SOLIDARITY WITH REFUGEES IN FUTURE EUROPE

THE MOST INTERESTING CONTRIBUTIONS FROM SPEAKERS AT 7 INTERNATIONAL CONFERENCES

TABLE OF CONTENTS

FOREWORD

The international project Solidarity in a Future Europe brought together citizens from across Europe in a series of seven international conferences dealing with the issues of asylum, migration and future European Union. The conferences were designed to bring the understanding of the daily lives of migrants and refugees, to improve the services provided to them and to understand the circumstances that forced refugees to come to the European Union. Each conference was the opportunity to connect general public and local citizens with experts in the field and volunteers from refugee service organizations.

This summary of the most interesting interventions from the conference speakers should serve as an inspiration for future policies and similar gatherings. The interventions were focused on the following topics of the conferences:
-Solidarity with Refugees in our Past and in our Future (Czech Republic)
-Muslim migrants, overcoming social stigma (Poland)
-Access to Independent Legal Advice (Austria)
-Co-existence of Different Cultures in Urban Environments (Greece)
-Alternative Housing Solutions for Elderly and Migrants (Slovenia)
-The Policies of (Un) welcome – Regional Perspectives (Lithuania)
-What the EU Can Do in Protection of Unaccompanied Minors (Spain)

The project was leaded by the Organisation for Aid to Refugees (OPU) from the Czech Republic. More information can be obtained from OPU at www.opu.cz

Co-funded by the
Europe for Citizens Programme
of the European Union

INTRODUCTION - SOLIDARITY

Solidarity belongs to the heart of cooperation of 27 Member States of the European Union. The values of rule of law, human rights, solidarity and justice are not abstract and distant; they are a binding part of the EU legislation and national legislation of the EU Member States. These values are deeply embedded in the Treaty on European Union, Lisbon Treaty, the EU Charter of Fundamental Rights, etc. Mutual solidarity of EU Member States in all possible situations, cooperation and mutual support is the only way to make the EU 27 a strong and reliable partner for the outside world with a lot of challenges be it climate change or migration. What we see today, not only in the asylum and migration field and especially in Central Europe, is the lack of mutual solidarity. We see attempts to exploit EU subsidies as much as possible and at the same time blaming the EU for almost all shortcomings of the globalized societies and for our own weaknesses and failures.

Refugees are the best example of the lack of solidarity and the shortcomings of national responses to the plight of refugees. We, the Central Europeans, do not care that Greece, Italy or Cyprus suffer from never-ending arrivals of refugees and migrants, we do not address that refugees´ rights are being violated almost everywhere on their route to the „civilized West". We have completely forgotten that we ourselves were refugees and we continuously „exported" our Czech, Polish or Hungarian refugees for 40 years in the last century. Today, our politicians speak always about illegal migrants like refugees do not exist whatsoever; they demand the protection of often unprotectable borders, propose unrealistic and lengthy border or pre-screening procedures somewhere on the outskirts of the European Union, returns of migrants or processing the asylum claims of refugees in specialized centers in third countries that have no reason to accept such unfair "solutions". This narrative must be changed and the conferences despite the Covid delays and problems showed us the ways how can and should our states contribute to the more just and solidary responses of the European Union towards people seeking protection in Europe.

CONFERENCE IN THE CZECH REPUBLIC

A SHORT HISTORY OF WELCOMING REFUGEES IN CZECHOSLOVAKIA AND THE CZECH REPUBLIC

Too often we hear today that refugees are very different people than us, that they should stay at home or in regions where their countries are, that we cannot accept them. Usually, these words come from the mouths of politicians who never met a single refugee in their lives and who purposely create and then strongly respond to negative attitudes resulting from the opinion polls about refugees and migrants. None of them ever recognizes that the Czechoslovakia (Hungary/Poland) not only exported hundreds of thousands Czech and Slovak refugees all over the world between 1948 and 1989 and it also expelled 3 million German refugees to Germany after the World War II, they are also silent about the generous reception of refugees in the Czechoslovakia and later in the Czech Republic in our recent history.

Let me remind you about these acts of generous reception of refugees in the Czech territory as an attempt to persuade not you but Czech citizens in general about the fact that Czechs can offer refugee to hundreds and thousands refugees and they did so in their recent history.

13.000 Greek refugees in the Czechoslovakia in 1948 and 1949

The civil war in Greece at the end of forties forced approximately 100.000 Greeks to leave the country in 1948 and 1949. A total 28.000 of them were children. The refugees were considered leftist or communists and the Czechoslovakia and its newly established communist government accepted a total number of 13.000 refugees on its territory. Some 5000 of them were children, many of them unaccompanied travelling alone by train from Albania. The unaccompanied were accommodated in 50 children homes and their relatives often came later to the country.

Majority of Greek refugees came to the Northern Moravian cities of Jeseník, Zlaté Hory, Krnov, Šumperk and other cities. They often settled in the houses emptied

after the massive expulsion of three million Germans from the border regions after the Second World War. Their stay was considered temporary however, majority of them returned only after the end of the dictatorship in Greece after 1974. Nevertheless, in the last census taken in 2021, 2000 Czechs indicated their nationality as Greek. The Czech Greeks themselves claim that there are around 7000 Greeks still living in the Czech Republic.

5676 refugees accepted from former Yugoslavia mainly Bosnia at the beginning of the 90ties

After a short wave of refugees from Romania (Czechoslovakia granted asylum to 325 Romanian refugees in 1991 and to a total of 475 Romanian nationals between 1990 and 1999), the Czechoslovakia and later the Czech Republic accepted on the basis of temporary protection a total number of 5676 refugees from former Yugoslavia between 1991 and 1997. Vast majority of them were Bosnians and they were accepted again with a view of repatriation after the war ends. The Bosnians were accommodated first in former military barracks but later in different castles, hostels, etc. Many of them returned after the war was over, many of them were reunited with their families in Western countries mainly US, those who stayed in the Czech Republic were granted permanent resident permits. Many Bosnians were later granted Czech citizenship. At the end of 2006, the Czech Alien Police registered a total number of 1800 Bosnians living in the Czech Republic on the basis of the permanent or temporary resident permits.

1034 Refugees accepted from Kosovo in 1999

A personal remark at the beginning, in 1998 I started my career as a lawyer for refugees and shortly afterwards I was charged with the task to serve Kosovo refugees accommodated in the Moravia region – the Eastern half of the country. The Czech Republic, in fact the Government of the current xenophobic and Islamophobic Czech President Miloš Zeman, decided about the temporary protection for a total of 1034 refugees from Kosovo. They were quickly transported to the Czech Republic and offered shelter in a number of not only refugee camps but also accommodation facilities and hostels hired by the Interior Ministry from private individuals. The interesting fact is that the Czech Foreign Affairs Minister even offered that the Government could accept up to 2000 of Kosovars. No one really raised the issues currently being raised very often about the very different culture and religion of the refugees despite almost all of them were Muslims with primary education levels only.

Unlike Bosnians, Kosovars were not offered permanent resident permits and already in 1999, after the NATO intervention in Kosovo and Serbia, vast majority of them came back to Kosovo to protect their houses and belongings. A total of 903 Kosovo refugees returned back to their country of origin quickly. The remaining ones often applied for asylum, were rejected first but then many of them granted humanitarian asylum.

Continuing voluntary receptions of refugees until 2015

I could continue in describing other humanitarian acts of the Czech Government accepting voluntarily refugees from abroad. However, I do not want to take too much time for me and too much stuff from the presentation of my dear colleague Magda Faltová in the next panel dealing with the current solidarity with refugees in the Czech Republic. Very shortly, we should not forget the offer of the temporary protection to Chechen refugees at the beginning of the new century. The Czech Republic was the only European country to offer the temporary protection to them en bloc but the Chechens denied this offer because the temporary protection was granted only for 6 months without the possibility to ask for asylum afterwards and almost all of them wanted to settle in Western Europe.
 Later in the new century, a number of smaller groups like Uzbeks, Burmese, Cubans etc., were resettled on the basis of the Governmental resettlement program, which was stopped in 2015.

RECEPTION OF REFUGEES FROM BOSNIA – A PERSONAL EXPERIENCE (D. POPOVIĆ)

I came to the Czech Republic from Sarajevo in 1992, when the war was raging in Bosnia and Herzegovina. I arrived in a convoy of 360 mothers and their children to whom the Czech Government had offered shelter until the end of the war. We all thought the end would come soon, but in the summer of 1993, we lost our last hope to reunite with our relatives in our hometowns any time soon.

At that time, all refugees from the former Yugoslavia were given temporary protection in the Czech Republic. This status allowed us to live in a humanitarian centre (at that time, there were 12 humanitarian centers for about 1,200 refugees). We had access to the labor market, free health insurance, and free education for children. Those who have found a job could leave the humanitarian centre and build their private life. We were grateful for every job we could have if the salary were enough to cover rent and food. Regardless of the education and work experience, we worked as cleaning ladies, sales assistants, or helpers in the kitchen for a minimum wage.

We faced tremendous psychological and financial pressure associated with the responsibility for child care. We were lucky that our children got access to the educational system. They started attending school immediately, and within six months, they learned the Czech language. Their successes in school made our life a bit brighter and happier.

I am an electrical engineer. I have worked in the field of automation of thermo-energy and industrial processes for 18 years. I never continued my career in the Czech Republic. I was lucky to get a job in the Organization for Aid to Refugees. Since then, I have been working there as a social worker, helping others overcome hard refugee times and integrate into Czech society.

When the war ended, the Czech Government started the repatriation process. Some refugees went back to their homes, and for those who didn't have homes anymore, the government helped build new ones. People like me, who managed to organize their private lives, were offered permanent residence in the Czech Republic. I accepted it, and after 30 years of living here and helping others, I am sure that I made the right decision, even though it wasn't easy to start a new life in a foreign country. I managed to build a safe place for my daughter to grow into a happy and successful person. We integrated into society fully. We have many Czech friends, and we like their cuisine. Today, I am looking forward to retaining. I hope the last period of my life will be easy and happy.

