

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Foreword

The European Council on Refugees and Exiles (ECRE) is a pan-European network of refugee-assisting non-governmental organisations, concerned with the needs of all individuals seeking refuge and protection within Europe. It promotes the protection and integration of refugees based on the values of human dignity, human rights and an ethic of solidarity. ECRE draws on the energy, ideas and commitment of an active membership and a strong secretariat. It strives to involve wider civil society, the political community and refugee communities in its work.

ECRE aims to ensure that its ideas, projects, research and policies are of the highest quality, legally accurate and representative of a wide range of knowledge, experience and best practice throughout Europe. ECRE encourages the widest possible active involvement of its member agencies.

The Way Forward

The development of this paper on the integration of refugees in Europe is part of the organisation's development of a series of proposals entitled "**The Way Forward - Europe's Role in the Global Refugee Protection System**", designed to provide constructive recommendations on a number of topical refugee policy issues and contribute to positively influencing the European debate. The other proposals address the issues of developing European resettlement activities, guarding refugee protection in regions of origin, creating fairer and more efficient asylum systems in Europe and the return of asylum seekers whose applications have been rejected.

Executive Summary

How successfully members of migrant populations are integrating into European societies continues to be an important question in Europe, due in part to concerns to improve social cohesion and security. While this broad debate includes looking at the integration levels of a wide range of groups (ethnic minorities, immigrants and refugees) including second and third generation migrants born in Europe, anti-asylum rhetoric and the accompanying rise in hostility towards asylum seekers and refugees has increased the focus on the integration of refugees specifically.

While it is widely acknowledged that the successful integration of refugees in European countries is of benefit to all (refugees, host communities, governments, economies, etc), the distinct climate of intolerance and racism in Europe is having a negative impact on the integration process of refugees. What is clear is that where refugees are marginalised - through negative media reporting, political antipathy, insecure legal status, a lack of educational and employment opportunities, and/or hostility from local communities - there is less integration. Those who feel threatened or excluded from the host society, instead of striving to belong, may seek to emphasise their difference through isolating themselves in their own communities and may also be more open to radical influences. What is also clear is that some policies of European states undermine integration, while many policies in place to promote it are not being effectively implemented.

Due to the forced nature of their migration and their experiences, compared with other migrant groups, refugees will often have specific needs that have to be met in order to support their integration. They will often be one of the most vulnerable groups in society while also being the most resilient. It is therefore important that the special needs of refugees are recognised in integration policies and practice, including those of specific groups such as women and children, within an overall policy of mainstreaming.

The debate in Europe often places the onus on the responsibilities of refugees to integrate themselves. **ECRE and its member agencies stress the need to approach the integration of refugees as a dynamic two-way process which begins from the day a refugee arrives within the new host society.** We consider it a continuous long-term process enabling refugees and their communities to live in harmony with the host population of which they form a part. Refugee integration therefore places demands both on receiving societies and on the individuals and communities concerned.

Creating a welcoming society

The development of an inclusive and welcoming society is a key pre-requisite to the successful integration of refugees. ECRE is convinced that when our host societies have a better understanding of the reasons why refugees are forced to flee and why refugee protection is a moral and legal obligation of all European countries, our populations will strive to create an environment and the conditions within which refugees can rebuild their lives. However, the creation of a welcoming society that encourages and fosters the integration of refugees will require determined action on a number of fronts.

Governments, politicians and their parties, the media and our educational institutions all have a role to play in fostering understanding and solidarity, and ensuring accurate and balanced public information on refugee issues. Political leadership is needed to shift the debate from one that focuses on deterrence, numbers and costs to one that also asks how the international legal obligations of European states can most effectively be met. The media should uphold their responsibility to undertake balanced reporting on issues related to asylum seekers and refugees. Educational institutions can contribute more and educational curricula in particular can be improved to play a positive role in the development of a more welcoming society. Anti-discrimination legislation must also be effective in achieving its aims through the implementation of monitoring and improved legal enforcement.

Acquisition of rights

The extent to which refugees are able to integrate is critically and inextricably linked to the additional rights they are accorded upon recognition of their need for international protection.

Not granting persons afforded a subsidiary protection status the same rights as those recognised as refugees under the 1951 Refugee Convention seriously hinders their integration. At present in most European countries a low proportion of refugees are recognised as such under the 1951 Refugee Convention (often due to limited or restrictive interpretations of the 1951 Refugee Convention definition) and instead they are granted inferior legal statuses, such as subsidiary protection, which often afford much more limited rights than Convention status. All rights accruing to those recognised as refugees under the 1951 Refugee Convention should also be granted to those granted a subsidiary protection status as they have the same integration needs.

Granting rights similar to those enjoyed by nationals to all refugees would improve their integration prospects. Giving refugees a secure legal status and durable residence permits, as opposed to temporary permits that may be subject to repeated review, is essential for them to gain the stability and security they need to proceed with their lives more predictably. Refugees should also be afforded a long-term resident status granting them rights similar to those of nationals. This would improve their access to social and economic rights as well as their freedom of movement.

Civic integration

Civic integration aims to achieve the conditions for, and the actual participation of, refugees in the civic life of the host country and it is promoted by access to citizenship and political rights.

The acquisition of citizenship remains the most potent measure of integration into a host society by foreign nationals. There are considerable differences between European states in their naturalisation and citizenship criteria and procedures reflecting distinct historical experiences and different concepts of nationhood. Some states do not allow dual citizenship and so require refugees wanting to naturalise to

denounce their other citizenship. Legal obstacles to acquiring citizenship should be removed: for example refugees should not have to be resident longer than five years in the host country or have to give up their original nationality in order to qualify for citizenship.

Participation in the political decision-making process promotes integration. In countries that give refugees the right to vote and stand for election, refugee issues are placed higher on the political agenda with politicians becoming more responsive and aware of the concerns of this group. The right to vote and stand for election at the local and European levels should be granted to refugees after a maximum of three years residence, as already practised in a number of EU Member States.

Socio-economic integration

Although asylum has nothing to do with meeting a country's economic or demographic needs, refugees' contribution to Europe's social and economic life is to be welcomed. But the reality is that refugees face unique barriers to socio-economic integration resulting from their experiences of flight and involuntary exile.

Failure by governments to address barriers to socio-economic integration can result in the marginalisation of refugees and impact negatively on society as a whole. Refugees should be given sufficient educational and language provision to be able to speak the language of the country of asylum, including appropriate access to educational institutions and the labour market, so they can participate fully in society. Integration in terms of employment is technically defined to be achieved when the employment levels of third country nationals including refugees are similar to those of nationals. Over the last decade, however, the unemployment rate for third country nationals (therefore including refugees who have not naturalised) in the EU has remained more than twice as high as that of EU nationals in a majority of Member States.¹ This is despite the fact that they have, on average, more often completed secondary or higher education in their countries of origin.

In fact many refugees arriving in Europe are highly qualified, from professional backgrounds and successful in their home countries, but they have difficulties in getting their qualifications and work experience recognised. A EU-wide system of recognition of previous experience and qualifications should be set up that promotes equal and fair recognition standards for third country qualifications. In addition, refugees should be able to access tailor-made and mainstream vocational training and education in a learned profession or sector and have opportunities to re-qualify, in order to adapt their skills and experience to the host country's labour market requirements.

Separation from families impedes refugees' integration. It is difficult for refugees to rebuild their lives without the support of their families. For children (especially separated children) but also for refugees in general who have found safety and protection in Europe, one of the most pressing issues is concern for their family

¹ European Commission, *First Annual Report on Immigration and Integration*, COM(2004) 508 final, p. 14. See also *Employment in Europe 2003. Recent Trends and Prospects*, DG Employment and Social Affairs Unit A.1, September 2003.

members left behind. European governments should not impose restrictions on the right to family reunification of refugees related to length of residence, employment status, access to housing or earning capacity for example.

Cultural integration

Culture is not a static concept where one person can only feel allegiance to one country, can speak only one language or understand only one culture. If a refugee is only accepted as fully integrated when he/she has absorbed all the aspects of a cultural identity typically associated with nationals of the host society, integration becomes impossible as this would mean ignoring all aspects of their original culture. Refugees and indeed all persons can combine pieces of identity from a number of different cultural backgrounds, namely have ‘multiple’ or ‘transnational’ identities. Cultural diversity is a characteristic feature of today’s democratic Europe.

Successful cultural integration requires a common understanding of the core values that underlie the cultures of democratic European countries. These are human rights, the principle of equality, the protection of minorities, democracy, the separation of state and church, and the rule of law. At the same time European states need to promote cultural awareness and sensitivity as well as knowledge of and contact with the many different cultures within their societies.

Refugees have important responsibilities to ensure their successful integration into European societies. If refugees are received by welcoming societies and given adequate support, if they are empowered and enabled to make the most of their own resources and skills, they will more easily fulfil those responsibilities. Only through such a dynamic two-way process of integration, where all parties recognise and meet their responsibilities, will cohesive societies be built in Europe.

*The development of this paper on the integration of refugees in Europe is part of the organisation’s development of a series of proposals entitled “**The Way Forward - Europe’s Role in the Global Refugee Protection System**”, designed to provide constructive recommendations on a number of topical refugee policy issues and contribute to positively influencing the European debate. The other proposals address the issues of developing European resettlement activities, making refugee protection effective in regions of origin, creating fairer and more efficient asylum systems in Europe and the return of asylum seekers whose applications have been rejected.*

Introduction

The integration of refugees² is now collectively recognised as a crucial issue by European governments, host societies and refugees alike. This shared recognition is an important first step and basis for the development of integration policies in Europe. The issue has gained attention in some European countries due to demographic pressures, renewed focus on the need for social cohesion, and more recently due to a focus on security. But it is also critical that states recognise that integration is not only vital to have cohesive societies, it is an integral part of effectively protecting refugees.

Although the integration of refugees is closely related to the situation of other migrants and resident third country nationals in European states, there are specific factors differentiating refugees from other migrant groups.³ Unlike other migrant groups, refugees are forced to migrate and as such have usually not planned their migration. Often they have experienced violence or survived torture - factors that may result in different integration needs. In addition, only refugees spend time going through an asylum determination procedure. The success of the integration of refugees is, therefore, intrinsically related to the quality and length of asylum determination procedure and the conditions of reception.

The European Council on Refugees and Exiles (ECRE) has consistently called for European countries to improve efficiency while at the same time making fairer decisions within the normal asylum procedure and to gear their reception arrangements during the asylum determination phase to the eventual integration of those who are ultimately offered protection, including early access to the labour market for asylum seekers. If eventual integration or return is understood as the context of a state's reception policy, this policy should then be designed to assist asylum seekers prepare themselves for both possible outcomes, by maintaining as much autonomy as possible in their own lives.⁴ Years spent in reception or accommodation centres, or otherwise excluded from mainstream life in a host country, severely undermine refugees' integration potential once they have finally been recognised as such. Instead a system of reception, introduction and support needs to be in place that enables refugees to regain control over their lives and maintain their autonomy.

Part of the challenge of facilitating the integration of refugees therefore lies in reconciling the fact that refugees share many integration needs with other migrants and resident third country nationals, but that refugees are also likely to have special needs as a result of their forced migration, treatment in the asylum determination process and the fact that they might not be able to return to their home country. In order to be effective, integration policies should therefore be able to address the special needs of refugees. The guiding principle for integration policies should be a

² The term "refugee" is here understood in the wider sense including people with Convention status and with other forms of protection. In the text we make it clear where we are also specifically including asylum seekers.

³ The European Commission notes in its *Communication on Immigration, Integration and Employment* COM(2003)336 final, that many countries do not distinguish between the integration of refugees and migrants in terms of integration processes.

⁴ This thinking is also reflected in the European Commission's funding programme 'EQUAL' where a specific strand for labour market initiatives for asylum seekers has been created.

mainstream approach to refugee integration where possible and the provision of specialised services where necessary.

Currently a relatively small number of persons in need of protection come to Europe through national resettlement programmes of European countries⁵ and it is important to recognise that the profile of resettled refugee caseloads may present additional challenges and opportunities with regard to integration. While an analysis of these specific issues is beyond the scope of this paper it is useful to briefly point to some of them.

Firstly, the function of resettlement as one of three durable solutions when voluntary repatriation and local integration have not been possible, means that resettled refugees will often be persons who are particularly vulnerable - many will have led an insecure and difficult existence, for example, in a refugee camp, for a number of years.⁶ This experience will often mean that resettled refugees have specific and / or additional needs that have to be addressed by host societies in promoting their integration.⁷

On the other hand, the planned nature of the resettlement process means that certain activities can be developed in advance in order to facilitate the integration of resettled refugees.⁸ Pre-departure preparations will often be organised for refugees that include language tuition and cultural orientation support delivered by a range of actors. In addition, the local communities to which refugees will be resettled can be informed and prepared in order to promote welcoming and hospitable communities. Quality pre-departure programmes are, therefore, key to helping the start of the integration process, as is a consideration of the specific needs of resettled refugees in developing integration policies and implementing comprehensive integration programmes.⁹

A shared understanding between all stakeholders regarding the best way to achieve the successful integration of refugees in their national contexts is very important. While many of these stakeholders now address integration on the basis of it being a dynamic two-way process, in which individual refugees, governments and society must work together towards building a cohesive society, too often the current debate

⁵ Resettlement is the transfer of refugees from their country of asylum to a third country that has previously agreed to admit them and grant them some formal status, normally as refugees with permanent residence and the possibility of acquiring future citizenship. If a refugee cannot locally integrate in their country of first asylum and there is no prospect of repatriation in the medium to long-term, resettlement becomes the only possible durable solution. Nearly 5,000 refugees per year are currently resettled to Europe by 7 European countries.

⁶ See *UNHCR Resettlement Handbook* (updated 2004) for further information on *inter alia* resettlement as a tool of international protection and UNHCR criteria for determining resettlement need.

⁷ See the following UNHCR documents: *Resettlement Handbook* (updated 2004); *Refugee Resettlement. An International Handbook to Guide Reception and Integration*; and *Supporting Next Steps in Integration Initiatives An Inventory of Opportunities and Needs in the Integration of Resettled Refugees*, a project of the Annual Tripartite Consultations on Resettlement implemented by the Canadian Council for Refugees, August 2004, which includes a survey of what the different actors do and what capacity-building needs exist in the integration of refugees.

⁸ See *Shaping our Future: A Practical Guide to the selection, reception and integration of resettled refugees*, 2005, MORE Project which looks at existing practice on the integration of resettled refugees, www.more.fi.

⁹ See ECRE, *The Way Forward. Europe's role in the global refugee protection system. Towards a European Resettlement Programme*, April 2005, that includes a discussion of the resettlement process and pre-departure activities.

in Europe on refugee integration appears to reflect a belief that integration is a one-way process where the onus is solely on refugees to integrate. It is often focused on concerns that individuals and their communities are failing to live up to the integration expectations held by host societies.

Moreover, there is a distinct climate of intolerance, xenophobia and racism towards asylum seekers and refugees in some European countries, demonstrated by the tone of the asylum and immigration debate in public fora and in the media. The potentially negative impact is clear. Where refugees are marginalised - through negative media reporting, political antipathy, insecure legal status, a lack of educational and employment opportunities, and/or hostility from local communities – the result is that there is less integration. Those who feel threatened or excluded from the host society, instead of striving to belong, may seek to emphasise their difference through isolating themselves in their own communities and may also be more open to radical influences. It is patently clear that for refugee integration to be successful, there needs to be a dynamic two-way process in place, in which individual refugees on the one hand and government, its institutions and society on the other work together towards building a cohesive society.

There is a consensus in Europe around the idea that integration policy is principally a responsibility of individual states and should be dealt with at the national level. The importance of the local level is also recognised as the place where integration comes to life and regional and local authorities are active in the integration debate.¹⁰ Social partners and civil society are also seen as crucial actors.¹¹

At the same time, there is a role for supporting a European approach to the issues of integration. The Council of Europe has long taken views and promoted measures to encourage the integration of migrants in European societies such as through the European Convention on the Participation of Foreigners in Public Life at Local Level (1992). Within the European Union (EU), it has been recognised that some of the challenges of integration are similar in all EU Member States and that the failure of one European state to provide for the successful integration of refugees impacts on the others.¹² There have therefore been initiatives to share information and good practice at the European Union level.

In 2003 the European Commission presented a Communication on Immigration, Integration and Employment¹³ and announced that it would report annually on developments in these areas. The Commission's First Annual Report on Migration and

¹⁰ For example, see *Recommendation 153 (2004) on "A pact for the integration and participation of people of immigrant origin in European towns, cities and regions"*, Congress of Local and Regional Authorities of the Council of Europe, para.10.

¹¹ See *Opinion on the EC Communication Study on the links between legal and illegal migration*, (COM(2004) 412 final), SOC/182, European Economic and Social Committee, 15 December 2004, para. 3.14.

¹² "The failure of an individual Member State to develop and implement a successful integration policy can have in different ways adverse implications for other Member States and the European Union." *Immigrant Integration Policy in the European Union*, Council Conclusions, 19 November 2004, p.15-24 para.4.

¹³ European Commission, *Communication on Immigration, Integration and Employment*, COM(2003)336 final.

Integration¹⁴ was published in July 2004 giving an overview of integration trends in the EU. It showed that most Member States find that immigrants are amongst those particularly at risk of poverty and social exclusion.¹⁵ Following the Thessaloniki European Council in June 2003, a network of 'national contact points on integration' (a European Commission working group with high-level integration experts from Member States) was set up. Additionally, in 2004, states agreed in the European Council on some Common Basic Principles for Immigrant Integration Policy in the European Union.¹⁶ They present a set of eleven guidelines to build a European framework for integration and provide a common understanding of integration issues across national boundaries from which to build future common policy initiatives - they do not specifically address the integration of refugees however. The European Commission has also published a Handbook on Integration¹⁷ that presents different practices developed in EU Members States, considers their outcome and suggests indicators of integration. The European Parliament in turn has stressed the importance of integration in the context of the EU's Lisbon objectives of growth and competitiveness. It has also expressed its support for a European integration policy in addition to policies of individual Member States who it considers to be primarily responsible for integration.¹⁸

ECRE has followed the developments at the EU level very closely, and indeed the definition of integration as put forward by ECRE in 1999 is now widely used as a working definition of integration in EU debates. In addition, a large number of ECRE member agencies are working on the ground to support the integration of refugees in their countries as well as influence the integration policies of their governments. While welcoming all efforts (at European national and local levels) to develop and improve refugee integration policies in Europe, we are concerned that this be done in a way which properly enables refugees to integrate themselves and also fully recognises the responsibilities of the host societies. This paper does not claim to have all the answers to the multi-faceted challenges of integration of refugees in Europe. However building on its existing body of work on integration¹⁹ and in view of the important current political debate on integration, it aims to make further proposals on how welcoming societies can more effectively be developed and on what steps can be taken to facilitate integration in all its aspects (civic, political, social, economic and cultural).

After setting out ECRE's definition of integration in section 1, the paper looks particularly at the roles of the media, politicians and education in the creation of a welcoming society in section 2.

¹⁴ European Commission, *First Annual Report on Migration and Integration*, COM(2004) 508 final.

¹⁵ Some of the key challenges to successful integration identified by Member States as outlined in the report are lack of access to employment, including difficulties in the recognition of professional skills and qualifications, language skills and the improvement of educational attainment.

¹⁶ Council Conclusions, See *Immigrant Integration Policy in the European Union*, 19 November 2004, p.15-24.

¹⁷ *Handbook on Integration for policy makers and practitioners* written by Jan Niessen and Yongmi Schibel of the Migration Policy Group on behalf of the European Commission (Directorate General for Justice, Freedom and Security), November 2004.

¹⁸ *European Parliament resolution on the links between legal and illegal immigration and integration of migrants* (2004/2137(INI)), 9 June 2005.

¹⁹ In particular the ECRE *Position on the Integration of Refugees in Europe*, December 2002.

Section 3 examines the acquisition of additional rights once it has been recognised that a person is in need of international protection, looking specifically at the differentiation between refugees with status flowing from the 1951 Refugee Convention and those with a subsidiary form of protection as well as the issue of freedom of movement.

Section 4 addresses how civic integration should be promoted through access to citizenship and political rights.

Section 5 looks at measures to promote the social and economic integration of refugees in host societies, such as access to the labour market, to health services and to family reunification.

Section 6 examines other factors that can help make rights a reality in practice such as introduction programmes and an equal opportunities context, as well as the important role of regional and local authorities and refugees' local communities.

Finally section 7 briefly explores issues of cultural integration such as the promotion of diversity in European societies, freedom of religion and the need for inter-religious dialogue.

Each section gives an overview of challenges to the particular dimension of integration, which is followed by a set of recommendations on how to address barriers to refugee integration. In this paper we are using the term refugee to cover both those who have been recognised as in need of international protection in accordance with the 1951 UN Convention Relating to the Status of Refugees (1951 Refugee Convention) and those who have been granted a subsidiary form of international protection. This is due to the fact that ECRE believes that both these groups have the same integration needs. They have been formulated in order to inform policy-making and policy implementation at the national and European levels. Due to the character of integration as a multidimensional issue that is very dependent on the national context, however, a paper focused on the European level cannot be a panacea for all integration challenges in all countries. ECRE therefore fully recognises that some recommendations may need to be adapted according to the context of each specific country.

1. ECRE's Definition of Refugee Integration

The integration of refugees is a dynamic two-way process. This process begins from day one when a refugee arrives within the new host society. Integration is not a course that can be completed, or a test that can be passed, but is much more a continuous process enabling refugees and their communities to live in harmony within the host population of which they form a part.

ECRE has therefore defined integration as a process of change that is:

a) **Two-way**: placing demands both on receiving societies and on the individuals and communities concerned.

From a refugee perspective, integration requires a preparedness to adapt to the host society without having to give up one's own cultural identity. This means following the laws of the country of asylum and respecting human rights and its democratic values. With regard to the host society, it requires a willingness to adapt public institutions to changes in the population profile, accept and welcome refugees as part of the national community, and take action to facilitate access to resources and decision-making processes to promote good race relations between all ethnic groups.

b) **Dynamic and long term**: from an individual psychological perspective, integration often starts at the time of arrival in the country of final destination and continues even when a refugee becomes an active member of that society from a legal, social, economic, educational and cultural perspective. It is often the case that the integration process extends beyond the first generation of refugees. For refugees, this means that integration is not just about introduction programmes for newcomers or even for the first generation, but that the inter-generational aspect of integration should be equally emphasised through provision for children of refugees.

c) **Multi-dimensional**: integration relates both to the conditions for and actual participation in all aspects of the economic, social, cultural, civil and political life of the country of the host society as well as to refugees' own perceptions of acceptance by and membership in that society.

Such a definition of integration is not an end in itself. Rather it is thought to provide the basis for the development of states' integration policies. The approach to integration that governments choose will determine the outcome of integration efforts and services and will ultimately influence integration for individual refugees. It is therefore vitally important for governments to understand and consciously choose an approach to integration.

Historically many European states have followed a strategy of assimilation with regards to third country nationals. Assimilation can be described as the social process of absorbing one cultural group into harmony with another. In this process refugees' values and norms would be substituted with values and beliefs of the host society. The assimilation approach to integration is thus based on the notion of a one-way adaptation of refugees to host society, and not a two-way process.

The experience of ECRE member agencies all over Europe, however, has shown that a mutual model of integration is a far more successful approach.²⁰ In such a mutual, or two-way approach, refugees are given the tools to adapt to host societies while host societies accommodate the needs of refugees in domains such as education, housing, health care and employment but also in their attitudes towards and perception of refugees.