The world has never been in such a move as today. Masses are moving among countries and continents. Some people are forced to change their place of living, and some move voluntarily. Those who have lost their homes need our help the most. They search for new homes, but many obstacles are on their way. Sometimes I think that solidarity has disappeared. Refugees are waking up in Italian, Spanish and Greek refugee camps hoping that the safe place is behind the corner. When I see them on the television, I always remember a day when I left Sarajevo under the fire in fear that we would never manage to get safe to the Czech Republic. I feel the same pain and despair that was in my whole body then.

I was saying goodbye to my closest family without knowing if we would survive. But I was lucky. We survived. A helping hand was given to me by people that lived a thousand kilometers away from my home town. Thank you! I am grateful for a chance to live two lives without ever dying, one in Sarajevo and the second one in Prague. It's hard for me to understand today's attitude of the same people towards refugees. Sometimes I think they didn't like us either, but I didn't know the language to read about it in the newspapers.

Džana Nidžar Popović

CONFERENCE IN POLAND

1. ISLAMOPHOBIA IN EUROPE AS A RESULT OF THE RECENT MIGRANT SURGE

The turn of the last century spelled uncertainty for the globe at large. The world had been reshaped from the strict dichotomy of the Cold War, and in its wake an air of hopefulness had been left behind. No longer would the rich get richer, and the poor poorer as the two empires of old put down their weapons, one leaving the scene forever, and the other firmly taking the helm. Now that war is dead, and freedom had prevailed, it was time to solve hunger, end misery and bring justice to all. Surely, we would think, better days were ahead.

And for many, they were. Europe had flourished, integrating the East and the West into what we now know as the European Union, an immensely ambitious project, and a shining example of the strength found in numbers. Continuous enlargement was justified by the nature of the continent the states all shared, almost as if it were European manifest destiny. The concept of Europe as an identity took a grand step in its development, and more than just practical concerns started to bind the nations together. It was a matter of belonging.

However, to define what something is, we first have to know what it is not. To be a European is to belong to a distinct place of origin separate from all others, and to share a link by the virtue of that belonging, represented in your shared cultural legacy, however intangible. Thus, this carving out of identitarian territory meant that others had to be kept out, if the boundary of a 'super-nation' were to have meaning. Conflict was latently present, as it always is in matters of exclusion.

This all came to clash with the most recent surge of migrants and refugees, coming from the troubled regions east and south of Europe. The Arab Spring resulted in eruptions of a number of built-up pressure points, and the result was at times catastrophic, forcing the refugees on an arduous march in search of a future. For most, Europe was that future.

This had been a dark chapter for the world at large. It was a reminder for the West that misery was universal, and in the interconnected world of today all political problems attain a global dimension. To realize prosperity on the continent would

mean that the frame of reference had to be expanded past just Europe, and consider the neighboring upheavals as critically as one's own. The Arab Spring and the subsequent Middle Eastern crisis was selfishly designated as a 'them' problem, when in fact, it was an event of global proportions from the very start, manifested in the spillover of violence throughout the region, and the refugee crisis that subsequently reached the European shores.

It was inevitable that this willful ignorance would prove inadequate in the face of a humanitarian disaster the likes of which we've hardly ever seen before. The Western states were struck unprepared, struggling to scramble a semblance of a response, all the while pointing fingers in all directions, not least at the refugees themselves. As the cooperativeness of the European block was breaking down, those who were reaching for the safety of the continent were promptly alienated, described in foreign terms and falsely portrayed as incompatible with the 'way of life' in the host countries, all to the effect of exacerbating the already great difficulties the refugees faced.

It was a mixture of political opportunism, uncertainty and vitriol of the unknown, all set against the backdrop of a far too fresh 2008 economic crisis that took Europe by storm. Populism was on the rise, and the language of hate had found its reoccurring role in European politics. The end product being that the symptom of the wider catastrophe had been described as the cause, explaining the unfortunate fallout as its catalyst. And now, as the slogan would go, that same instigator had come to Europe.

Yet, Europe was never a stranger to strangers one could say. It is a canvas painting a history long and tumultuous, colored by men of all races, religions and backgrounds. It never belonged to any one group, because there was never any one group to claim the entirety of the European heritage. Now, perhaps more than ever before, this stands true. Europe is today a home to over 750 million individuals, each as different as the next, each as European as the last, yet some still stand to argue that some homogeneity had been lost. In reality, this narrative cannot possibly vouch for the preservation of homogeneity of Europe - only its establishment.

That push for a homogeneous Europe, a 'European Europe', invokes some tragic memories of the continents past, and threatens the wellbeing of millions, regardless of their origin. Islam, the predominant religion of most of the refugees, ended up serving as the foundation of this grand strategy of exclusion, justifying the ordeal by falsely portraying what was taken to be a contradictory life

philosophy. Even the Muslim population native to Europe found themselves caught up in the conflagration, as the ideological crusade spread indiscriminately to label all unfaithful to the European 'ideal'.

Ultimately, the ones most affected in all this, the refugees themselves, are now stuck between a rock and a hard place. To stay home is unthinkable, yet to go means to expose oneself to hate and rampant xenophobia in conditions which are often only marginally better than from what they had left. These people, many of whom have experienced the worst that this Earth has to offer, who've lost family and friends, and left all they've had and loved behind, are now walking into yet another line of fire. Tired of suffering, they know that the only good thing that comes out of war is its end.

I say that none of this is to find its home on this continent. Europe has been for millennia a bastion of most different cultures, a melting pot of peoples, traditions and religions. What is now described as foreign has in fact been European for centuries before, no less 'true' to the European values than the predominant mix of today. It is here now that the impoverished look to with hope, to leave their own mark and carve out a place which they can once again call home. To deny them that opportunity would not only lack compassion, it would be shortsighted. Easing human suffering is our gravest concern not only because it is right, but because in the globalized world of today, no adversity stays localized. There is no greater threat to Europe than ignoring that fact.

If the history of Europe had at times been exclusionary, the future doesn't have to follow suit. There is no idea more inherent to this continent, more 'European', than the constant strive for progress. Pushing humanity forward, expanding the horizons of our understanding, all of this forms the historic legacy of our continent. Knowing this, looking ahead into the future, only one course of action seems clear. Let us not build a Europe for the Europeans, but a Europe for the world.

2. THE IMPACT OF COVID-19 ON SECURITY-BASED ARGUMENTS SUPPORTING THE SO-CALLED "BURQA-BAN"

(Post-conference paper, Szymon Kucharski, Jagiellonian University)

The aim of my presentation was to take part in the debate on the so-called "burqa-bans", and linking it with the ongoing Covid-19 pandemic. Main hypothesis was that those difficult times debunked many security-based arguments for prohibition of the face-veil - at least in theory. Building on that, I wished to give several proposals, stemming from the ECHR jurisprudence, on how to combat securitization on a daily basis, since it is a vital challenge for numerous NGOs fighting for migrants' rights in Europe. Also, for the purpose of this research, the titular face-veil is understood as both burqa and niqab, although not chador or hijab, since the former two are most controversial.

Starting point in this discussion must be the sociological concept of securitization, as defined by the Copenhagen School of Security. It is a process, during which "a certain agent describes a certain issue, evolution or other subject, as an existential threat to him"[1]. It is widely used in modern societies by numerous politicians, media outlets and other opinion leaders - if it intensifies, it may lead to the so-called "panic policy"[2]. Main issue with this phenomenon is that securitization moves a particular problem from the sphere of intellectual, rational thinking, to the sphere of emotional-based decision making. In other words, when a certain issue, like migration, or a particular ethnic group, like Muslims, becomes a matter of security, communities start to get afraid, start to feel rather than think. In most extreme cases, this process may lead to tragic events, since fear is a triggering factor for mass-violence[3]. Some esteemed scholars even warn that declaring an actual existential threat, like climate change, as a danger to public safety, in order to keep this fight grounded in reality and empirical sciences[4]. Another possible effect of securitization is scapegoating or stigmatization of a certain social group, viewed as a possible danger - phenomenon especially visible in Muslim community in Europe. When performed by politicians having sufficient influence, securitization might lead to limiting human rights of members of aforementioned social groups.

[1] M.McDonald 'Constructivism', in P.D. Williams (ed.) 'Security Studies' translation W. Nowicki, Wydawnictwo UJ, Kraków 2012, pp. 69-70.
[2] Ibidem. Other useful sociological and psychological concepts concerning that matter are "moral panic", "fear mongering" and "fear of freedom" (ed. cars.).
[3] More about how the emotion of fear may inspire massive episodes of violence, see A. Smeulers, F. Grünfeld, 'International Crimes and Other Gross Human Rights Violations', Brill/Nijhoff 2011.
[4] www.abc.net.au/news/2019-12-03/climate-change-international-security-risk/11714284 (access on 25.02.2021)

And to make this matter worse, current human rights legislation specifically allows for limitations[5] and derogations[6] from human rights, when justified by the needs of security. So theoretically, a particular non-threatening issue may be elevated to an existential threat to the majoritarian community, leading to social exclusion of certain minority, followed by regulations infringing individual rights of its members, justified even by such a high-ranking instance as European Court of Human Rights (later referred to as "ECtHR").

How that process works can be perfectly observed using the example of so-called "burqa-bans" across Europe. Since in 2011 France passed a nationwide ban on face-covering Islamic veil, several more nations on our continent followed (as either full, partial or regional ban), while others discussed such a proposal[7]. There are three main groups arguments for introducing this regulation. First one comes from liberal feminism paradigm and describes burqas as a symbol of oppressing women[8]. Next focus on cultural differences, just like the French 'living together' concept[9]. Last group is the one most important for this paper: security-based arguments. Some opinion leaders created a narration in which face-covering Islamic clothing was described as a threat to society. Numerous reasons were given why: that covered face makes it impossible for the CCTV system to detect a suspect, that it is easier to hide weapons in loose attire, and even that women wearing burqas are encouraging others to join radical Muslim communities[10]. Exactly that narration is the core of securitization, since it pushes the public debate into more emotional discussion, and thus puts more pressure on decision-makers to impose restriction on wearing burqas. At the end however, the only visible result is stigmatization of the minority group, Muslim women. Demonization of burqas and niqabs lead women wearing them feeling oppressed, isolated from the outside world (since their personal beliefs prohibit them from going to public without their traditional attire), and even at heightened risk of physical violence[11]. Observing that dangerous story is vital, since the same mechanism can be easily used in other settings. One could easily imagine similar security-based arguments for introducing more invigilation of migrants' electronic devices, or for a program of closing mosques.