²⁰ European Economic and Social Committee, The European Economic and Social Committee has stated that ‘it is time to reject the accepted idea that integration is no more than a process of adaptation to the culture of the host society’, *Opinion on European Commission Communication on Immigration, Integration and Employment (COM(2003) 336 final, SOC/138, 10 December 2003, para.5.1.3.*

2. Creating a Welcoming Society

In any societal climate that is negative or at best hesitant towards newcomers, individuals and especially refugees, as one of the most vulnerable groups, will inevitably be marginalised and integration will be hindered. Those who feel threatened by or excluded from the host society, instead of striving to belong, may seek to emphasise their difference through isolating themselves in their own communities and may also be more open to radical influences.

Over the last years, there has been a re-emergence of a climate of intolerance and xenophobia in some European countries, undermining the integration of refugees. This has not only been particularly prominent in countries where migration movements represent a recent phenomenon, but also in states with a tradition of accepting refugees. Furthermore research on attitudes and public perceptions about refugees indicates that most concern about refugees is felt in areas where few refugees live or have ever lived, and that people who are least in favour of ethnic diversity live in mostly ethnically homogeneous areas.²¹ This intolerance is fuelled by misinformation, partial information, confusion and ignorance of the facts. There is too little public understanding of the reasons why refugees have to flee and of the link between human rights abuses and conflict in third countries. More must be done to educate the public about why refugees are forced to flee their countries of origin and why Europe has a responsibility to protect them.

Public concern about asylum, such as the fear of crime, is more often than not only tenuously linked to the facts, if at all. The linkages between asylum, crime, terrorism and the spread of disease are frequently misrepresented in public debate. In fact, refugees, due to their vulnerability are more likely to be the victims of crime and to fall through the net of health care systems, than the rest of the population. Refugees have also often fled violence in their own countries, which is sometimes linked with radical elements in those societies, and in Europe refugees suffer the negative consequences of terrorist violence together with other citizens.

The media play an important role in influencing the climate in European societies but the root causes of refugee movements to Europe are only rarely highlighted in some media. On the other hand it has become common for parts of the media to indulge in scaremongering (for example through media campaigns of hatred against particular religious or ethnic groups). While knowing that asylum and immigration can be emotive issues with the public, all too often the media revert to the use of imprecise language and stereotypes when describing refugee issues. The use of the term 'illegal asylum seeker' for example is widespread despite it being impossible to actually be seeking asylum illegally. As a result different forms of migration including family reunification, forced migration and economic migration are often lumped together in public perceptions and the particular situations of each different group of migrants are

²¹ *Overview of current public attitudes in Britain to asylum and migration based on findings from a research study* conducted by MORI Social Research Institute, for the UK Commission for Racial Equality in April-May 2002.

not understood. All of this contributes to racist attitudes, fear of crime and attacks on refugee and asylum seeking communities, and must be challenged.²²

Political parties and politicians in favour of restricting asylum and immigration have gained influence in some European countries. More often than not the political platforms for these parties are based on using refugees as scapegoats for the ills of their country. Many of these parties do not succeed in long-term constructive policy-making, but instead foster a climate that opposes the integration of refugees and exploits the public's fear of 'the other'. This is highly counter-productive to the development of cohesive societies.

This hostile climate may also be compounded by the fact that the perception of national identity in some countries emphasises the difference between 'nationals' and other resident minority and ethnic groups. Barriers which are erected to obstruct access to citizenship such as requiring a very lengthy period of residence reinforce these distinctions, whilst ironically creating a situation whereby the loyalty of refugees, immigrants and ethnic minorities to their host country is questioned. Even if the nation state and its concept of nationality are most likely to endure as a structural principle in the future, information and awareness on the different notions of civic participation, nationality and 'transnational'²³ identities, namely belonging to more than one society at the same time, can lead the way for a more tolerant and welcoming society.

The development of an inclusive and welcoming society is a key pre-requisite to the successful integration of refugees. ECRE is convinced that when our host societies have a better understanding of the reasons why refugees are forced to flee and why refugee protection is a moral and legal obligation of all European countries, our populations will strive to create an environment and the conditions within which refugees can rebuild their lives. However, the creation of a welcoming society which encourages and fosters the integration of refugees will require determined action on a number of fronts.

Trust and solidarity between different groups in society are crucial for a successful integration process. Governments, politicians and their parties, the media and our educational institutions all have a role to play in fostering understanding and solidarity.

Governments, politicians and the media must be committed to a balanced portrayal of asylum issues. All these actors have a responsibility for ensuring accurate and balanced public information on refugee issues. Unbalanced and inaccurate

²² A recent analysis of the UK media's coverage of asylum issues concluded that "complaining to the Press Complaints Commission and, most importantly, lobbying the Press Complaints Commission, continues to offer the best chance of influencing newspaper coverage". Roy Greenslade, *Seeking Scapegoats. The coverage of asylum in the UK press*, Asylum and Migration Working Paper 5, Institute for Public Policy Research, May 2005.

²³ "The assumption that people will live their lives in one place, according to one set of national and cultural norms, in countries with impermeable national borders, no longer holds. Rather, in the 21st century, more and more people will belong to two or more societies at the same time. This is what many researchers refer to as transnational migration." *Transnational Migrants: When "Home" Means More Than One Country*, Peggy Levitt, Wellesley College and Harvard University, Migration Policy Institute, 1 October, 2004.

information and images fuel community tensions. This includes a responsibility not to overcomplicate the issue, not to make it overly legalistic nor to overly simplify it. Political leadership is needed to shift the debate from one that focuses on deterrence, numbers and costs to one that also asks how the international legal obligations of European states can most effectively be met.

The portrayal of positive stories can help to balance and counter the negative image refugees have amongst the public in many countries. Refugees bring valued human resources and much needed skills to Europe. Despite the frequently difficult process of recognition of educational diplomas and skills acquired in countries of origin, refugees do succeed in education and the work environment.

Education also plays an important role in informing individuals about refugees, their reasons for fleeing as well as in shaping the attitudes of individuals and public perceptions. Our educational institutions can contribute more and our educational curricula can be better developed to play a positive role in the development of a more welcoming society. In developing educational interventions it must be recognised however that "imparting information alone will not change behaviours"²⁴ towards refugees and that the creation of empathy is also necessary. This will usually require that teaching about the personal experiences of refugees also be undertaken.

Anti-discrimination legislation and policies need to be effectively implemented. Many European states have adopted a range of approaches to promote equality and fight discrimination in response to having ratified the International Convention on the Elimination of All Forms of Racial Discrimination. Some countries have introduced measures that promote diversity and acknowledge the presence of minorities and/or provide support for cultural growth and expression by refugee and migrant groups. Other countries have implemented programmes aimed at raising public awareness to combat racism and xenophobia, and allowing for positive action to be taken with regard to refugees and immigrants. EU legislation is also in place pertaining to the principle of equal treatment between persons irrespective of racial and ethnic origin.²⁵ It is important that anti-discrimination legislation is effective in achieving its aims through the implementation of monitoring and improved legal enforcement.

²⁴ See 'Chapter 7: How UK children view the refugee in their midst', Rutter, J, *Refugee children in the UK: their migration, urban ecologies and education policy*, Buckingham: Open University Press (2006, forthcoming)

²⁵ Article 13 of the Treaty of Amsterdam established the power of the European Union to act against discrimination based on, inter alia, racial or ethnic origin, religion or belief. In 2000, EU measures were agreed laying out rights in this area: *Council Directive 2000/43/EC implements the principle of equal treatment between persons irrespective of racial and ethnic origin*. *Council Directive 2000/78/EC establishes a general framework for equal treatment in employment and occupation*, and *Council Decision 2000/750/EC establishes a community action programme to combat discrimination*. See also the more recent *Commission Communication Non-discrimination and equal opportunities for all - a framework strategy* COM (2005) 224 final, 1 June 2005, and *European Parliament Resolution on the protection of minorities and anti-discrimination policies in an enlarged Europe* (2005/2008(INI)), P6_TA-PROV(2005)0228, 8 June 2005.

Recommendations:

We want a Europe where children grow up understanding why refugee protection is an obligation of all European societies, why refugees are forced to flee and may have to permanently rebuild their lives in a new country.

1. Education in schools, colleges and in the workplace should challenge notions of 'assimilation' and instead promote respect for differences, highlight the benefits of cultural diversity and prepare people to live in an increasingly diverse society.
2. As a starting point teacher training programmes should be reformed not only to generate more awareness and interest in refugee issues but also to appropriately take into account the greater diversity of students.
3. Many educational subjects lend themselves to improving the understanding of refugee issues. The study of human rights and refugee issues should be incorporated into relevant educational curricula. Curricula for subjects such as history, geography and current affairs need to be adapted to take into account greater diversity within the student population. The teaching of the languages of refugee communities with references to the culture and traditions of those communities in schools and universities, could be included.
4. Methods of teaching about refugees should go beyond the provision of information and also develop empathy and a notion of common humanity, for example, through relating the personal stories of refugees.

We want a Europe that sees refugees in a positive way and counteracts ignorance, myths and misconceptions.

5. More should be done at all levels of society to combat ignorance, myths and misconceptions. Governments should aim to combat myths by providing examples of the positive contributions refugees are making to countries of asylum.

We want a Europe where politicians and government officials engage in a balanced debate and use appropriate language when addressing the issue of forced migration.

6. Governments should identify and counteract misinformation, in particular where it incites fear and mistrust of refugees, and explain clearly that refugees are people in need of international protection. In particular, politicians and government officials should take the lead in using accurate terminology when speaking about asylum and immigration policy. This includes creating a true picture of the character of persecution.
7. The fears and needs of host communities need to be taken seriously but without ignoring the issue policy-makers must refrain from playing out fears of different population groups against each other.

We want a Europe where refugee issues are reported in a balanced and factual way in the media.

8. As with reporting on other issues, the media should uphold their responsibility to provide balanced and accurate information regarding asylum seekers and refugees.
9. Press complaints commissions, or equivalent organisations, should develop guidelines on news reporting on asylum and immigration issues to address the use of threatening and pejorative language to describe asylum seekers and refugees. They should also effectively enforce such guidelines.
10. The EU should consider undertaking the regular monitoring and reporting on the language used by the media in Europe to describe asylum and refugee issues, possibly through the European Monitoring Centre on Racism and Xenophobia (soon to become the European Union Agency for Fundamental Rights).
11. Employers in the media should consider the benefits of recruiting refugee journalists. Refugee journalists can provide specific insights into the situation in countries of origin from which refugees have fled, in addition to their professional experience. Beyond more balanced reporting, this would have the added value of providing employment opportunities for this particular group of refugees.

We want a Europe that is free from racism and discrimination.

12. Policies to combat discrimination and racism should more strongly be linked to the integration strategies of governments.
13. European governments should have national anti-discrimination legislation and systems to monitor refugee access to and experiences of the labour and housing markets as well as of health, social, education and other community services.
14. All EU Member States should transpose and implement all EU anti-discrimination legislation. The EU institutions should ensure effective implementation through active monitoring.
15. Anti-discrimination legislation must be backed by easily accessible complaints systems and legal enforcement mechanisms with penalties reflecting the seriousness of the crime committed.
16. Public awareness campaigns highlighting the different types of discriminatory practice such as direct, indirect and institutional discrimination should be organised.

17. States must work to ensure that refugees are made aware of and can access their rights. This should include the provision of easily accessible information about European and national anti-discrimination legislation in relevant languages and formats.

3. Acquisition of Rights

All refugees have basic and fundamental rights flowing from the universal international, European and national human rights legislation in force in their country of asylum. However, the extent to which refugees are able to integrate is critically and inextricably linked to the additional rights which they are accorded upon recognition of their need for international protection.

At present, most European countries have low refugee recognition rates under the 1951 Refugee Convention, often due to limited or restrictive interpretations of the 1951 Refugee Convention definition and instead grant inferior legal statuses to persons. These statuses, such as subsidiary protection, often afford much more limited rights than Convention status: they may, for example, require the regular renewal of residence permits, no right or a limited right to family reunification, and restricted rights to employment.

Recent EU legislation setting minimum standards for the rights flowing from refugee status in accordance with the 1951 Refugee Convention and subsidiary forms of protection (Qualification Directive)²⁶ acknowledges these differences in the rights afforded in EU Member States and indeed allows them to continue despite the detrimental impact on the integration of people with less secure statuses. ECRE regrets that the Qualification Directive does not provide for equal minimum rights for those with Convention status and those with subsidiary protection status. It is unfair to grant refugees with subsidiary protection status fewer or lesser rights than Convention refugees because they have slightly different grounds for protection when their integration needs are the same. National legislation should not make a distinction between Convention refugees and beneficiaries of subsidiary protection status with regard to their rights in the country of asylum. To do so seriously hinders the integration of persons with subsidiary protection status.

It is widely acknowledged that refugees have differing and additional integration needs to those of other third country nationals. Since the time of the League of Nations, the international community has advocated privileged treatment of refugees over aliens in general because of their need to substitute their own state's protection with that of the international community. The rights accorded to refugees under the 1951 Refugee Convention stem from this rationale. ECRE believes that European countries should be aiming to provide refugees with rights similar to those enjoyed by their nationals as soon as possible following recognition of status.

Granting refugees a secure legal status and durable residence permits, as opposed to temporary permits that may be subject to repeated review, is essential for refugees to gain the stability and security required in order to proceed with their lives more predictably.

²⁶ Council Directive 2004/83/EC on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted, 29 April 2004.

In adopting the Directive concerning the status of third country nationals who are long-term residents,²⁷ the European Union has recognised the principle that the rights granted to third country nationals who have resided legally for a certain period of time in a Member State should be increased and be as similar as possible to those enjoyed by nationals. The Directive sets out the criteria and conditions on which a permanent EU residence permit is to be granted to third-country nationals who are long-term residents in a Member State, and the rights this permit carries in terms of equal treatment with nationals, as well as setting out the conditions for how third-country nationals with resident status can exercise their rights in other Member States. The rights granted include greater protection against expulsion, improved access to the labour market, access to education and vocational training, recognition of qualifications and social protection. Refugees though included initially were eventually excluded from this Directive.

A EU framework for the provision of long-term resident status to refugees²⁸ would be an important step towards granting refugees rights similar to nationals. This is particularly so in countries that currently impose residence requirements of many years and where there are complicated administrative hurdles to overcome before a third country national can apply for naturalisation and citizenship. Long-term resident status for refugees would confirm their access to social and economic rights that citizens of EU Member States have. It would also grant refugees and beneficiaries of subsidiary protection freedom of movement within the EU and provide them with similar rights to EU citizens when they are residing in a Member State other than the one that granted them protection status. Allowing refugees to enjoy rights similar to those of nationals will help avoid the creation of parallel societies and the marginalisation of refugees - it would therefore play a crucial role in facilitating their effective integration.

As a result of their escape from persecution, refugees, unlike other third-country nationals, have been forced to migrate and have had very little choice about where they reside in Europe. ECRE therefore supports a longer term goal of affording refugees freedom of movement within the EU immediately following recognition of status. Refugees will integrate better into and contribute more to host societies where they have extended family members, social networks and employment opportunities (and where their language skills might be better used). This could be achieved through the adoption of European legislation granting freedom of movement within the EU (including the right to reside, study and work) to all persons recognised as being in need of international protection, either by modifying the Qualification Directive or by adopting a separate instrument.²⁹ ECRE recognises that such reform would need to take place in the context of the incremental development of the Common European Asylum System (CEAS).

²⁷ Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents.

²⁸ The EU has committed itself to agreeing a specific piece of legislation before 2010 providing increased long-term resident rights for refugees. See *Presidency Conclusions-Brussels, 4/5 November 2004: Annex 1: The Hague Programme, Strengthening Freedom, Security and Justice in the European Union*.

²⁹ *Ibid.*

Some interim measures are urgently needed however to improve the situation of refugees or beneficiaries of subsidiary protection who currently are effectively barred from applying to reside in, or even to travel at all, to other Member States. This is particularly so in relation to beneficiaries of subsidiary protection whose travel documents are often not recognised by other Member States. States should immediately work to ensure that all beneficiaries of international protection are provided with travel documents that are recognised throughout the European Union. Refugees should also be afforded access to simplified procedures for applying for residence in other Member States, including the transfer of status under the terms of the 1951 Refugee Convention and the European Agreement on Transfer of Responsibility for Refugees.³⁰ It is also important that all beneficiaries of international protection are granted complete internal freedom of movement in the country of asylum.³¹

Recommendations:

We want a Europe where refugees can acquire similar rights and responsibilities as citizens

18. European states should apply a *full and inclusive* interpretation of the refugee definition in the 1951 Refugee Convention and its Protocol, and refrain from granting a lesser status to persons fulfilling the criteria of the Convention.
19. Any rights accruing to people with Convention refugee status should be granted to all persons afforded subsidiary protection.
20. EU Member States should fully implement instruments relating to equality of treatment for third country nationals legally resident in the EU, that provide an additional legal basis for promoting the integration of refugees:
 - a) Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial and ethnic origin.
 - b) Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation
 - c) Council Decision 2000/750/EC establishing a community action programme to combat discrimination.
21. The EU should adopt legislation granting refugees long-term residence status that affords them rights similar to those enjoyed by nationals. This instrument

³⁰ See the *European Agreement on Transfer of Responsibility for Refugees*, Council of Europe, 1980. Also, *Regulation (EEC no 1408/71) on the application of social security schemes to employed persons, self-employed persons and members of their family moving within the Community* refers specifically to refugees' right to transfer social security entitlements including health care acquired through residence in a EU member state.

³¹ In this context, ECRE is concerned about the discretion afforded to Member States in the EU Qualification Directive to restrict the freedom of movement within their territories of beneficiaries of international protection. See *ECRE Information Note on the Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification of third country nationals and stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted*, October 2004.

should include beneficiaries of a subsidiary form of international protection within its scope and should grant freedom of movement within the EU. Refugees should be exempt from having to meet conditions linked to their economic resources in order to access the rights granted. The most important criteria for achieving the status of long-term resident should be continuous residency in a Member State, although flexibility in terms of allowing for shorter periods of time spent outside the territory of the EU must be allowed.

22. In the longer term all persons recognised in need of international protection should be granted freedom of movement within the EU (including the right to reside, study and work) immediately following recognition of status.
23. European states should immediately work to ensure that beneficiaries of international protection are given access to simplified procedures for obtaining travel documents and transferring rights of residence to other European countries. There should be mutual recognition of refugee travel documents issued within the EU. States should also use discretion when imposing financial criteria on travel permits for refugees, and avoid disallowing refugees to travel on financial grounds. It is also important that all beneficiaries of international protection are granted complete internal freedom of movement in the country of asylum.

4. Civic Integration

The aim of civic integration is to achieve the conditions for, and the actual participation of, refugees in the civic life of the host country. Civic integration is here seen as being promoted through non-economic rights such as right to citizenship and political rights. The extent to which this is possible is closely related to the rights which flow from the legal status granted to persons in need of international protection.

The acquisition of citizenship remains the most potent measure of integration into a host society by foreign nationals.³² Not only does it represent a means to integration but also for some people it might signify the end of the integration process per se, if obtaining citizenship status is the expression of *de facto* participation in society. The benefits of citizenship for refugees are that they become full members of the new society with rights to vote in local, national and European elections, and so can participate actively in political life. It can facilitate visa and other travel arrangements, including to countries of origin. At this point they are no longer in need of international protection.

There are considerable differences between European states in their citizenship and naturalisation criteria and procedures. These reflect distinct historical experiences as countries of emigration or immigration, different concepts of nationhood, and inclusive or exclusive policies towards long-term residents. Some countries tend to prioritise the principle of blood relation with a citizen of the state (principle of *ius sanguinis*, for example. Greece and Germany), whereas most others stress the importance of territorial affiliation (the principle of *ius soli*); some combine both. There is also an emerging trend in some countries to link permanent residence and naturalisation to other criteria relating to proving a capacity for ‘good citizenship’, which may require the successful completion of citizenship programmes and/or passing a ‘citizenship test’. Although some countries are clear as to the criteria that have to be met to become a citizen and do have a good record of allowing refugees access to citizenship in practice, other states make citizenship very difficult to obtain in practice.

Furthermore, some states do not allow their citizens to hold the citizenship of another state at the same time, namely, dual citizenship, and require them to denounce the other citizenship.³³ In some European countries the belief persists that dual citizenship poses questions of loyalty and belonging. But it is a reality that refugees have cultural ties in more than one country. Refugees and indeed all persons can combine pieces of identity from a number of different cultural backgrounds. Dual citizenship is one way of acknowledging transnational or multiple identities.

Participation in the political decision-making process also promotes integration. But rights allowing full political participation (the right to vote and stand in elections including national ones) are often limited to citizens of that state and so the political integration of refugees who do decide not to acquire their host country’s citizenship remains a challenge. There are also other challenges to political integration such as

³² ECRE, *Position on the Integration of Refugees in Europe*, 2002

³³ It should be noted however that sometimes it is the refugee's country of origin that prohibits dual citizenship.

the need for language skills. Participation in politics generally requires advanced writing skills, public speaking and the ability to chair meetings.³⁴ Despite these challenges, some states have made efforts to encourage the participation of refugees and migrants in political life for example through the setting up of local community councils for foreigners. These are important measures particularly where refugees represent a significant percentage of the population.³⁵ Moreover, in countries that give refugees the right to vote and stand for election, refugee issues are placed higher on the political agenda with politicians becoming more responsive and aware of the concerns of this group.³⁶ This leads to a more balanced public debate, less stigmatising and government policies that are more conducive to integration.

Recommendations:

We want a Europe where refugees can acquire the same civil and political rights and responsibilities as citizens.

24. European governments should implement Article 34 of the 1951 Refugee Convention and the Council of Europe's Recommendation 564 (1969) on the Acquisition by Refugees of the Nationality of their Country of Residence³⁷, and in particular facilitate the naturalisation of refugees by:
- a) taking into account the total period of residence of a person in a country of durable protection including periods under temporary protection or as a registered asylum seeker;
 - b) removing or at least reducing legal obstacles to naturalisation, such as the minimum period of residence when it exceeds five years, or requirements that applicants should prove loss of former nationality;
 - c) allowing people to continue holding their original nationality where possible;³⁸
 - d) enabling refugee children to obtain at birth the nationality of the country in which they were born, and where their parents have been granted international protection;
 - e) removing administrative obstacles by introducing accessible procedures, transparent criteria for acceptance and low procedural fees when they exceed the financial possibilities of refugees.

³⁴ Zafir Behlic, *Strengthening our Voice: The Challenges of Refugee Participation in Politics*, http://www.refugeecouncil.org.uk/downloads/publications/inexile/samples/july04/politics_partic.pdf.

³⁵ *Ibid.*

³⁶ In Ireland where asylum seekers / refugees were allowed to vote and stand for election in local elections in June 2004, the political debate changed and included refugee related issues, and members of the immigrant and refugee community were successfully elected.

³⁷ Parliamentary Assembly of the Council of Europe, *Recommendation 564 (1969) on the Acquisition by Refugees of the Nationality of their Country of Residence*.

³⁸ See Parliamentary Assembly of the Council of Europe, *Recommendation 1625 (2003) Policies for the integration of immigrants in Council of Europe member states*, para. 8 (d).

25. States need to assess the suitability of applicants for citizenship and clearly and openly explain their criteria and how judgements are made. Applicants should have the right to appeal and to benefit from further integration support in case of a negative decision. The basis for assessment should be limited to whether the applicant understands and demonstrates a commitment to good citizenship and social responsibility, and has a basic understanding of the language of the host community.
26. Consideration should be given to setting up official bodies comprising individual refugees to increase refugee participation in politics. This group should be consulted by the national and local authorities, by being asked to inform and advise on the needs and the on-going challenges and successes that refugees encounter in integrating into the host society. Alternatively a national commission on refugees could be set up. Such bodies would inform and help shape governments' refugee integration policies.
27. The right to vote and stand for election at the local and European level should be granted to refugees after a maximum of three years residence,³⁹ as already practised in a number of EU Member States.