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[5] F.e., Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights, as amended) (ECHR) article 8(2).
[6] Ibidem, article 15(1).
[7] www.economist.com/graphic-detail/2019/08/09/burqa-bans-have-proliferated-in-western-europe (access on 25.02.2021).
[8] F.e., T. White, 'Why feminists should oppose the burqa', posted on 26.06.2013, available at newhumanist.org.uk/articles/4199/why-feminists-should-oppose-the-burqa (access on 25.03.2021).
[9] ECtHR judgment S.A.S. v. France (2015) No. 43835/11, para. 17.
[10] N.Saiya, S.Manchanda 'Do burqa bans make us safer? Veil prohibitions and terrorism in Europe', Journal of European Public Policy 2020, 27:12, pp. 1781-1800.
[11] More on the impact of burqa-bans on lifes of individual women, see E.Brems and others, "The Belgian 'Burqa Ban' Confronted with Insider Realities" in E.Brems (ed), 'The Experiences of Face Veil Wearers in Europe and the Law'. Cambridge University Press 2014.

Thankfully, before securitization results in introducing a regulation violating individual rights, there are certain requirements given by the European Convention on Human Rights (later referred to as "ECHR") that must be fulfilled. And those requirements are exactly a field where civic society can fight back against securitization of minority groups. Since it may be hard to combat security-based narration in the media, because lobbyists pushing such narration are significantly more wealthy than NGOs representing minority groups, in theory a dispute before an impartial court might generate more favorable results. For the purpose of this paper, the main focus would be on limitations clause doctrine as given by the ECtHR[12], using the example of the limitation clause from the article 8(2) of the ECHR. That being said, this doctrine is relevant also per analogiam with other limitable rights. Also, since virtually all European states are parties to ECHR, similar rules will be binding also before national courts.

To begin with, in order for the authorities to limit certain rights, action limiting them must be prescribed by law. As it was explained above, securitization favors emotional decision making and quick-thinking, and thus actions undertaken in that narration might miss certain legal requirements. That is an issue that civil society must always be vigilant about since it is often easiest one to exploit[13]. Secondly, regulation has to pursue a legitimate aim. Just as it was explained above, public safety may be one of those aims. Nevertheless, a threat motivating the authorities to introduce a legislation violating human rights cannot be a mere slogan: it must be an existing, well-proven danger. Perfect example of how often securitization leads to exaggeration, resulting in striking a safety issue as lacking evidence, is actually the titular burqa-ban. According to scientific data, there is no data backing the claim whether any sort of burqa-ban contributes to public safety[14]. Consequently, the aforementioned judgement S.A.S. v France, the ECtHR rejected the security-based arguments for prohibition of Islamic face-veil, since there was no real proof that wearing such a garment puts the society in danger[15].

Current Covid-19 pandemic even more clearly showed the public opinion that securitization of burqas was completely unsubstantiated - now, when everyone covers their faces, it makes society safer[16].

[12] Further reading on the concept of limitations and derogations, see: Moeckli, S.Shah, S.Sivakumaran, 'International Human Rights Law', Oxford University Press 2018, pp. 99-102.
[13] Moreover, ECtHR created an individual meaning of 'law', separate from national definitions. See f.e. ECtHR judgment, The Sunday Times v. the UK (1979) No. 6538/74.
[14] N.Saiya, S.Manchanda, op. cit.
[15] ECtHR judgment S.A.S. v France, para. 139. The Strasbourg Court still justified the nation-wide burqa ban, but only on the basis of culturally-oriented arguments, specifically the concept of 'living together'. Since those issues were not a part of my conference speech, they will not be included in this paper (ed. cars.).
[16] M. Ricca, 'Don't Uncover that Face! Covid-19 Masks and the Niqab: Ironic Transfigurations of the ECtHR's Intercultural Blindness', International Journal of Semiotics of Law 2020, pp. 1–25.

Indeed, this is where rational thinking may aid civil society in combating the challenge of securitization. It is for the common good to fact-check, control and measure the phenomena described as 'threats to security', since only the real ones can be used to justify infringement on our individual rights.

Last requirement that an act must meet in order to legally limit our rights is being necessary in democratic society, which in fact is understood as two separate tests: necessity test and proportionality test. The first one is an objective examination of a particular act, whether it is obligatory for the state to undertake it. Necessity is defined by the ECtHR as something more than desirable and less than indispensable[17]. This test is another way to strike down an attempt of securitization. As long as opposing agents find a less strict alternative to an action violating rights of minorities, a more strict infringement is unlawful. For instance, in case of burqas, in order for the CCTV cameras to be effective, women would only need to take off their veils inside of shops - total prohibition could be described as too far-reaching. The same goes with other possible battles against security-motivated stigmatization: instead of closing down mosques authorities may monitor content of sermons; instead of closing borders for all migrants, the state might conduct more thorough control on immigrants etc. Role of civic society in this stage is to create and advocate ideas for alternatives, because even if authorities reject them, mere existence of those viable, more liberal options prohibits stricter infringement.

Final test is sometimes described as proportionality sensu stricto requirement. While it is a nuanced and difficult concept, one could shortly define it as result-oriented balancing of benefits brought by action violating a certain right, and of harm inflicted on that right[18]. It is in fact the most challenging test from the perspective of a judge giving verdict over a particular regulation, because at the end it is their conscience where the decisions on that act of balancing are made. Unsurprisingly, it is also the last moment to stand against securitization. Proponents of safety-motivated regulation in this stage will be arguing that expected benefits are far larger than collateral harm - civic society should in contrary familiarize judges (and public opinion in general) with the real weight of pain inflicted on persons whose rights are to be violated. Because in some cases safety cannot override individual rights.

[17] S. Greer, 'The exceptions to Articles 8 to 11 of the European Convention on Human Rights', Council of Europe Publishing, HR Files No. 15, pp. 14-17.
[18] A.Barak, 'Proportionality: Constitutional Rights and their Limitations', Cambridge University Press 2012, pp. 340-370.

Nevertheless, at the end results may vary. In case of S.A.S. v. France, even though security-based arguments were rejected, total prohibition of burqas in public was still found by the ECtHR as justified. One could see it in many ways: as a stigmatization of Muslims, as a victory against securitization, as a stage in progressive evolution of the ECtHR, or even all of the above[19]. There are many more threats to stigmatized minorities posed by securitization, and civic society cannot stop facing them. Because from a certain distance, this entire process explained above is all about negotiations, dialogue. When one side of dialogue goes silent, it changes into monologue. And this is the moment of true loss, since then the audience cannot hear the opposite point. We cannot let that happen.

[19] S. Berry, 'SAS v France: Does Anything Remain of the Right to Manifest Religion?', posted on 02.07.2014, available at www.ejiltalk.org/sas-v-france-does-anything-remain-of-the-right-to-manifest-religion/ (access on 27.02.2021).

3. THE MAINSTREAMING OF ISLAMOPHOBIA IN THE CZECH REPUBLIC

(Carlos Gómez del Tronco[i])

Until 2015, research on Islamophobia in Czechia was limited and fragmented. Since 1989, when the state's borders opened, Czechia has not only been an untypical destination for migrants from Muslim-majority countries but estimates based on the 2011 census suggest that Muslims amount to only 0.2% of the total population. As a result, 'Islam' or 'Muslims' were not traditionally salient topics of public debate. This changed radically by late 2014, mainly due to the mediatisation and politicisation of a series of events that include the expansion of the so-called Islamic State and other affiliated groups, the European refugee 'crisis' and a series of terrorist attacks perpetrated within the EU by self-declared Islamists. Since at least 2015, in several EU cross-national surveys, Czech respondents ranked as the most hostile or fearful national cohort towards 'Muslims' and 'refugees'. These attitudes were reflected in the articulation of blatant Islamophobic positions by high-state officials, artists, public intellectuals, activists, political parties and social media users. More worryingly, records show an increase in the number of reported instances of hate crime targeting perceived Muslims and activists campaigning for the rights of refugees.

As a result of the above, since 2015, academics from diverse disciplines have produced a rich literature that has shed light on some of the dimensions in which Islamophobia manifests itself in the country. While some authors did retrospectively try to understand the significance of earlier manifestations of Islamophobia in Czechia, it has often been the case that this literature has

mostly focused on events taking place from 2015. The fixation with this inflection point could be interpreted to mean that 2015 is the year the problem of Islamophobia emerged in Czechia and future research should take this year as the main starting point. Nonetheless, in my presentation, I argued for the need to situate the events of that year within a broader context in a way that allows us to better understand the underlying causes and continuities that led to this seemingly radical rise in Islamophobia. To do so, I reflected on some of the most relevant findings from post-2015 research on public opinion, media and politics, while pointing to some of the preceding trends that might be helpful in explaining the events in the run-up to 2015.

Analyses of media reporting find that even the biggest national broadcasters and newspapers covered the European refugee 'crisis' using securitising frames. That is, by emphasizing the administrative, legal and security aspects of the 'crisis' the coverage favored narratives that framed migrants as security threats to the detriment of more humanising narratives that would have emphasised factors such as the individual motivations behind the movements or the risks involved in overcoming deterring obstacles found by refugees along the migration route. Nonetheless, signs of securitisation of Islam by Czech broadcasters or newspapers had already been identified in content analyses carried out on pre-2015 data. These analyses confirm that most of the coverage of Muslims already tended to focus on foreign conflicts and affairs, while paying most attention to the pathological aspects of Islam, such as fundamentalism, radicalisation or terrorism.