³⁹ See Council of Europe Recommendation 1625 (2003) *Policies for the integration of immigrants in Council of Europe member states*, para 8 iv (c) and Recommendation 1500 (2001) *Participation of immigrants and foreign residents in political life in the Council of Europe member states*, para 11 iv(a).

5. Socio-Economic Integration

Although the institution of asylum is founded on fundamental human rights and has nothing to do with meeting economic or demographic needs, refugees' contribution to social and economic life is to be welcomed and celebrated.⁴⁰ Refugees face unique barriers to socio-economic integration, however, resulting from their experiences of flight and involuntary exile: lack of knowledge initially of the language of the host country; isolation and separation from family members resulting in limited social networks; and frequently physical and mental health problems relating to past trauma. Failure by governments to address these functional barriers to integration can result in the marginalisation of refugees and impact negatively on society as a whole. Refugees should be given sufficient educational and language provision so as to be able to speak the language of the country of asylum in order to participate fully in society, including appropriate access to educational institutions and the labour market.

Upon status recognition, most Convention refugees are automatically granted permission to work. In some countries however, the granting of a subsidiary form of protection to individuals not recognised as refugees under the 1951 Refugee Convention only grants a restricted right to employment. Regrettably, the continuation of this situation has been permitted under the EU Qualification Directive,⁴¹ which risks seriously impeding the integration potential of persons afforded subsidiary protection and encouraging dependency on social welfare.

The situation is even more dire for asylum seekers. Lack of access to the labour market during the initial period of arrival in a country of asylum seriously hinders integration in the long term. But very few European countries allow asylum seekers to work while they await a decision on their application for asylum. Some countries grant people the right to work after six months from applying for asylum. In others, differentiated rights are granted to asylum seekers in terms of the type of work they are entitled to do and the length of time they can engage in employment.⁴² The EU Reception Directive,⁴³ however, stipulates that Member States must grant conditional access to the labour market after a maximum of 12 months of waiting for a first instance decision and from February 2005 all Member States were bound to have implemented this rule.⁴⁴

Integration in terms of employment is technically defined to be achieved when the employment levels of third country nationals including refugees are similar to those of nationals. In the EU, over the last decade, the unemployment rate for third country nationals has remained higher than that of EU nationals, and in fact, more than twice

⁴⁰ The UNHCR Executive Committee on International Protection Conclusion No.90 (LII) 2001 States "recognize the positive contributions that refugees make to host countries;" para (e).

⁴¹ See section 3 on Acquisition of Rights of this paper for further discussion of this issue.

⁴² ECRE *Position on the Integration of Refugees in Europe*, December 2002.

⁴³ *Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers*.

⁴⁴ In addition UNHCR Executive Committee Conclusion No 93 on the reception of asylum-seekers in the context of individual asylum systems states under para. (b) (vii) that "Reception arrangements can be mutually beneficial where they are premised on the understanding that many asylum-seekers can attain a certain degree of self-reliance, if provided with the requisite opportunities".

as high in a majority of Member States.⁴⁵ Unemployment also continues to be a problem experienced by second and third generation immigrants.⁴⁶

In contrast to the majority of post-war immigrant groups, refugees have, on average, more often completed secondary or higher education in their countries of origin. Despite being a very heterogeneous group in terms of age and educational background, many refugees arriving in Europe are highly qualified, from professional backgrounds and successful in their home countries⁴⁷. Reliable statistics on refugees' qualifications are scarce, but previous studies in various countries have pointed to the fact that many refugees are qualified professionals such as medical doctors, nurses, engineers, teachers, academics and accountants.⁴⁸

A review of research related to refugee employment suggests that employers are not sufficiently aware of the skills and economic potential of refugees. Employers experience difficulties assessing overseas qualifications and work experience.⁴⁹ A great number of refugees across Europe therefore face problems of unemployment, underemployment, downward mobility and employment insecurity despite their high-level qualifications and/or re-qualification in the host country. Difficulties in getting their qualifications recognised and frustration caused by constraints on re-qualification need to be addressed so that refugees with a profession can make a living on the basis of their qualifications and skills.⁵⁰

Refugees also have a right to self-employment⁵¹ and Europe today is profiting from refugee business initiatives. But more refugees should be enabled to set up their own businesses. Setting up one's own business is not easy and for refugees this is especially true as they are less likely to be familiar with host countries' regulations

⁴⁵ Third country nationals have also much lower employment rates than EU nationals (by 14 percentage points lower in 2002), in particular in the prime age group (by 20 percentage points lower) and for the highly-skilled. The gap is on average wider for women than for men, within all working age groups. European Commission Communication *First Annual Report on Immigration and Integration*, COM(2004) 508 final, p. 14. See also European Commission, *Employment in Europe 2003. Recent Trends and Prospects*, DG Employment and Social Affairs Unit A.1, September 2003.

⁴⁶ European Social and Economic Committee, *Opinion on Commission Communication on immigration, integration and employment (COM(2003) 336 final, SOC/138, 10 December 2003, para. 5.5.2.*

⁴⁷ For example, a British study has shown that far from being a drain on the economy, migrants as a whole, including refugees, contribute 10 per cent more in taxes than they consume in benefits and public services. Glover, *Migration: An Economic and Social Analysis*, Home Office, 2001.

⁴⁸ See presentation by Berend Jonker on the RESOURCE Project, 'Refugees' contribution to Europe', Education Action International - RETAS at

<http://www.education-action.org/media/Presentation%20Resource%20project.doc>

⁴⁹ Finn Kjeller Johansen, *Assessment and Recognition of Refugees Qualifications in the European Community*, 1998; Hernan Rosenkranz, *Qualifications of Refugees and Employment in Europe: A Research Report on Refugees in Belgium, Germany, Spain, Italy, the Netherlands and the United Kingdom*, London: RETAS - WUS UK, 2002.

⁵⁰ The EESC stated that EU Member States and European companies will both gain more from people's work if they take account of their professional qualifications and has called on the EU to "extend the Directives on professional qualifications, in order to facilitate the recognition of those obtained in the country of origin", See *European Economic and Social Committee Opinion on the EC Communication Study on the links between legal and illegal migration*, (COM(2004) 412 final), SOC/182, 15 December 2004, para. 3.10.

⁵¹ Article 18 of the 1951 Refugee Convention entitles all refugees "lawfully in their territory" treatment as favourable as possible, and in any event, not less favourable than that accorded to aliens generally in the same circumstances as regards the right to engage in self-employed activities.

and more likely to have more difficulties in accessing finance. Mainstream funding through banks is difficult to secure because refugees generally do not have any financial records or history, or assets to prove their credibility.

Vocational training, education and language tuition cannot be disassociated from the issue of successful integration into the labour market. In fact they should be seen as facilitators in the process of achieving gainful employment. But they also have a role to play in terms of refugee empowerment more generally. Developing new skills, especially the language skills to communicate well in the host society, enables refugees to be active in their own integration. The long-term benefits of facilitated access to the labour market for individual refugees through vocational training, language tuition, labour market orientation and job seeking assistance outweigh concerns about 'pull factors', which research shows are overblown - most asylum seekers do not choose their destination, smugglers do, and those who can choose are generally motivated by family and community ties.⁵²

Housing is also important for integration outcomes, for example, if one has a job, it is easier to find housing. Ironically the opposite is also true: if one has a house, it is easier to find and keep a job. Housing also has an influence on educational progress: if one is badly housed, for example, in overcrowded or noisy accommodation, it is very hard for a student to find a place to concentrate and study. Unfortunately, if refugees do find housing, it is often in the cheapest forms of housing which is low quality and overcrowded.⁵³ Many of these houses are in poor condition, which poses a hazard to the health of their inhabitants. This is a general poverty problem, not specifically a 'refugee problem', but the fact is that a large proportion of refugees live in poverty.⁵⁴

Refugees can suffer from a range of health problems due to their experiences of war, political persecution, torture and imprisonment and the conditions of escape from their country of origin. Their state of health can also be affected by multiple deprivation experiences (such as homelessness, substandard housing, low income, social isolation, unemployment or underemployment), prolonged separation from family members, difficulties with cultural adaptation and a negative perspective of one's future during lengthy asylum determination procedures and once they have been granted international protection in a European country. The health of refugees is likely to deteriorate under inadequate reception conditions especially, but not only, for those with existing health problems. Refugees might also begin to experience mental health problems in the host countries due to reception conditions and/or the length of the asylum determination procedure and the accompanying insecurity.

In addition, language difficulties can constitute a barrier to refugees accessing health services. Only in some countries are interpreting services available as part of the

⁵² Robinson, V & Segrott, J, *Understanding the Decision-making of Asylum Seekers*, Home Office Research Study 243, 2002.

⁵³ European Social and Economic Committee, *Opinion on EC Communication on immigration, integration and employment (COM(2003) 336 final, SOC/138, 10 December 2003, para 5.13.2*

⁵⁴ Refugees are sometimes housed far away from health care services. This is detrimental, because a large proportion of refugees suffer from physical and / or mental health problems as a consequence of either the migration (climate change, lack of immunity from common European diseases) or their experiences of organised violence (torture, rape, trauma).

national health system. These are not always easily accessible or appropriate for refugee needs. Also refugees may be reluctant to consult a doctor where the doctor, nursing staff or an interpreter is of a different gender. The traditional beliefs and healing practices may also preclude refugees' medical treatment.

In relation to health issues, whilst also in other areas, the experiences and needs of refugee women will often be distinct - and overlooked by policy makers and practitioners. As women, refugees may have faced persecution related to their gender such as sexual violence and exploitation and can then be left to grapple with asylum procedures and reception arrangements that are not sensitive to these experiences. Socially, refugee women are also more likely to experience isolation and poor access to employment and services.

An estimated 100,000 separated children are in Western Europe as refugees and without their family at any one time.⁵⁵ The issues that lead children to flee from their home country - persecution, armed conflict, poverty, etc, are the issues that refugees face in general. Separation from their families, however, adds considerably to their vulnerability.⁵⁶ Another negative factor is the interruption of their education.⁵⁷ The level at which countries across Europe provide services which address the specific needs of such children and thus supports their integration is quite varied, particularly where compulsory education ends.⁵⁸

For children (especially separated children) but also for refugees in general who have found security and international protection in Europe, one of the most pressing issues is concern for their family members left behind. The fact that they are refugees and have succeeded in leaving their countries of origin often makes it more dangerous for family members still living there. At the same time it is difficult for refugees to rebuild their lives without the support of their families. Prolonged separation of family members has negative implications on the family and their future life together. Lack of family reunification or a lengthy wait for family reunification can therefore act as an impediment to refugee integration.⁵⁹

Obligations to protect the family and respect family life are enshrined in many instruments of international law.⁶⁰ Nonetheless, European Union legislation⁶¹ does not presently guarantee persons enjoying subsidiary protection the right to family

⁵⁵ Sandy Ruxton, *Separated children seeking asylum in Europe A programme for action*, Separated Children in Europe Programme, 2000.

⁵⁶ Berman, H, 'Children and War: Current Understanding and Future Directions', *Public Health Nursing*, 18 (4), 2001, pp. 243-252.

⁵⁷ Save the Children and UNHCR, *Separated Children in Europe Programme, Statement of Good Practice*, Third edition 2004.

⁵⁸ Terry Smith, *Separated Children in Europe: Policies and Practices in EU Member States: A Comparative Analysis*, Separated Children in Europe Programme, November 2003 and *UNHCR Guidelines on Children*, 1991.

⁵⁹ A Canadian study showed that half of all refugees applying for family reunification have to wait more than 13 months, and 20 per cent wait more than 26 months and some wait up 6 years to be reunited with their families. Canadian Refugee Council, *More than a Nightmare. Delays in Family Reunification*, November 2004.

⁶⁰ Universal Declaration of Human Rights, article 16(3), International Covenant on Civil and Political Rights (Art. 23(1) and The International Covenant on Economic, Social and Cultural Rights Art. 10(1).

⁶¹ *Council Directive 2003/86/EC on the right to family reunification*, 22 September 2003.

reunification. It is unfair that people with subsidiary protection should not access the right to family life.

The successful integration of refugees would play a key role in the effort to strengthen economic growth and social cohesion within EU Member States and thus to achieve one of the fundamental goals of the European Union - to become a competitive and successful knowledge-based economy.

Recommendations:

We want a Europe where asylum seekers and refugees participate actively in the labour market and in educational institutions according to their skills and prior experiences.

28. Any restrictions on asylum seekers' access to the labour market should be lifted at the earliest possible stage and not later than six months from the time of the initial application for asylum.⁶² Asylum seekers should also be given support with finding employment and participating in vocational training. Family members should equally benefit from arrangements applying to principal asylum applicants.
29. Equal access to the labour market for persons with subsidiary protection and those with refugee status should be provided for. The employment restrictions in the EU Qualification Directive granting lesser employment rights to people with subsidiary protection⁶³ should be removed.
30. Refugees should be able to access tailor-made and mainstream vocational training and education in a learned profession or sector and have opportunities to re-qualify, in order to adapt their skills and experience to the host country's labour market requirements.
31. States should ensure that refugees are able to access advice and training in starting a business as well as financial assistance (for example, business start up loans) so that more refugees can start and sustain their own businesses and thus access their right to self-employment in practice.
32. Nationality requirements for access to public sector employment for refugees, for example, in central government or local municipalities should only be in place where it is justified and reasonable to have them.

⁶² ECRE regrets that the *Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers* does not require states to allow access to employment after six months.

⁶³ In relation to persons with subsidiary protection the Directive states that "the situation of the labour market in the Member States may be taken into account, including the possible prioritisation of access to employment for a limited period of time to be determined in accordance with national law".

33. A system of recognition of previous experience and qualifications (accreditation of prior learning) should be set up at EU level⁶⁴, as part of the existing process of harmonising qualifications and enabling greater student mobility. This should establish EU-wide verification and assessment criteria and a set of recommended practice for bridging gaps between refugee qualifications and industry or education standards in countries of durable protection.
34. Language classes should be tailored to the individual needs of refugees and meet the level of language knowledge they will require. For those likely to be active in the labour market this should include the requirements of their profession such as the specific language skills needed for health professionals, engineers, business entrepreneurs, etc. Language tuition should be available during the reception phase when asylum applications are under consideration.
35. In the areas of health, social services, education and employment advice, training needs to be available to policy makers and governments on the consequences of language difficulties, physical and psychological trauma and cultural and religious differences on the integration of refugees.

We want a Europe where all refugees have access to health care in parity with nationals.

36. Limited or no access to health provision together with lack of adequate reception conditions during the initial phase of arrival can seriously undermine refugees' long-term mental and physical health and integration prospects. Physical and mental health services, including for both urgent and chronic needs, should be made available to asylum seekers upon arrival in European countries of asylum. Health assessments should be conducted by appropriately qualified professionals and to the same standards as provided for nationals. Asylum seekers should have informed choices in their treatment.
37. Physical and mental health interventions need to take into account the range of refugee experiences. Health providers should seek, as far as it is possible, to develop culturally sensitive services that reconcile European norms of health with non-Western health orientations. Training for professionals, including doctors, nurses, teachers, interpreters and others, on refugee and cross-cultural issues should be made available at educational establishments and in the workplace.

⁶⁴ Currently assessment and recognition of refugees' qualifications is entrusted to the 'European Network of National Information Centres (ENIC), which works closely within the network of National Assessment and Recognition Information Centres (NARICs).

We want a Europe where all refugees have a right to family reunification.

38. European governments should not impose restrictions on the right to family reunification of refugees related to length of residence, employment status, access to housing and earning capacity, or availability of documentation proving family links.
39. Family reunification should not be limited to people meeting the criteria of the 1951 Refugee Convention but should also be extended to people granted a subsidiary protection status.

We want a Europe in which the particular integration needs of groups, such as refugee women and refugee children, are recognised in integration policies.

40. In all cases integration interventions need to incorporate an age perspective aimed at meeting the particular needs of refugee children, young people and older refugees. A gender perspective aimed at meeting the particular needs of refugee women should also be incorporated,⁶⁵ while recognising the difficulties faced by refugee men. States should ensure the involvement of all appropriate special needs groups in the design, implementation and evaluation of integration programmes. They may also need to develop specific strategies and support for the integration of groups with special needs.⁶⁶

We want a Europe where refugees can make choices as to their integration path.

41. Upon receiving permission to stay, each refugee should be given information as to his or her rights, personal advice and educational guidance. Their skills, background, social situation and options in the host country should be evaluated. States should ensure full access of all refugees to advice and guidance services, as well as job clubs.
42. Refugees should be given choice on the same basis as nationals as to where to settle. This includes housing rights relating to security of tenure, environmental health and safety, and the prevention of harassment, on the same basis as nationals. Upon receiving permission to stay, people accommodated in reception centres should be given all necessary information to make an informed decision following full consideration of the type and location of housing which might be available to them. No differential treatment should be applied to Convention refugees, persons granted subsidiary protection and nationals of the host country.

⁶⁵ A recent OSCE seminar highlighted that “without the integration of female migrants, overall integration could not be successful”, *OSCE Human Dimension Seminar on Migration and Integration Warsaw 11-13 May 2005 - Consolidated Summary*, ODIHR.GAL/60./05, 12 July 2005, p.5.

⁶⁶ See also Concluding observation (h) of UNHCR Standing Committee 33rd Meeting, *Local Integration and Self-Reliance*, EC/55/SC/CRP.15, 2 June 2005.

6. From Rights to Reality

The provision of legislative rights is critical in ensuring the integration of refugees, but rights have to be implemented, facilitated and enforced in practice if they are to be effective.

Introduction programmes, in particular, are emerging in many European states as a means to facilitate integration. These programmes may include different components, such as language tuition, cultural and labour market orientation. One advantage of compulsory integration classes is that classes are available to all refugees, but this does not guarantee quality. A risk with this approach might be that, instead of ensuring integration results (namely, language knowledge, employment), governments focus on the provision of classes as such. If the aim of an introduction programme is the completion of a class, this does not necessarily ensure that a language has been learned. Furthermore, compulsory classes often are not flexible. The experience of ECRE member agencies has shown that integration classes are most successful, if they are flexible and allow for individual adaptation, for example part-time work or studies on a needs basis. Therefore, introduction programmes should generally be directed towards refugees' self-sustainability.

The principle of equal opportunities can help address the barriers to integration by promoting the idea that refugees should be given the same rights as citizens of the host country. In spite of progress in some areas, distinctions, exclusions, restrictions and preferences based on race, colour, descent, national or ethnic origin, continue to create tensions in European countries⁶⁷ and discrimination remains an obstacle to the realisation of equal opportunities. Methods of achieving equality of opportunities and rectifying disadvantage might aim at changing attitudes, changing behaviour, positive action, culturally or specifically refugee-sensitive service provision, ethnic monitoring and, within the area of employment, stressing the 'business advantage' of diversity.

In this context the question may be posed as to whether refugees should be separately identified. Monitoring equal opportunities in relation to ethnicity, let alone separately identifying refugees, is a complex issue with emotional, legal and constitutional differences across states. Several different national traditions exist in relation to equal opportunities policies. In some countries it is not legally permitted to identify certain groups according to ethnicity; in others "ethnic monitoring" targets and equal opportunities policies are administered in the workplace.

European and national legislation and policies are critical in facilitating the integration of refugees. However, integration comes to life in local communities – in the cities and towns hosting refugees, in the workplace, in local neighbourhoods and schools – and with the involvement of local authorities, service-providers, non-governmental organisations and refugee community organisations.

Ideals and ideas of integration need to work at the local level where integration is played out on a day-to-day basis. Europe's large cities are the likely hosts of the majority of refugees arriving in Europe, and as such, combating social exclusion and

⁶⁷ Fact Sheet No.12, UN Committee on the Elimination of Racial Discrimination, <http://www.unhcr.ch/html/menu6/2/fs12.htm>.

promoting integration is a matter of civic survival for these municipalities. The views of cities and local authorities must therefore be considered within the debate on integration.

In many European countries governments rely on non-governmental organisations (NGOs) in the delivery of integration services to asylum seekers and refugees. In order to avoid frustration and competition between different refugee community organisations (RCOs), public bodies and NGOs, all organisations need to work in partnership.

Refugee empowerment is critical in refugee integration. Refugees must be enabled to use their own resources and skills to help each other, particularly newcomers, and represent their interests. Some countries try to promote this by focusing on the development of refugee community organisations. These can provide a focal point for community activities, facilitate the development of political self-confidence, and act as intermediaries between individual refugee members and the host community.

When institutions and partnerships are in place and they are working together, these can provide favourable conditions for integration. But the final steps of the integration process take place in inter-personal relationships at the local level. It is at this level that individual human beings interact in the neighbourhood, in the workplace, around the education of their children and as friends. Refugee children, especially those attending school, can often represent an important initial and on going point of contact between refugees and their local communities, as well as between individual families and neighbours.

Recommendations:

We want a Europe in which the needs of refugees are recognised within a policy of mainstreaming.

43. The special needs of refugees should be recognised within a policy of mainstreaming, including the needs of specific groups such as women and children.
44. Where it is needed, states should develop time-limited refugee-specific policies and programmes with clear exit strategies, acting as bridges to mainstream provision, and be geared towards equal opportunities. They could be combined with services provided to migrant or minority groups, with the overall objective being the eventual incorporation of the refugee perspective in minority and equality policies. Since there are considerable differences in social welfare systems throughout Europe, government policies and resource allocations for refugee integration need to be compatible with social protection arrangements specific to individual European countries.
45. The development of refugee-specific policies should take place with the input, knowledge and expertise of migrant and refugee communities.

We want a Europe where a commitment to integration comes to life in local communities.

46. With direct practical experience of integrating refugees, the voice of cities and local authorities must be heard at the EU level. Where mechanisms are already in place to facilitate dialogue between different tiers of government, issues of refugees and asylum seekers need to be included on the agendas of these processes. This would ensure awareness and action on behalf of groups who account for a considerable proportion of the population in cities but might not be present at such meetings themselves. Good communication at a central government level, across departments and involving non-departmental public bodies is also needed.
47. In many European countries governments rely on non-governmental organisations in the delivery of integration services to asylum seekers and refugees. In order to avoid frustration and competition between different refugee community organisations (RCOs), public bodies and NGOs, all organisations should work in partnership. Such partnerships need to clearly outline responsibilities. Information exchange and communication can help in putting together the different approaches and ideas so that they add to, instead of level out, each other in achieving the best possible outcome for the integration of refugees.
48. States should consider offering financial initiatives for local partners facilitating refugee integration at the local level.
49. Policy-makers should create opportunities for the inter-personal dimension of integration and interaction at the local level, at meeting places such as schools, the work place, and local leisure facilities, such as libraries.

We want a Europe that recognises that refugees and their communities are the most powerful advocates on refugee issues.

50. Refugees must be empowered and enabled to use their own resources and skills to help each other, particularly newcomers, and to represent their interests and those of their family and community to service providers and decision makers.
51. Capacity-building of community-based refugee organisations must be increased to enable refugees to create their own associations, delivering services to their members and engaging in dialogue with statutory and voluntary organisations on policy issues.
52. Financial support from the European Union should be provided for activities that enable refugees to network with each other and with host society institutions at local, regional, national and European level.