Within the pre-existing trend of securitisation in the media, one thing that is extraordinary in 2015 is the considerable amount of information on Muslims being published relative to previous years. In graph 1, I display the results from a search on the Czech media monitoring database Anopress across all their available print, online media (excluding 'social media') and TV archives. The graph shows the number of items per calendar month containing the words 'Islam' or 'Muslim' registered by the database between January 2010 and June 2020. Following the curve chronologically, we can observe how reporting starts increasing in 2014 (mostly as a result of domestic actions against Muslims and the rise of the Islamic State), with the three peaks of the decade measured in 2015: January (Charlie Hebdo shootings and anti-Islam protests in Prague), July (the EU resettlement and relocation mechanisms become heatedly discussed as anti-Islam protesters incorporate them as one of their main grievances) and November (following terrorist attacks in Paris).

A similar search by Vesecký performed on publications from 1996 until 2005 showed that, by far, the three peak months of coverage containing the words 'Islam' and/or 'Muslim' corresponded to three terrorist attacks on the territory of NATO allies: 9/11 (September 2001), the Madrid bombings (March 2004) and the London bombings (July 2005). From a socio-psychological perspective, it is relevant to consider that the availability of representations of 'Islam' and 'Muslims' in a country with few opportunities for intergroup contact can play a fundamental role in shaping the stereotypes held about all Muslims. Conducting diachronic qualitative analyses on data that consider such milestones can inform us about their symbolic power to shape stereotypes and the discourse about Muslims.

Graph 1 - Occurences of the words 'Islám' and/or 'Muslim' in Czech Print, Internet and TV (1/2010 - 6/2020)
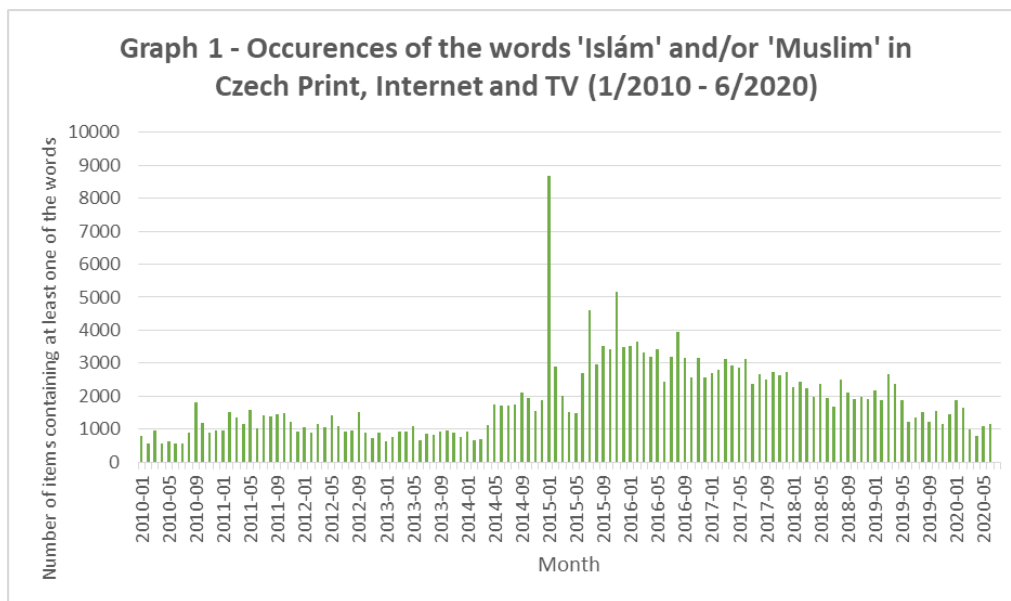
Since 2015, Czech public opinion surveys have recorded a significant and sudden increase in the perceived likelihood of outside threats to Czech national security coming from terrorist groups and individuals, wars, refugees, and radical religious movements, as well as Islamic fundamentalism and the Islamic State. These fears peaked in 2015 and progressively decreased over the following years. Over the five years following 2015, in several Standard Eurobarometer surveys Czechia often tops the list of countries who choose 'terrorism' as one of the two biggest issues facing the EU (with 'immigration' being the other concern), while selecting more economic worries (e.g., 'pensions', 'inflation') as the two biggest domestic concerns. The overall willingness to welcome migrants, as measured by national surveys, also decreases during this period. These and other data suggest a widespread perception that it is the EU – not Czechia – that is the referent object facing the likely threat of terrorism and the pernicious effects of migration. Consequently, when assessing the overall rejection of social categories like 'refugee', 'Muslim' or 'migrant' measured by surveys at this time, we should take into consideration the constantly changing meanings attached by respondents to those categories.

While pre-2015 surveys were not designed to systematically capture the attitudes of Czechs towards 'Muslims' or 'Islam', there are a series of early trends and studies on which we can reflect. Highly negative attitudes towards ethnic groups coming from Muslim-majority countries had already been registered since, at least, the early 2000s – with social distance towards the category 'Arab' increasing after 9/11. Measured attitudes towards Islam are similarly negative. For example, 60% of respondents to a 2006 survey expressed that they were afraid of Islam and three quarters declared that they would ban the construction of mosques in the country. Another 2014 survey found that over 80% of respondents totally or rather agreed with the statement 'Islam is completely incompatible with our culture'. While the nature of the prejudice might have changed along with its context, the data indicates significant pre-existing anti-Muslim and anti-Arab prejudice within which the events of 2015 need to be contextualised.

Political science had similarly only paid modest attention to the role of Islamophobia in Czech politics before 2015. Up until a few days before the Charlie Hebdo shooting, the consensus was that the nascent attempts of the Czech far-right to adopt an anti-Muslim agenda would not resonate with the electorate, as the Czech voter had traditionally cast her vote based on socio-economic rather than cultural concerns. The effects of the events of 2015 on re-shaping voters' preferences cannot be overstated and most political parties did indeed adopt anti-refugee or anti-Muslim positions as a result. However, earlier potential for the demand of anti-Muslim positions from voters as well as the experimental adoption of anti-Muslim elements in centre-right and far-right party programmes can be traced back to previous elections, particularly the European parliament elections of 2009 and 2014. In fact, from the mid-2000s, there is evidence that an assemblage of Islamophobic and anti-multiculturalism positions borrowed from the West was already making its way into factions of the country's centre-right and far-right. In my presentation, I draw attention to some of those key earlier moments and actors that can be seen as a precedent to the positions adopted from 2015 onwards.

In conclusion, visible efforts to securitise Islam or Muslims in Czechia date back to, at least, 9/11, as do widespread anti-Arab or anti-Muslim prejudices. Nevertheless, the literature on Czech Islamophobia covering this period (i.e., 2001-2014) remains modest and fragmented, which consequently limits our understanding of the phenomenon. The changes of 2015 may have exacerbated many of the preceding trends and forced political actors to position themselves, accordingly. However, in order to understand the underlying causes and continuities of this moment of inflection, we need to be able to emphasize the significance of this moment within its corresponding historical and geopolitical context, as well as explicitly unearthing its foundational ideological roots.

CONFERENCE IN GREECE

1. THE MIGRANT QUESTION AND THE PRINCIPLE OF SUBSIDIARITY: TENSIONS AND RAPPROCHEMENTS

Subsidiarity is a crucial concept when it comes to the migrant question. Local institutions have a more pragmatic and practical view of the situation on the ground than the national or supranational ones, and therefore are better equipped to deal with important aspects of migration, especially integration. Particularly, since the 2015 ' Migrant Crisis' municipalities have proven to be more able and willing to collaborate with each other than their national governments. The Cities Network for Integration in Greece involving municipalities in developing integration instruments is a good example. The Greek government has mostly distanced itself from this collaborative approach. However, recently, communication channels between the local and national levels are built in order to enable integration. Finally, the local level, since it is about individual interactions and everyday life, is able to highlight the value of migration and, more specifically, integration by creating a positive narrative.

Despite the clear advantage of local institutions in responding to the migrant question, difficulties in accessing decision-making and implementation remain. Often, migration is highly centralized, meaning municipalities do not have the power or resources to make decisions about applying integration practices or welcoming migrants into their communities. Moreover, funding issued by the EU to facilitate the handling of migration often goes first to national governments, who decide about specific focus areas and then pass it down to the local level. As a municipality or an NGO, it can be very difficult to apply for funding directly, particularly if they are smaller, due to a high administrative burden. On top of this issue of access, EU funding takes a project-based approach, often with a focus on innovative methods. Key questions such as integration require sustainable, long-term approaches, rather than innovative, short-term projects, therefore this mentality can sometimes hinder, rather than support, the work of the local level in welcoming migrants.

Strengthening the principle of subsidiarity in dealing with the migrant question is key. It is crucial to engage local communities, NGOs, municipalities, and even new arrivals in conversations and policy-making regarding migration, particularly the question of integration. A top-down approach does not work: the case of Greece, where the situation on the ground is in many cases very problematic, particularly in hotspots, is proof of this. Teamwork and collaboration are crucial: organisations and municipalities should work together both within and between member states, learning from each other and working toward similar broad goals. Current barriers to voluntary solidarity including funding and the criminalization of solidarity need to be removed. Finally, local, national and supranational levels must work to change the narrative surrounding integration and break the negative cycle which comes from labelling migration as dangerous. In its place, new stories are needed which emphasize the positive impact of integration. Highlighting these positive stories at a local level is the approach, which may encourage national governments to discuss integration more concretely and improve conditions for migrants and locals alike.

European Governments and the Civil Society: Towards a Permanent Break over the Migrant Question?

The 2015 European Agenda on Migration was another step toward criminalising solidarity in Europe. The EU's crackdown on migration clearly did not want to leave any space for states or municipalities to undertake a human rights-focused, support-based, or even pragmatic stance on the refugee crisis. On the contrary, it argues that the work of NGOs, governments or individuals to support refugees act as a pull factor for prospective migrants and exacerbate the crisis. Refugees are crossing the EU's borders with or without this support, and providing refugees with basic services such as shelter and food creates a more positive environment not only for arrivals but for the local community too, as people are be forced to sleep on the streets.