7. Cultural Integration

Cultural diversity is a fact of modern societies. The effects of globalisation, such as an increased mobility of individuals means that only very few - if any - countries will be ethnically homogenous. According to the Population Division of the United Nations (UN), the total number of migrants⁶⁸ worldwide was at 175 million in 2002 with 56 million living in Europe. Cultural diversity is therefore a characteristic feature of today's democratic Europe, and it is not a new phenomenon. Different ethnic groups have always lived together within state territories. Moreover both migration within Europe and inward migration to Europe has contributed to the growing wealth, not the impoverishment of Europe. For European states, immigration is not an element of nation building as it is for the classic immigration countries: the USA, Canada, and Australia. But cultural diversity is a reality in European countries and must be taken into account as such. It will continue to exist and if not an element of nation-building it certainly will be a factor in the successful future development of these states.

When problems arise from different groups living together in cities and towns all over Europe, more often than not they are readily attributed to differences in culture, traditions and norms. Cultural diversity can be a strong factor in inter-personal conflicts, it is however not the sole explanation for all types of conflict in human relations. On the contrary, an exchange between and among different ethnic groups can and does enrich societies.

European societies differ considerably, however, in the degree to which they embrace cultural diversity and in how they deal with both recent newcomers (refugees and migrants), third country nationals with residency rights and minorities in general. In some countries, a pluralistic approach underpins all refugee integration activities and programmes, while in others, the focus is an expectation of assimilation into the dominant culture.

Culture is not a static concept, rather it is “*constantly evolving and being enriched by a wide range of contributions*”.⁶⁹ Reflecting this, the understanding of culture has evolved and shifted in the past two decades. The concept as it used to be that ‘a culture’ is synonymous with ‘a people’ does not hold up to present day views.⁷⁰ Today culture and cultural diversity are understood to be changing. At the same time they are political and juridical realities⁷¹ and they need to be recognised by states and incorporated into decision-making. Article 1 of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) Declaration on Cultural Diversity summarises this: “*cultural liberty is as necessary for humankind as biodiversity is for nature*”.⁷²

⁶⁸ The official UN definition of migrants is “people currently residing in a country other than where they were born” for a period of a year or more.

<http://www.un.org/esa/population/publications/ittmig2002/press-release-eng.htm>.

⁶⁹ European Economic and Social Committee, *Opinion on Immigration, integration and the role of civil society organisations*, SOC/075, March 2002,

⁷⁰ UNDP, *Cultural Diversity in Today's Diverse World*, Human Development Report, 2004, p. 89.

⁷¹ *Ibid.*

⁷² The 185 Member States represented at the 31st session of the General Conference in 2001 adopted the UNESCO Universal Declaration on Cultural Diversity unanimously.

Culture is not about one person only feeling allegiance to one country, speaking only one language or understanding only one culture. Refugees and indeed all persons can combine pieces of identity from a number of different cultural backgrounds. This fact is often described as having 'multiple' or 'transnational' identities. If a refugee is only accepted as fully integrated when he/she has absorbed all the aspects of a cultural identity typically associated with nationals of the host society, however, integration becomes impossible. For the individual refugee this would mean ignoring all aspects of their original culture and tradition. So while there are many reasons why refugees may choose not to acquire the citizenship of the country of asylum, if doing so implies this kind of denial of other cultural identities this becomes an important factor.⁷³

Since culture is evolving it also means that it can be learned. New elements can be added while old ones might disappear over time. Anybody who attempts to learn rules and norms of a new culture will quickly find out that the understanding of culture can be highly individual with processes of group dynamics at times difficult to comprehend. To provide for cultural integration, it is not necessary that all individually perceived notions of one particular culture in a country be acquired. However there are a number of core values⁷⁴ that underlie the cultures of democratic European countries.⁷⁵ These core values are human rights, the principle of equality, protection of minorities, democracy, the separation of state and church and the rule of law. The emphasis put on each principle varies between countries.⁷⁶

Core values are quite general in scope in order to be applicable universally. This in turn means that they need to be translated into every day policies. If cultural integration on the basis of these principles succeeds, it allows individuals to confidently develop their personal identity in the host country. As part of this, individual refugees need to be aware of their responsibilities towards their host countries with regards to adhering to common values. A dilemma arises however, where respect for European core values appears to clash with the ideal of a culturally diverse society and the issues can be complex.⁷⁷ Many Europeans would agree that a girl's right to education must be valued more highly than any parental claim to forbid schooling on the basis of cultural and religious beliefs. There are other examples where lines are not drawn as clearly. The discussion on a ban on wearing visible religious symbols in state schools, which has long been an issue of political contention in France, for example, as well as in other European countries, have shown difficulties in reconciling different secular principles with some religious practices.

Religion can play a major role in a two-way process of cultural integration and poses both opportunities and challenges to societies. Newly arrived groups may want to join already existing religious groups, while also bringing new forms of religious expression. The extent to which religion helps integration might therefore be

⁷³ See Chapter 4 of this paper on Civic Integration with regard to the issue of dual citizenship.

⁷⁴ Other terms for 'core values' are: 'common bonds of belonging', UNDP, *Cultural Diversity in Today's Diverse World*, Human Development Report 2004, 'shared values', and 'a certain common basis', Han Entzinger and Renske Biezeveld, *Benchmarking Immigrant Integration*, European Research Centre on Migration and Ethnic relations (ERCOMER), Rotterdam, August 2003.

⁷⁵ UNDP, *Cultural Diversity in Today's Diverse World*, Human Development Report 2004, p. 90.

⁷⁶ Hans Entzinger and Renske Biezeveld, *Benchmarking Immigrant Integration*, European Research Centre on Migration and Ethnic relations (ERCOMER), Rotterdam August 2003.

⁷⁷ The following examples are taken from UNDP, *Cultural Diversity in Today's Diverse World*, Human Development Report 2004.

dependent on whether religious communities in receiving countries are open enough to refugees and how effectively new religious groups form links with the host society.

The beliefs of refugees might also come up against differences of practice, such as the separation of state and church in secularised Western societies that contrast with societies where religion is built on a view of the state and the church as closely inter-linked. With regards to religious traditions and ceremonies especially, religious and secular distinctions might be difficult. European states choose different answers to this challenge but all agree that religious groups must operate within the laws of the host society at large.

Whilst some with a particular interpretation of a religion may promote isolation or hatred, religious institutions and/or faith-based organisations are predominantly important actors in the facilitation of integration and carry out varied roles as representatives of civil society. They can and do contribute to locating concern for refugees within the moral code of their faith, and in promoting religious tolerance, respect and understanding between members of different faiths. At the same time, religious groups can provide services for newly-arrived refugees, as well as provide opportunities to get in contact with others already established in the community.

Recommendations:

We want a Europe where ethnic diversity is celebrated within each state and no limits are placed on multiple identities.

53. States should promote cultural awareness and sensitivity. Knowledge of and contact with the many different cultures within a society should be promoted, as part of the creation of a cohesive society.
54. Refugees need to be aware of their responsibilities towards their host countries with regards to adhering to common core values that underlie the cultures of democratic European countries: namely human rights, the principle of equality, the protection of minorities, democracy, the separation of state and church and the rule of law.

We want a Europe where freedom of religion is protected and different religious groups are integrated into society, as long as they do not negatively affect social institutions or the public order.

55. Existing religious communities in receiving countries need to be open to refugees and to the fact they may have different forms of religious expression while new religious groups need to effectively form links with the host society and operate within its laws.
56. Inter-religious dialogue should be promoted. This could be through the establishment of different platforms to strengthen the knowledge of religion(s) among government staff, journalists, and the public, including school pupils. To this end the appropriate information materials and methods need to be developed. This kind of dialogue can help to prevent alienation between

historically accepted forms of religious practice and forms that are newer to societies. In addition, teaching about different religious groups and their practices should be included in public education.

ANNEX 1 List of Recommendations

Creating a welcoming society

Recommendation 1:

Education in schools, colleges and in the workplace should challenge notions of ‘assimilation’ and instead promote respect for differences, highlight the benefits of cultural diversity and prepare people to live in an increasingly diverse society.

Recommendation 2:

As a starting point teacher training programmes should be reformed not only to generate more awareness and interest in refugee issues but also to appropriately take into account the greater diversity of students.

Recommendation 3:

Many educational subjects lend themselves to improving the understanding of refugee issues. The study of human rights and refugee issues should be incorporated into relevant educational curricula. Curricula for subjects such as history, geography and current affairs need to be adapted to take into account greater diversity within the student population. The teaching of the languages of refugee communities, with references to the culture and traditions of those communities in schools and universities, could be included.

Recommendation 4:

Methods of teaching about refugees should go beyond the provision of information and also develop empathy and a notion of common humanity, for example, through relating the personal stories of refugees.

Recommendation 5:

More should be done at all levels of society to combat ignorance, myths and misconceptions. Governments should aim to combat myths by providing examples of the positive contributions refugees are making to countries of asylum.

Recommendation 6:

Governments should identify and counteract misinformation, in particular where it incites fear and mistrust of refugees, and explain clearly that refugees are people in need of international protection. In particular, politicians and government officials should take the lead in using accurate terminology when speaking about asylum and immigration policy. This includes creating a true picture of the character of persecution.

Recommendation 7:

The fears and needs of host communities need to be taken seriously but without ignoring the issue policy-makers must refrain from playing out fears of different population groups against each other.

Recommendation 8:

As with reporting on other issues, the media should uphold their responsibility to provide balanced and accurate information regarding asylum seekers and refugees.

Recommendation 9:

Press complaints commissions, or equivalent organisations, should develop guidelines on news reporting on asylum and immigration issues to address the use of threatening and pejorative language to describe asylum seekers and refugees. They should also effectively enforce such guidelines.

Recommendation 10:

The EU should consider undertaking the regular monitoring and reporting on the language used by the media in Europe to describe asylum and refugee issues, possibly through the European Monitoring Centre on Racism and Xenophobia (soon to become the European Union Agency for Fundamental Rights).

Recommendation 11:

Employers in the media should consider the benefits of recruiting refugee journalists. Refugee journalists can provide specific insights into the situation in countries of origin from which refugees have fled, in addition to their professional experience. Beyond more balanced reporting, this would have the added value of providing employment opportunities for this particular group of refugees.

Recommendation 12:

Policies to combat discrimination and racism should more strongly be linked to the integration strategies of governments.

Recommendation 13:

European governments should have national anti-discrimination legislation and systems to monitor refugee access to and experiences of the labour and housing markets as well as of health, social, education and other community services.

Recommendation 14:

All EU Member States should transpose and implement all EU anti-discrimination legislation. The EU institutions should ensure effective implementation through active monitoring.

Recommendation 15:

Anti-discrimination legislation must be backed by easily accessible complaints systems and legal enforcement mechanisms with penalties reflecting the seriousness of the crime committed.

Recommendation 16:

Public awareness campaigns highlighting the different types of discriminatory practice such as direct, indirect and institutional discrimination should be organised.

Recommendation 17:

States must work to ensure that refugees are made aware of and can access their rights. This should include the provision of easily accessible information about

European and national anti-discrimination legislation in relevant languages and formats.

Acquisition of rights

Recommendation 18:

European states should apply a *full and inclusive* interpretation of the refugee definition in the 1951 Refugee Convention and its Protocol, and refrain from granting a lesser status to persons fulfilling the criteria of the Convention.

Recommendation 19:

Any rights accruing to people with Convention refugee status should be granted to all persons afforded subsidiary protection.

Recommendation 20:

EU Member States should fully implement instruments relating to equality of treatment for third country nationals legally resident in the EU, that provide an additional legal basis for promoting the integration of refugees:

- a) Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial and ethnic origin;
- b) Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation ;
- c) Council Decision 2000/750/EC establishing a community action programme to combat discrimination.

Recommendation 21:

The EU should adopt legislation granting refugees long-term residence status that affords them rights similar to those enjoyed by nationals. This instrument should include beneficiaries of a subsidiary form of international protection within its scope and should grant freedom of movement within the EU. Refugees should be exempt from having to meet conditions linked to their economic resources in order to access the rights granted. The most important criteria for achieving the status of long-term resident should be continuous residency in a Member State, although flexibility in terms of allowing for shorter periods of time spent outside the territory of the EU must be allowed.

Recommendation 22:

In the longer term all persons recognised in need of international protection should be granted freedom of movement within the EU (including the right to reside, study and work) immediately following recognition of status.