In the Hungarian context, the rhetorical and legal criminalisation of solidarity groups led to a more divided NGO society, one that the public began to view as an enemy that contributes to the migration 'problem'. Therefore, the EU's migration policies, rather than targeting migrants (the 'outsiders'), has become an attack on itself, feeding polarisation and criminalising EU citizens and organisations. Similarly, the EU's migration policies aim to overwhelm states' and municipalities' capabilities in dealing with the refugee crisis, particularly at the external border. An example of this is the concentration of arrivals to the EU in the Greek islands through the closure of borders and lack of resettlement schemes, creating a human

rights crisis and often high tensions between locals and migrants. The EU's attempts to create an explosive situation at the external border enables the continuation of the sentiment of crisis, enabling national and supra-national levels to justify emergency policies which at times violate international laws and side-line the humanitarian argument for accepting refugees onto EU territory. These emergency policies (for example the implementation of the 'hotspot' system) in turn overwhelm the local level, creating a cycle of crisis, allowing the EU to take extraordinary measures against immigration and turn them into routine practices, by pointing out the dire situation on the ground.

Despite these damaging high-level policies, there are numerous stories of solidarity and collaboration throughout Europe. These include NGOs, local churches and community organisations, informal cooperation between municipalities, and 'normal people' from many different backgrounds, be it students, lawyers, or journalists. Due to the repressive nature of EU and national policies regarding migration, the local level has been pushed to work more closely and more actively with each other in many different aspects, advocacy, the welcoming of migrants, and the provision of basic services. Thus, despite the EU's best efforts, solidarity is clearly not dead.

Discussion among European politicians & representatives of transnational institutions representing local bodies

Migration and integration begin and end at the local and regional level. There are technical, institutional and symbolic aspects of local institutions' engagement. All are important and interplay for placing the issue in context and bringing its real dimension to the public eye. Direct funding is definitive for the level of implication of local and regional institutions. Were there to be direct access to EU funding, local and regional authorities, even from countries that have governments that oppose burden sharing, would be more willing to get involved and set an example for others. As the example of Eurocities, Safe Harbours and other initiatives have shown, networks of cities have an important role to play for positioning and addressing the migrant question as a European issue. However, diverse competences provided by national legislation as well as from unequal distribution of the populations undermine networks. For instance, EU border regions and areas and especially the islands are under severe pressure. By drawing policies based on national average populations misrepresents the situation on the ground. Finding common ground on migration is essential to move forward. We need a system of genuine solidarity, and therefore proper consultation of local and regional levels of governance.

LOCAL GOVERNANCE & MIGRATION POLICY

Engagement of migrants in local politics, including voting and other forms of political participation, is important as an end in itself and as a stepping stone for integration. Local politics is the place where real democracy happens, and is about creating solutions to tangible, real-life problems. Everybody affected by these problems should play a role in addressing them, and this includes migrants who settle in the community. Participation in politics is an extremely important and effective means for integration. Encouraging this participation will enable newcomers to become a part of the community in which they live. Integration is key for a cohesive society, and for the wellbeing of migrants and locals alike. Thus, governments should enable political participation as a stepping-stone to integration.

Migrants can bring significant benefit to local politics. Often, they have huge d rive to get involved: refugees are often politically active because they are political refugees, and campaigning for change in their home countries may represent their only hope for returning. Also, migrants can be extremely valuable members of a political community as they often bring diversity, alternative viewpoints and, most importantly, hope. Therefore, facilitating political participation will ensure that host countries really make the most out of the phenomenon of migration. Currently, there is no EU or international law ensuring that migrants are able to vote in member states' local elections, despite the benefits described above. In fact, migrants often feel discouraged from participating in politics in their host countries. Lack of information, fear of being used as scapegoats, or a sentiment that the law does not protect them from discrimination, cause reluctance or fear in engaging in local politics.

However, political participation is not limited to the right to vote. Governments must put policies in place which enable migrants to feel less afraid to be citizens, for example by enshrining in law the formal right of migrants to participate in local politics. Education is a crucial aspect without civic education, people are unable to participate meaningful ly. This means sharing information with everybody {both migrants and locals) about the political system, the community, its problems, and potential solutions, so that then individuals can vote conscientiously. Before an individual is able to participate in politics, some level of integration is necessary; and here, the role of NGOs is important. It is undeniable that NGOs place a crucial role in integrating newcomers, by facilitating participation in the local community, and therefore these organisations can act as a stepping-stone to full political participation of migrants.

Policies of Segregation - Policies of Integration: Towards a Comprehensive Policy Framework Including Localities

The Commission works for fostering cooperation between local and regional authorities for capacity-building and the promotion of exchanges. Unsurprisingly, funding is a key aspect of the EC's support to the local level and is something that the EC uses to encourage working together. For example, the partnership principle, which now also applies to the Asylum, Migration and Integration fund (AM IF - the most relevant fund for the members of this conference), encourages authorities to work with each other and with civil society actors and organisations, which elicits the involvement of a range of actors, thus ensuring representation of relevant stakeholders and fostering connections. The involvement and cooperation for local actors, particularly regarding integration, is essential.

A large part of the AMIF funding is directed to and managed by national authorities. This means that, even if it is used to support local authorities, the national level is able to decide the specific focus of the funding. Since national-level authorities often have different ideas about integration policies compared to their local-level counterparts, this can be problematic. Luckily, the use of the partnership principle will aid this problem by ensuring coordination with local actors. Project-based funding negatively impacts on the sustainability and continuity of local integration policies due to the lack of guarantee of continued funding. This also creates a culture of circumstantiality when it comes to the work of municipalities in the field of integration. Funding could be made available to municipalities directly in order to increase their operational capacities, instead of giving funding to individual projects. The elaboration of an ongoing, standard policy for social integration of vulnerable people, including migrants and refugees, in the same way that countries have standard policies for education, is necessary. In their policies and funding strategies, Europe and its member states must distinguish between the issue of protecting Europe from mass migration flows and the integration of individuals into its communities.

Challenges and Opportunities for Social Cohesion

Vulnerable and marginalised groups, including refugees, are particularly affected by the pandemic and the measures undertaken to stop its spread. Yet despite this, migrants continue to find themselves at the bottom of the priority list in the Covid-19 response by both national governments and the EU. This leaves civil society actors to fill the gaps left by their national governments, which includes tasks such as providing health services and spreading information about the virus. Thus, it is imperative that these actors receive protection against Covid-19 and also included in policy design regarding vulnerable people, since they appear to be the only people with knowledge about and contact with these groups.

Intersectionality and coherence are crucial factors in the elaboration and implementation of policies on the pandemic, but also separate to the health crisis. In this regard, the New Pact on Migration and Asylum lacks coherence when compared to other EU plans and policies by decreasing its focus on human rights in favour of a logic of deterrence. For example, the New Pact's indirect call for racial profi ling and pervasive emphasis on detention is inconsistent with both the EU's Action Plan Against Racism and international recommendations to protect migrant children from being detained. In times of Covid-19, the EU's continual use of return procedures to tackle irregular migration goes against public health recommendations, for example to put on pause international travel. Thus, although there are positive developments in some aspects of EU policy in terms of the protection of human rights, the fact that this does not extend to the Union's migration policy leads to a lack of overall coherence in its approach. Given that more often than not, the struggles of vulnerable people are intersectional in nature, this lack of consistency is problematic.

Subsidiarity is particularly important when responding to the struggles of marginalised groups, both within and outside the context of the pandemic. Local and civil-society actors are well-placed in theory and effective in practice in supporting these groups, and therefore much can be done to facilitate this work and consequently improve the situation of vulnerable local and migrant groups. Bringing city-level actors together, both within cities (this includes the need for municipalities to align their approach to those of local NGOs, for example) and between them (to share expertise and come up with solutions to challenges) has proved very fruitful. National-level governments must support and endorse city-level programmes that have proven to be very effective, for example in the Netherlands. Dutch cities developed projects on return orientation which were subsequently supported by their national government, facilitating their implementation. Education is a solution both for local and national policies. It is clear that the pandemic has the potential to harm social cohesion further by increasing the fear of the 'other; by limiting options for interaction between different groups and encouraging individuals to use vulnerable groups as scapegoats to be blamed for the spread of the violence. To tackle this issue, European societies need education about and exposure to vulnerable groups - including migrants - from a young age in order to challenge stereotypes and encourage empathy.

In spite of the problems and difficulties of vulnerable groups due to Covid-19, the pandemic can act as an opportunity to create a more cohesive and empathetic EU policy and society, partly by emphasizing the strengths of the local level in protecting vulnerable people including migrants in all of its future strategies.

From the Sea to the City

Solidarity between European local-level actors and organisations is crucial. For example, civil society can work effectively with municipalities since they are united by a common opponent: the current migration policies in place in their nations and in Europe. This teamwork can have an impact on national and supra-national policies, particularly when pressure is placed on national governments to implement more human rights-focused policies. Fostering networks between organisations and cities over Europe is also key. These entities often have shared goals and similar approaches, and therefore sharing ideas, communicating frequently and working alongside each other can allow local organisations to be more knowledgeable and come up with more solutions to challenges they face.

In this way, despite the lack of harmony between EU states, the local level can still demonstrate that Europe shows solidarity. Although solidarity is key, the awareness that local contexts often differ hugely throughout Europe must not be cast aside. Communication can increase awareness of this fact and enable local actors to understand better conditions and perceptions on the ground in different local contexts, which will enable people throughout the continent to discern their fellow Europeans' views on and actions towards the migrant question. This variation in local contexts means that the concept of the European 'model' is unfeasible. Instead, we need a nuanced approach to the migrant question which allows for trial and error and reflects the local situation on the ground.

One field in which all local actors can work in a similar way is in creating counter-narratives to the one that Europe and its nations are currently adopting. Europe's frequent rejection of any positive policies which support migrants, justified by the argument that they will be 'pull factors' which cause more migrants to come to Europe, must be countered. Deterrence is not the only feasible approach to the migrant question, and the local level is well-placed in this case to highlight the viable alternatives to Europe's current approach. Thus, there are multiple approaches that can be taken by local-level municipalities and organisations in response to Europe's migrant question, which are likely to be more effective and more conscious of migrants' human rights than national or supranational governments.

2. FROM THE REFUGEE RECEPTION CRISIS TO INTEGRATION: GOOD PRACTICES AT LOCAL AND NATIONAL LEVEL & CHALLENGES AHEAD

(Marina Tomara)

The Greek government, in 2015, responded to the 2015 refugee crisis with a positive narrative. A solidarity movement emerged. Nevertheless, lack of reception infrastructure, financial and human resources as well as the lack of an effective mechanism to share the burden at the EU level, led to the Collapse of the 'European border'.

In parallel with the creation of hotspots at the entry points (Greek islands) integration programmes were developed at local level with EU funding, focusing on urban accommodation and bringing together local communities with asylum seekers. This was a good practice aimed at supporting vulnerable groups and promoting independent living. Through ESTIA - Emergency Support to Integration and Accommodation programme, implemented with the participation of 22 municipalities, 86,000 people have benefited. Other good practices led by the local government (Athens) in response to the reception crisis of 2015 - 16: Curing the Limbo programme, Athens Coordination Center for Migrant & Refugee issues, Cities Network for Integration (CNI), Migrant Integration Center, Elaionas Reception Center.

From 2019, the new right - wing government, promoted a polarising narrative making a distinction between 'real refugees' and others who try to mislead the Greek authorities and are not subject to the beneficial provisions of Dublin II. This approach is reflected in new policies, such as the mass eviction of 10,000 people from the asylum system in 2020 without any provision for accommodation and other integration services, the designation of Turkey as safe third country by a Joint Ministerial Decision (JMD) for people from Afghanistan, Bangladesh, Pakistan, Somalia and Syria as well as the introduction of closed Temporary Reception Centers and Closed-Controlled Island Centres for asylum applicants. Nevertheless, beneficiaries of international protection (the so - called real refugees) have also restricted opportunities following asylum distribution: Thousands of beneficiaries of protection continue to remain in refugee camps, due to the lack of sustainable alternatives at their service, the financial aid they received stops within 30 days from service of their positive asylum decision. In addition, bureaucratic barriers prohibit beneficiaries from having access to services. HELIOS Project, the only integration scheme in force cannot cover the existing needs.

The prompt response with regards to the Ukrainian refugees' reception in March 2022 (temporary protection, access to the labor market, health system and schooling) creates a double - gear system as other nationalities encounter serious barriers to the asylum procedure, asylum seekers have no access to pre-integration procedures and the conditions of reception are inadequate.

The main challenges at national and EU level are the following: Greece needs to implement the new national strategy for the social integration of asylum seekers and beneficiaries of international protection, asylum seekers should be accommodated within small – scale facilities within cities, beneficiaries of international protection should be supported in order to have real access to their human and social rights, including the right to housing, with the support of the European Commission, special attention should be given to vulnerable groups, f.ex. GBV victims etc., and last but not least an effective asylum system at EU level and law enforcement regarding reception conditions should be implemented.

CONFERENCE IN LITHUANIA

1. DIFFERENCE IN LITHUANIAN GOVERNMENT'S RESPONSE TO THE IRREGULAR MIGRATION FROM BELARUS THAT STARTED IN 2021 VS. RESPONSES TO THE REFUGEES FLEEING UKRAINE IN 2022

(Laurynas Biekša)

Migrants who were facing asylum and crossed the border from Belarus 2021, were pushed back or detained in the centres of Lithuania, without the right to move freely and work.

On the contrary, refugees from Ukraine were welcomed to enter into the territory even without identification documents, government provided substitute documents for them. Residence permits were provided by government. Right to work, different social allowances were provided immediately. Residence permit granted.

Two main reasons defined these differences:

Firstly, in lawyer's opinion, government recognized all 100 percent of the asylum seekers coming to Lithuania through the Belarusian border as abusers of asylum procedure who are not genuine asylum seekers. Reasons to back this opinion were not provided.

Second reason, in lawyer's view, public and politicians are more willing to accept people who are similar to the host country in culture, religion, thus having better chances to integrate, assimilate, find a job.

Lawyers and human right lawyers want to adopt a principle, that as long as there are genuine asylum seekers, government should treat all of the people appropriately in order to identify genuine refugees, but unfortunately, the attitude of public society and politicians is not necessarily the same.

2. WHAT WAS THE RESPONSE OF PUBLIC AND MEDIA REGARDING IRREGULAR MIGRATION FROM BELARUS? HOW DOES IT DIFFER IN COMPARISON TO THE FLIGHT FROM UKRAINE?

(Rita Ster)

The reaction to both events - the crisis on the Polish-Belarusian border and the mass influx of people from Ukraine to Poland, was completely different on many levels.

The most visible differences in response were at the governmental levels. In both cases of these two crises, Poles were generally willing to help. However, their willingness to do so was blocked - in the case of the Belarusian border by the risk of criminal liability for entering the area where the state of emergency was announced. On the contrary - in the case of people helping Ukrainians, Polish people were awarded for their help to Ukrainian citizens (for example financial reward was provided for those who offered temporary shelter for Ukrainians).

Non-governmental organizations working for human rights in Poland, as well as activists and Podlasie residents (the area where the state of emergency was announced) were mainly involved in helping refugees on the Polish-Belarusian border. In case of helping Ukrainians, people from all over the society were engaged in carrying necessary aid. Statistics show that over two-thirds (68%) of the respondents among Polish people declared that they helped Ukrainians in some way, e.g. materially or financially. At the same time, public opinion polls showed that about 52% of Poles responded negatively to the question of whether migrants from the Polish-Belarusian border should be allowed into territory of Poland.

In both cases, legislative changes were introduced - in the case of the September crisis, pushbacks were de facto legalised in practice by the Polish Parliament, and in the case of the war in Ukraine - regulations were introduced to make the border crossing for people from Ukraine as informal as possible and legal stay for Ukrainian citizens on the territory of Poland was allowed.

The media greatly polarised the opinion of the society, creating content according to the intended effect. Refugees on the Polish-Belarusian border were presented as a threat to the security of Poland and Europe, while Ukrainian citizens coming to Poland were identified with the victims.

3. PUBLIC ATTITUDES TOWARDS REFUGEES AND MIGRANTS IN SPAIN: WHAT CAN WE LEARN FROM THE 2015'S 'REFUGEE CRISIS'?

(Imanol Legarda)

·Contrast between the inadequate answer of public Administrations and civil society

·Interesting experiences coming from the citizens in the Basque Country:

- Zaporeak (cooking and serving food for refugees in Greek camps)
- Ongi Etorri Errefuxiatuak
- Harrera Sareak (citizen welcoming networks in San Sebastian and Irun to assist migrants with basic aid)
- Kaleko Afari Solidarioak (daily dinners served to migrants living in the streets)

·All of them were very visible human right violations that required a quick answer. It was easy to join these initiatives for people with no previous experience on migration. Good combination of assistance and advocacy work (not forgetting that administrations should be the ones answering to these issues).

·The narrative of most of them is that your regional identity (at a regional or state level) should be proud of being a welcoming country, make people feel proud of being in a welcoming country.

·Break with the idea of Spain as an exception in Europe. Data shows that public opinion towards migration and refugees is more favorable than in other EU countries but hate speech and prejudices are also very present.

·General ideas from academic research about public opinion in all EU:

- Overestimation of the number of migrant and refugee people.
- The use of different terms such as Refugee and Migrant spread a narrative that Refugees are more legitimate than Migrants to be in a country.
- Contact or Halo Theory: people who get to know migrant people tend to change their opinion to a more favorable one.
- The public is not divided into two groups (in favor or against migration)

-There are 2 or 3 middle groups which represent the majority of the society

-These middle groups have different general ideas and characteristics, specific to each country.

- We should learn more about them and target them as our audience.

·Opinion about immigration is unrelated to the demographic and economic circumstances of countries. Cultural and national identities are particularly potent. Perceptions of cultural threat are more important than perceptions of economic threat.

4. RESPONSE TO THE BALKAN ROUTE IN 2015-2016 AND THE WAR IN UKRAINE

(Kaja Kadunec)

The Slovenian government wasn't sufficiently ready for the arrival of that number of people in the years 2015/16. The situation was chaotic in the beginning and the government was reluctant to establish a humanitarian corridor. After some time, some protests and some pressure from the NGOs, the basic necessities for refugees were provided, some kind of humanitarian corridor was established and more reception centers were built.

Public and political reception of refugees from Ukraine is much better than the reception of refugees from other countries. There is a lot of systemic discrimination that shows not everyone has the same access to rights in practice. Slovenian government activated the Temporary Protection of Displaced Persons Act for the first time in history. It grants faster access to rights for Ukrainian refugees. Due to a massive influx of people, the reception facilities and the administrative unit have been overwhelmed and the asylum procedures have been slow.

CONFERENCE IN SLOVENIA

1. ALTERNATIVE HOUSING SOLUTIONS FOR ELDERLY AND MIGRANTS

(Tereza Novak, executive director of Slovene Philanthropy)

The target population for the proposed social innovation are people over 65, whose living conditions are not suitable for their age and/or medical conditions (too many stairs, inaccessible rooms etc.), who live in apartments and houses that are too big for them and too expensive to maintain, who live far from their children, from essential services, who live alone and feel isolated, and are experiencing a loss of identity and purpose after the end of the "active" phase of their lives. It is blatantly obvious that the overcrowded Slovenian retirement homes are not a suitable solution for a dignified and healthy old age for those who cannot live by themselves of with their extended families. There are some other forms of long-term care solutions and accommodations, but are costly and thus inaccessible to the vast majority of seniors. The cost notwithstanding, the currently available capacities are not sufficient for the ageing society.

On the other hand, due to emigration of the younger generation towards cities there are many nearly abandoned villages in Slovenia. With certain adaptations, rural communities could provide the sought-after safe and healthy environment for seniors who no longer need to be close to their workplace, but are still active and more or less independent.

The consortium proposes to develop a model integrated community for independent ageing, where the residents would be able to maintain as much of their independence as possible, but would still be given adequate assistance and support when needed. The consortium wishes to avoid the usual paternalistic model of retirement residences, by encouraging residents to take on active roles within the community, by ensuring complete liberty of movement, action and association, and at the same time acknowledge their need for privacy and their own private space.

We will prepare a plan to convert empty houses in not-too-remote villages into residential units for 2 to 4 persons with individual bedrooms, common rooms and all the amenities, as well as a workshop, garden, patio etc.