Recommendation 23:

European states should immediately work to ensure that beneficiaries of international protection are given access to simplified procedures for obtaining travel documents and transferring rights of residence to other European countries. There should be mutual recognition of refugee travel documents issued within the EU. States should also use discretion when imposing financial criteria on travel permits for refugees, and avoid disallowing refugees to travel on financial grounds. It is also important that all

beneficiaries of international protection are granted complete internal freedom of movement in the country of asylum.

Civic integration

Recommendation 24:

European governments should implement Article 34 of the 1951 Refugee Convention and the Council of Europe's Recommendation 564 (1969) on the Acquisition by Refugees of the Nationality of their Country of Residence, and in particular facilitate the naturalisation of refugees by:

- a) taking into account the total period of residence of a person in a country of durable protection including periods under temporary protection or as a registered asylum seeker;
- b) removing or at least reducing legal obstacles to naturalisation, such as the minimum period of residence when it exceeds five years, or requirements that applicants should prove loss of former nationality;
- c) allowing people to continue holding their original nationality where possible;
- d) enabling refugee children to obtain at birth the nationality of the country in which they were born, and where their parents have been granted international protection;
- e) removing administrative obstacles by introducing accessible procedures, transparent criteria for acceptance and low procedural fees when they exceed the financial possibilities of refugees.

Recommendation 25:

States need to assess the suitability of applicants for citizenship and clearly and openly explain their criteria and how judgements are made. Applicants should have the right to appeal and to benefit from further integration support in case of a negative decision. The basis for assessment should be limited to whether the applicant understands and demonstrates a commitment to good citizenship and social responsibility, and has a basic understanding of the language of the host community.

Recommendation 26:

Consideration should be given to setting up official bodies comprising individual refugees to increase refugee participation in politics. This group should be consulted by the national and local authorities, by being asked to inform and advise on the needs and the on-going challenges and successes that refugees encounter in integrating into the host society. Alternatively a national commission on refugees could be set up. Such bodies would inform and help shape governments' refugee integration policies.

Recommendation 27:

The right to vote and stand for election at the local and European level should be granted to refugees after a maximum of three years residence, as already practised in a number of EU Member States.

Socio-economic integration

Recommendation 28:

Any restrictions on asylum seekers' access to the labour market should be lifted at the earliest possible stage and not later than six months from the time of the initial application for asylum.⁷⁸ Asylum seekers should also be given support with finding employment and participating in vocational training. Family members should equally benefit from arrangements applying to principal asylum applicants.

Recommendation 29:

Equal access to the labour market for persons with subsidiary protection and those with refugee status should be provided for. The employment restrictions in the EU Qualification Directive granting lesser employment rights to people with subsidiary protection should be removed.

Recommendation 30:

Refugees should be able to access tailor-made and mainstream vocational training and education in a learned profession or sector and have opportunities to re-qualify, in order to adapt their skills and experience to the host country's labour market requirements.

Recommendation 31:

States should ensure that refugees are able to access advice and training in starting a business as well as financial assistance (for example, business start up loans) so that more refugees can start and sustain their own businesses and thus access their right to self-employment in practice.

Recommendation 32:

Nationality requirements for access to public sector employment for refugees, for example, in central government or local municipalities should only be in place where it is justified and reasonable to have them.

Recommendation 33:

A system of recognition of previous experience and qualifications (accreditation of prior learning) should be set up at EU level, as part of the existing process of harmonising qualifications and enabling greater student mobility. This should establish EU-wide verification and assessment criteria and a set of recommended practice for bridging gaps between refugee qualifications and industry or education standards in countries of durable protection.

Recommendation 34:

Language classes should be tailored to the individual needs of refugees and meet the level of language knowledge they will require. For those likely to be active in the labour market this should include the requirements of their profession such as the specific language skills needed for health professionals, engineers, business

⁷⁸ ECRE regrets that the *Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers* does not require states to allow access to employment after six months.

entrepreneurs, etc. Language tuition should be available during the reception phase when asylum applications are under consideration.

Recommendation 35:

In the areas of health, social services, education and employment advice, training needs to be available to policy makers and governments on the consequences of language difficulties, physical and psychological trauma and cultural and religious differences on the integration of refugees.

Recommendation 36:

Limited or no access to health provision together with lack of adequate reception conditions during the initial phase of arrival can seriously undermine refugees' long-term mental and physical health and integration prospects. Physical and mental health services, including for both urgent and chronic needs, should be made available to asylum seekers upon arrival in European countries of asylum. Health assessments should be conducted by appropriately qualified professionals and to the same standards as provided for nationals. Asylum seekers should have informed choices in their treatment.

Recommendation 37:

Physical and mental health interventions need to take into account the range of refugee experiences. Health providers should seek, as far as it is possible, to develop culturally sensitive services that reconcile European norms of health with non-Western health orientations. Training for professionals, including doctors, nurses, teachers, interpreters and others, on refugee and cross-cultural issues should be made available at educational establishments and in the workplace.

Recommendation 38:

European governments should not impose restrictions on the right to family reunification of refugees related to length of residence, employment status, access to housing and earning capacity, or availability of documentation proving family links.

Recommendation 39:

Family reunification should not be limited to people meeting the criteria of the 1951 Refugee Convention but should also be extended to people granted a subsidiary protection status.

Recommendation 40:

In all cases integration interventions need to incorporate an age perspective aimed at meeting the particular needs of refugee children, young people and older refugees. A gender perspective aimed at meeting the particular needs of refugee women should also be incorporated, while recognising the difficulties faced by refugee men. States should ensure the involvement of all appropriate special needs groups in the design, implementation and evaluation of integration programmes. They may also need to develop specific strategies and support for the integration of groups with special needs.

Recommendation 41:

Upon receiving permission to stay, each refugee should be given information as to his or her rights, personal advice and educational guidance. Their skills, background,

social situation and options in the host country should be evaluated. States should ensure full access of all refugees to advice and guidance services, as well as job clubs.

Recommendation 42:

Refugees should be given choice on the same basis as nationals as to where to settle. This includes housing rights relating to security of tenure, environmental health and safety, and the prevention of harassment, on the same basis as nationals. Upon receiving permission to stay, people accommodated in reception centres should be given all necessary information to make an informed decision following full consideration of the type and location of housing which might be available to them. No differential treatment should be applied to Convention refugees, persons granted subsidiary protection and nationals of the host country.

From rights to reality

Recommendation 43:

The special needs of refugees should be recognised within a policy of mainstreaming, including the needs of specific groups such as women and children.

Recommendation 44:

Where it is needed, states should develop time-limited refugee-specific policies and programmes with clear exit strategies, acting as bridges to mainstream provision, and be geared towards equal opportunities. They could be combined with services provided to migrant or minority groups, with the overall objective being the eventual incorporation of the refugee perspective in minority and equality policies. Since there are considerable differences in social welfare systems throughout Europe, government policies and resource allocations for refugee integration need to be compatible with social protection arrangements specific to individual European countries.

Recommendation 45:

The development of refugee-specific policies should take place with the input, knowledge and expertise of migrant and refugee communities.

Recommendation 46:

With direct practical experience of integrating refugees, the voice of cities and local authorities must be heard at the EU level. Where mechanisms are already in place to facilitate dialogue between different tiers of government, issues of refugees and asylum seekers need to be included on the agendas of these processes. This would ensure awareness and action on behalf of groups who account for a considerable proportion of the population in cities but might not be present at such meetings themselves. Good communication at a central government level, across departments and involving non-departmental public bodies is also needed.

Recommendation 47:

In many European countries governments rely on non-governmental organisations in the delivery of integration services to asylum seekers and refugees. In order to avoid frustration and competition between different refugee community organisations (RCOs), public bodies and NGOs, all organisations should work in partnership. Such partnerships need to clearly outline responsibilities. Information exchange and communication can help in putting together the different approaches and ideas so that

they add to, instead of level out, each other in achieving the best possible outcome for the integration of refugees.

Recommendation 48:

States should consider offering financial initiatives for local partners facilitating refugee integration at the local level.

Recommendation 49:

Policy-makers should create opportunities for the inter-personal dimension of integration and interaction at the local level, at meeting places such as schools, the work place, and local leisure facilities, such as libraries.

Recommendation 50:

Refugees must be empowered and enabled to use their own resources and skills to help each other, particularly newcomers, and to represent their interests and those of their family and community to service providers and decision makers.

Recommendation 51:

Capacity-building of community-based refugee organisations must be increased to enable refugees to create their own associations, delivering services to their members and engaging in dialogue with statutory and voluntary organisations on policy issues.

Recommendation 52:

Financial support from the European Union should be provided for activities that enable refugees to network with each other and with host society institutions at local, regional, national and European level.

Cultural integration

Recommendation 53:

States should promote cultural awareness and sensitivity. Knowledge of and contact with the many different cultures within a society should be promoted, as part of the creation of a cohesive society.

Recommendation 54:

Refugees need to be aware of their responsibilities towards their host countries with regards to adhering to common core values that underlie the cultures of democratic European countries: namely human rights, the principle of equality, the protection of minorities, democracy, the separation of state and church and the rule of law.

Recommendation 55:

Existing religious communities in receiving countries need to be open to refugees and to the fact they may have different forms of religious expression while new religious groups need to effectively form links with the host society and operate within its laws.

Recommendation 56:

Inter-religious dialogue should be promoted. This could be through the establishment of different platforms to strengthen the knowledge of religion(s) among government staff, journalists, and the public, including school pupils. To this end the appropriate information materials and methods need to be developed. This kind of dialogue can

help to prevent alienation between historically accepted forms of religious practice and forms that are newer to societies. In addition, teaching about different religious groups and their practices should be included in public education.

ANNEX 2 Further ECRE Reading

Position on the Integration of Refugees in Europe, 1999

Guidelines on Fair and Efficient Position on Complementary Forms of Protection, 2000

Procedures for Determining Refugee Status, 2001

Comments on the Proposal for a Council Directive laying down minimum standards on the reception of applicants for asylum in Member States (Brussels, 3.4.2001, COM(2001)181 final, Sept 2001

Position on the Reception of Asylum Seekers, 2001

Good Practice Guides in reception and Integration of Refugees, December 2002

1/ Older Refugees in Europe, Survey Results and Key Approaches

2/ Child Refugees in Europe, Guidelines on the psychosocial context, Assessment of and interventions for Traumatized Children and Adolescents

3/ Quest for Quality educational Guidance for Refugees in Europe.

Position on the Integration of Refugees in Europe, 2002

Information Note on the Council Directive 2003/9/EC of 27 January 2003 Laying down Minimum Standards for the Reception of Asylum Seekers, June 2003

Response to the European Commission's Communication on immigration, integration and employment, September 2003

ECRE Country Reports 2004

Broken Promises - Forgotten Principles, An ECRE Evaluation of the Development of EU Minimum Standards For Refugee Protection, Tampere 1999 - Brussels 2004, June 2004

RENEWING THE PROMISE OF PROTECTION, Recommendations from the European Council on Refugees and Exiles to the Brussels European Council, 5 November 2004 on the Multi-Annual Programme 'Strengthening Freedom, Security and Justice in the European Union' and recent proposals to establish camps in the Mediterranean region, October 2004

Information Note on the Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification of third country nationals and stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted, October 2004

Way Forward Paper: Europe's role in the global refugee protection system: Towards a European Resettlement Programme, April 2005

Way Forward Paper: Europe's role in the global refugee protection system:
The return of asylum seekers whose applications have been rejected in Europe, June 2005

Other Way Forward Papers:

The Way Forward. Europe's role in the global refugee system. Towards a European Resettlement Programme, April 2005

The Way Forward Europe's role in the global refugee protection system. The return of asylum seekers whose applications have been rejected in Europe, June 2005

The Way Forward. Europe's role in the global refugee system. 'Towards Fair and Efficient Asylum Systems in Europe, September 2005

The Way Forward. Europe's role in the global refugee protection system. Guarding Refugee Protection Standards in Regions of Origin, December 2005