The residents will be self-organized in a sense of planning shopping trips, trips to the town, to the doctors/dentist, to the cinema etc. Primarily, they will use existing public transportation and mobile services, and the providers of the services will be invited to participate in the project.

The community will benefit from a regular presence of the community coordinator (social worker or care professional) who will assist the residents in adapting their daily activities to their wishes and needs, organize medical assistance etc. when necessary.

We will form a partnership with property owners and propose a rental plan that will allow for amortization of the initial investment in adaptation of the housing units, a steady income for the property owner (which would increase once the investment is amortized), while keeping the rent at an affordable, not-for-profit level. Members of the consortium will approach their task by gathering as much information as possible: from consultations with the prospective users, from good practices elsewhere in the EU, from Slovenian local communities, NGOs and public bodies. Based on the compiled knowledge, we will develop a model-integrated community, determine and map suitable locations for the pilot stage of the implementation, assess the cost of execution. The plan, when submitted, will be ready for implementation.

In the ageing, 21st century society the demographic structure is inexorably changing in favor of the older, professionally "inactive" segment of the population that often needs at least some assistance in their daily lives. In Slovenia, the average age is 43,5 years, the ratio of people over 65 was measured at 20,2 % on January 1st 2020, the ageing index is 127,8, the ratio of seniors over 65 is projected to reach 31% by 2057, as a result of longer life expectancy and lower birthrates.[20]

There are 102 public and private state-subsidized retirement residential institutions in Slovenia, providing a total of 21.039 beds, all of them currently occupied. There are 12.215 persons waiting for a place and over 50.000 applications for institutional accommodation submitted.[21]

Additionally, some residences also offer "sheltered housing" (oskrbovana stanovanja), for instance DEOS, Dom pod gorco. There's also the real estate fond of the Slovenian public retirement fund (PIZ) that comprises 2760 rental apartments for persons over 65 and 360 sheltered housing units. All but 3 units are currently occupied.

[20] www.stat.si/StatWeb/; Zdravstveni statistični letopis Slovenije, 2017.
[21] www.ssz-slo.si/

There have been no major investments or adaptations in the public elderly care system for over 15 years and consequently the system is outdated and overcrowded, which became blatantly obvious during the Covid-19 epidemics. Notwithstanding potential health-hazards the retirement-home environment in most facilities is hardly beneficial to the residents, who lose a large portion of their autonomy, identity and sense of self-worth when the move into "the old people's home".

For a large number of seniors who would benefit from institutionalized care, the cost of living in privately or even publicly owned retirement homes is prohibitive and as pensions decrease and prices increase the gap is growing even wider.

The situation is not much different in the EU as a whole: the population over 65 has neared 30 % in 2018, the most significant increase has been observed in persons over 80; by 2050 the population over 80 is expected to expand from 27 million (in 2015) to almost 59 million, more than 11% of the population. In the euro zone alone, there are approximately 3 million nursing home beds; 2,3 million of which are in Germany, Belgium, Spain, France and Italy.

The number of dependent elderly persons is also rising. Changes in the family-life dynamics (decrease of multi-generational homes etc.) has also influenced an increased need for services and housing for seniors. The elderly population, many of whom are in good health ac can contribute to their own quality of life, recognizes the need for assisted-living facilities, with a strong penchant towards a hybrid solution, allowing for a greater modularity in healthcare and services, more flexible assistance while maintaining an atmosphere as close as possible to "being at home" and as much independence as possible. The need for user-centered accommodations for the elderly with various levels of dependency and need for assistance is thus increasing across the EU; there are, however, discrepancies in the attitude of member states towards the question and the amount of resources they have been willing to invest in the past and are planning to invest in the future.

Thoughts on Cohousing by the Elderly
"Specially now, as we know how vulnerable big complexes of elderly homes are and how difficult it is to find enough care workers to provide services in assisted living apartments, I believe, we should be investing more in cohousing. That's how we would be able to live independently for another 15 to 30 years after we retire, spending days in company or on our own as we would please. No big science is needed here, just some empathy and solidarity." Marta, 76 year-old, Ljubljana

New Solidarity Through Housing Coops

Housing policy has an important social as well as developmental, economic and ecological dimension. Through housing, we are building shelter, but also creating communities, neighborhoods, promoting social mixing, sharing and integration rather than stratification etc. Nevertheless, housing is being increasingly commodified, with its exchange or even investment value being prioritized over its use value. We are forgetting that housing is actually a home to someone, a place where we grow as individuals and as members of the community.

In Ljubljana the average market price of used apartments was 2960 EUR in 2020, while it is almost impossible to buy a new apartment for less than 4000 EUR/m2. The average rent is about 14 EUR/m2, which is around 700 EUR for a 50 m2 apartment. On the other hand, the average monthly net earnings were 1379.09 EUR in Ljubljana and 1208.65 EUR in Slovenia as a whole, while a whopping 64 % of Slovenes earn below average salaries. We can claim that it is increasingly difficult to buy or to rent a good flat in Ljubljana. Situation is similar in other urban and touristic centers. Increasing numbers of people are left without access to decent housing - housing is becoming unaffordable not only for the low but also for the middle-income families.

To get a non-profit apartment through Ljubljana's public housing fund requires a great amount of luck, since at each call, that is on average every second year, they are able to assign apartments only to about 11% of eligible applicants. Currently, only 6 % of all housing stock is publicly owned. Although we can expect about 2000 new non-profit apartments by 2025 - this is still far from enough, based on the needs and the gap that was created in the last three decades, in which housing policy was completely neglected. To effectively deal with the housing problem, we would need to increase public investment in non-profit public housing, a better land policy, regulation of private housing providers and rental market, as well as introduction of new actors in the affordable housing market. Rental housing cooperatives as providers of decent, secure and beautiful homes and generators of strong and connected communities, could successfully contribute to the affordable housing stock. This model of housing provision is already well established in some parts of Europe, like Austria, Germany or Switzerland, while in Slovenia we are in early stages of its development.

At its core, housing coops are groups of people that come together, join forces, resources, time, knowledge and skills to come up with housing solutions collectively. They form an organization, a housing cooperative that constructs or renovates a building in order to provide good quality and affordable dwellings to

its members. The project is usually financed by initial self-contribution by housing coop members – future tenants – and a loan. The housing coop members then rent their individual dwelling from a cooperative. They are neither owners nor just renters of their dwelling - they are entitled to an indefinite right to use as long as they comply with the rules.

The housing coop is self-managed, organised democratically with each member having one vote. Often future tenants are involved in the creation of housing from the very early stages, deciding on all important organizational and architectural aspects of the project. Frequently they decide for more common spaces compared to traditional multi-apartment building, like shared laundry, big kitchen and dining space, kids' corner and similar. These shared spaces enable social interaction and encourage people to self-organize and do things together instead of being alienated in their individual dwellings.

Participation at the level of housing gives people power to speak up, knowledge of listening and deciding together. It increases their capacity to work with others and gives them a channel to influence the life in their community. We could claim that housing coops function as a school for democratic decision-making and teach people how to live together.

Often, housing cooperatives want to mirror real life and provide housing for diverse social groups - for people of different income levels, young and young families, elderly, people with migratory or refugee background and people with disabilities. They are promoting integration and social cohesion, and have proven to be a supportive and secure housing solution for people in different disadvantageous situations.

To be able to provide affordable housing, housing coops often (need to) collaborate with a public actor, such as a public housing fund or a municipality. In Zürich or Barcelona the City participates in the project as a provider of land. The housing coop that is chosen through a public tender gains a right to build or a lease of the public land for an affordable price, while the ownership of the land remains public, keeping this increasingly scarce resource off the market. Another very important factor in providing affordable housing within housing coops has proven to be the access to different financial mechanisms, like low interest long-term loans. Generally, rental-housing cooperatives are more affordable than other forms of housing provision, because there is no intermediary that would profit, but also because of the possible benefits of partnering up with a public actor. Swiss housing co-operatives offer on average rents that are 20% lower (in larger towns even up to 50% lower) compared to private rental units.

With all its benefits, housing cooperatives hold an important potential to offer a good quality housing solution to diverse people as well as build cohesive communities. However, for them to develop and prosper, also decision makers on national and local level will need to recognize their advantages and make them an integrative part of housing policy.

IŠSP - Inštitut za študije stanovanj in prostora, Zadruga Zadrugator www.zadrugator.org, MREŽA STANOVANJA ZA VSE www.stanovanjazavse.si

2. AN EXAMPLE FROM ITALY - SUSTAINABLE ACCESSIBLE LIVABLE USABLE SOCIAL SPACE FOR INTERCULTURAL WELLBEING, WELFARE AND WELCOMING

The main aim is to convert Villa Salus, an old abandoned hospital, into an innovative urban space for Wellbeing, Welfare and Welcoming, operating towards the social, cultural and economic integration of migrants/refugees, and a multilevel facility for the whole metropolitan area of Bologna (around 1 million inhabitants).

The Salus Space community is composed according to a criterion of social mix of citizens, Italians and migrants, students and workers, of different ages and countries of origin (40% refugees). The selection has been made through a Public Call for the expression of interest, followed by motivational interviews. New Inhabitants sign a « pact for collaborative living » and a «Charter of Values» and they are directly involved in the management of the social and economic activities.

Salus Space is also a permanent laboratory for training in the different fields of intervention. More than 100 people have been trained during the project.

3. AN EXAMPLE FROM THE CZECH REPUBLIC – SOZE AND THE HALF WAY HOUSE

Article 11 of the International Covenant on Economic, Social and Cultural Rights provides that "everyone has the right to an adequate standard of living, including adequate food, clothing and housing" but in practice there is no obligation to provide decent housing. This right therefore appears in the Czech Republic on paper only.

In practice, only refugees and asylum seekers are entitled to housing provided by the Ministry of Interior, while migrants are not. Another problem is that the elderly are in a situation of distress because there are few or no affordable solutions or even sufficient capacity. Finally, financial subsidies are severely restricted.

There are two good practices in the Czech Republic:
The social housing of the NGO SOZE in Brno or the transitional flat concept applied by the OPU for young migrants, the hostels for asylum seekers run by Caritas and many others, the concept of study flats applied by the Home for Foreign Children

CONFERENCE IN SPAIN

In 2020, 10% of all asylum applicants in the European Union were considered to be unaccompanied minors (13. 600). The majority was males (88%) and aged 16 to 17 (67%). This is a group of people in a particularly vulnerable situation, as the protection of their rights falls through the cracks of various policy systems, such as the asylum, immigration or child protection systems. Moreover, the obligation to protect these children's rights in compliance with the United Nations Convention on the Rights of the Child often collides with policies of reinforced immigration control by the Member States.

In compliance with the acquis communautaire, national governments are obliged to ensure minimum safeguards for those unaccompanied minors applying for asylum in the EU. However, these safeguard measures vary significantly across the Member States, especially when it comes to the non-asylum seeking unaccompanied minors, who already face more challenges and difficulties.

In Spain, the legislation affecting unaccompanied minors and youth has suffered a significant modification in November of 2021. The Spanish Alien Act was modified in order to loosen the conditions in which these minors can access to, or maintain, work and residence permits. The new legislation allows minors who are 16 and 17 years old to legally work and reduces the economic thresholds to be met in order to renew permits when turning 18, amongst many other improvements. The modification has responded to a longtime request by NGOs, activists and civil society working in the field of migrant children and youth.

Despite the progress made, unaccompanied minors in Europe still struggle with a precarious situation due to lack of clarity regarding the responsibility of Member States at the national level. It is unclear which policy area or system should take responsibility for their welfare and for the enforcement of minimum standards of protection and provision of rights. On top of that, and as mentioned before, these shortcomings may vary from Member State to Member State.

The aim of this conference is to share experiences and views, from Spain's example of a positive step forward, to sharing positive and negative experiences in other Member States, so that we can together think of solutions and improvements that can be made to ensure that the European Union as a whole enhances the protection offered to unaccompanied minors and ensures that their fundamental rights and freedoms are safeguarded.

PROTECTION OF UNACCOMPANIED REFUGEE MINORS IN SLOVENIA

SLOVENE PHILANTROPHY (SLOVENIA)

-Working with unaccompanied minors from the day of establishment
-In the year 2001 - guardianships for unaccompanied minors
-System of guardianship not optimal - based on volunteering, increasing number of unaccompanied minors
-Slovene Philanthropy stops with guardianship
-In the year 2016 - legal guardians for unaccompanied minors
-Offering support to legal guardians, Slovene Philanthropy is a part of training for new legal guardian

Year 2021: 782 unaccompanied minors applied for international protection

-Afghanistan (449), Pakistan (80), Egypt (66),Bangladesh (65)
-16 female, 766 male
-26 (age 0 – 13), 122 (age 14 – 15), 634 (age 16 – 17)
-**Unaccompanied minors that got status of international protection:**
-Between years 1995–2020: **992**
-In 2020: 89
-In 2021: 19

SLOVENIA AS A TRANSIT COUNTRY

-In the year 2020 - 98% unaccompanied minors left the country before the conclusion of the asylum procedure
-Harder to detect vulnerabilities in shorter period of time
-Important to follow child's best interest
-Assumptions about why unaccompanied minors are leaving Slovenia:
-Long asylum procedures and long family reunification procedures
-Fear of being returned to the country of origin or the country they arrived from
-Inappropriate living conditions (they are hoping for safer and better future)
-They are forced to leave because of human trafficking

OPTIONS FOR MINORS IN SLOVENIA

-At the border - returning to a neighboring country - interstate agreements
-Pushbacks
-Applying for international protection
-Returning to the country of origin
-Family reunification in a third country
-Permission to stay
-Temporary protection (war in Ukraine)

CHALLENGES IN PROTECTION OF MINORS IN SLOVENIA

-Minors are not treated as children (by the Convention on the Rights of the Child), instead, they are treated based on their immigration status
-Lack of holistic approach
-Placement - a system solution is still not in place
-Detention center - in the year 2021, 238 children were placed there
-Recognising the needs of minors at the border (return to neighboring countries)
-Disharmonised system of guardianship
-Insufficient training of professionals working with minors
-Insufficient psychological and psychotherapeutic help and support
-Limited provision of interpreters
-Long procedures - minors should be given priority
-Age assessment procedure

LEGAL GUARDIANS

Responsibilities of a legal guardian:
-representing in the procedure of obtaining international protection
-in the field of health protection
-education
-finance
-Legal guardians go through training and practical work
-First time meeting a new legal guardian – understanding the role
-Importance of a guardian during the first and second interview
-Language barrier (interpreter just for official procedures)
-Placement to a student home - children mentioned they would prefer living in a house with a family or with friends in smaller units
-Doing more than just requirements of your role as a legal guardian – volunteering
-It is impossible to build a strong rapport without extra time involved

PROTECTION OF UNACCOMPANIED REFUGEE MINORS IN GREECE

(INTER ALIA- GREECE)

Refugee children and youth

-Children, as defined by the UN Committee on the Rights of the Child (UNCRC) (1989) are persons under the age of 18 and regardless their status, are guaranteed specific protection measures due to not having reached the age of majority.
-Refugee children are among the most vulnerable in the world. Every day, they risk loss of some kind, including the loss of the future that every child deserves. Child refugees live in constant fear, uncertainly and instability.
-Within the category of refugee or asylum-seeking children, there are also at-risk groups of separated or unaccompanied children, who require even greater attention of the authorities, due to the various risks that their facing various risks.

Transition to Adulthood

-Transition to adulthood is often a difficult and challenging process, a time during which they move from the status and rights of childhood and care towards uncertainty, adulthood and responsibility
-During this time, young people have needs which are based on their age and stage of development in the process of cultural, intellectual, physical, psychological and social development, all of which may be affected during the transition by their experiences of displacement and their refugee or asylum seeker status.
-For refugee youth, this transition from childhood to adulthood brings specific age-related challenges and issues
-Turning 18 often means losing the additional rights they had in the host countries as children, due to a change of legal regime, and this sudden deprivation of rights further impacts on their development process
-While in some of the member states of the Council of Europe there are some positive examples of the management of this transition, there are vast inequalities in terms of political, social and economic status of the refugees and their treatment both between and within countries, due to the lack of a uniform legal framework, and regional, national and local authorities also have an important role to play in this treatment

-The areas of concern for young people going through transition to adulthood and autonomy and facing a change in their legal regime involve issues with age determination, general concerns regarding legal frameworks, lack of adequate information, loss of support from the guardian or social worker, opportunities for family reunification, access to accommodation, education, health care and psychological support, and access to employment, as well as their participation in society and inclusion in youth work activities

-Young people in transition from childhood to adulthood and autonomy are subject to different regulations and legal frameworks in European countries, thus their legal status depends on the territory in which they find themselves.

-Under Article 25 of the EU Asylum Procedure Directive, states may even choose not to appoint the legal representative which will follow the asylum claim on behalf of a young person, if a child is likely to turn 18 before the decision on their asylum claim has been made, thus withholding from the young person an opportunity to legalise their status within a country. This means that many young people reach majority before their asylum claim has been finalised

-The first instance acceptance rate for children is 1.3 times higher than for adults, while for the final decisions on appeal, the acceptance rate for children is 1.2 times higher than for adults.

-The loss of a social worker and guardian at majority affects their ability to argue their case, and also leaves young people without the guidance and support system that they had

-In some countries the family reunification procedure is interrupted if not complete before the child turns 18. In other countries, such as Finland, the procedures and requirements have also become stricter in terms of required income and criteria refugee youth need to fulfil, hampering the possibilities for family reunification, which would provide young people with more stability and motivation.

-Children in the countries of the Council of Europe all have the right to shelter and accommodation, which they lose as they reach majority, and they are either transferred to alternative accommodation or are expected to cover the accommodation expenses on their own.

-Furthermore, they face difficulties with access to education, due to language barriers, previous education levels, bureaucracy, discrimination and particularly if they are over the age for compulsory education.

-While challenges of unaccompanied and separated refugee and asylum-seeking children are generally acknowledged and national policies are in line with international treaties such as the UN Convention on the Rights of the Child, the young refugees and asylum seekers aged between 18 and 25 are not acknowledged as a group with specific needs and the transition from one migrant policy regime to the next can be particularly harsh.

-Young refugees' and asylum-seekers' transition to adulthood has been a matter of concern for UNHCR, UNICEF and other UN agencies, Council of Europe and European institutions, as well as a range of non-governmental organisations
-In 2010, the Council of Europe and the UNHCR organised a seminar "What Future for the Work with Young Refugees, IDPs and Asylum-Seekers", which underlined the need to "recognise young refugees, asylum seekers and other youth in need of humanitarian protection aged 18-30 years old as a group with specific needs within European society".

Unaccompanied Minors

-From 2011 to 2021, unaccompanied minor applicants accounted for 15.3% on average of the total number of first-time asylum applicant aged less than 18.
-The three most represented citizenships in 2021 for first-time asylum applicants under the age of 18 were Syrian, Afghan and Iraqi.
-At EU-level, the share of unaccompanied minors in the total number of first-time asylum applicants aged less than 18 was on average 15.3 % over the period from 2011 to 2021, with a maximum value of 25.5 % recorded in 2015 and a minimum value of 7.3 % in 2019. Once again, the highest value was recorded during the "migration crisis", but the weight of unaccompanied minors dropped quickly just after before increasing by 6.6 percentage points up to 13.9% during the last two years.
-When looking at the average share of unaccompanied minors in the Member States, the highest values can be found in Slovenia (60.8 %), Italy (47.5 %), Bulgaria (44.1 %) and Romania (42.5 %), whereas this share was below 3 % on average in Spain (0.5 %), Lithuania (1.2 %) and Estonia (1.5 %).

Legislation In Greece

-A Joint Ministerial Decision (JMD) was issued on 7 June 2021, under which the Greek State designates Turkey as a "safe third country" for nationals of Afghanistan, Syria, Somalia, Pakistan and Bangladesh who apply for asylum in Greece, thus extending the scope of the March 2016 EU-Turkey Statement.