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**From reception to integration: the role of local and regional authorities facing migration**

Current Affairs Committee

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*Summary*

The report assesses the situation of local and regional authorities in Council of Europe member States who are facing specific challenges due to an increase in the number of refugees and migrants coming to Europe in recent years. It underlines that, in the absence of a clear and coherent European response, the crisis of policy surrounding the refugee situation has left local and regional governments (which are the first port of call in emergency situations) with limited means and guidance to fulfill their responsibility to provide newly arrived migrants with protection, support and access to key public services such as housing, healthcare and education without any discrimination.

The Congress invites all levels of government to better co-operate and co-ordinate their response in order to put in place reception policies ensuring respect of human rights for all refugees and migrants whatever their status, as well as facilitating their long term inclusion into the host communities through an early integration approach. Convinced that local and regional authorities are the cornerstone of efforts to effectively tackle the current refugee situation, the Congress calls on member States to remove administrative and practical barriers encountered by asylum seekers during their application process as well as to develop clear legal frameworks and ensure financial support for local and regional governments.

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1 L: Chamber of Local Authorities / R: Chamber of Regions  
 EPP/CCE: European People's Party Group in the Congress  
 SOC: Socialist Group  
 ILDG: Independent and Liberal Democrat Group  
 ECR: European Conservatives and Reformists Group  
 NR: Members not belonging to a political group of the Congress

**RESOLUTION 411 (2017)<sup>2</sup>**

1. The increasing number of migrants coming to Europe constitutes a critical challenge for all levels of government, calling for adapted and effective measures in Council of Europe member States. Local and regional authorities who, as the public authority closest to the population, are the first port of call in any emergency situation, have the responsibility to provide newly arrived migrants with access to key public services (housing, healthcare, education) without any discrimination.
2. The burden of managing the current situation has been put on a limited number of States whereas greater solidarity among European States should be the order of the day. The absence of a clear and coherent European response to the situation has led to a crisis of policy at international and national level, leaving local and regional governments with limited means and guidance to respond to asylum seekers' needs.
3. Clear definitions are important when talking about migration issues as different responses and investments may be needed to address the current situation although ensuring the respect of human rights for all migrants regardless of their status constitutes the baseline as far as public authorities are concerned.
4. According to the 1951 UN Geneva Convention relating to the Status of Refugees, a refugee is a person who has a "well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality, and is unable to, or owing to such fear, is unwilling to avail himself of the protection of that country." Refugees have a legal status whereas asylum seekers do not.
5. Asylum seekers are persons who have applied for protection as refugees in a particular State and who are waiting for the determination of their status. States have put in place specific procedures for recognising refugee status. In this context, national asylum systems are in place to determine who qualifies for refugee or subsidiary protection status. Nonetheless, there is a uniform European Union system for the process of seeking asylum to ensure minimal standards such as freedom, security and justice. The Dublin Regulation, which is also the core principle of the Common European Asylum System, establishes the member State's responsibility for examining an asylum application.
6. Finally, according to the International Organisation of Migration (IOM), a migrant is any person who is moving or has moved across an international border or within a State away from his/her habitual place of residence, regardless of the person's legal status; whether the movement is voluntary or involuntary, what the causes for the movement are or what the length of stay is.
7. Reception and integration of refugees necessitates well-defined integration policies to be put in place as early as possible. Ensuring respect for human rights for migrants regardless of their status, gender, country of origin or nationality should be a priority in this endeavour. However, the question of the integration of all newly arrived migrants remains a matter of concern for various reasons, as each State has a sovereign right to determine whom to admit to its territory, subject to that State's international obligations. Unfortunately, the negative perception of newcomers, fostered by discourses based on fear and xenophobic resentment is a regrettable situation that risks impeding future integration processes. This is especially relevant for women and children who are particularly at risk of becoming victims of violence and abuses such as sexual violence, human trafficking or disappearance. Other obstacles such as the barriers to accessing the job market or to taking part in local public life can in turn undermine integration of newcomers into the host community in the long run.
8. To tackle these issues, the Committee of Ministers of the Council of Europe has adopted various recommendations to improve the interaction of refugees and migrants with the receiving societies as well as validation of migrants' skills and their access to employment. The Parliamentary Assembly of the Council of Europe (PACE) has assessed the issues relating to the current refugee situation from different perspectives, including the detention of children, the criminalisation of irregular migrants, the need to promote greater solidarity in the resettlement of refugees as well as the need to establish a real European asylum system. The Council of Europe Commissioner for Human Rights has regularly published opinions advising member States to improve the protection of human rights of migrants and

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<sup>2</sup> Debated and adopted by the Congress on 28 March 2017, 1st sitting (see Document [CG32\(2017\)07](#), explanatory memorandum), rapporteurs: György ILLES, Hungary (L, ILDG), and Yoomi RENSTRÖM, Sweden (R, SOC).

to ensure that undocumented migrants and their children have access to basic rights, in particular the right to health care and education. The European Commission against Racism and Intolerance has adopted General Policy Recommendation No. 16 on safeguarding irregularly present migrants from discrimination.

9. The Congress of Local and Regional Authorities of the Council of Europe is committed to drawing attention to the fact that local and regional authorities are key actors in the organisation of migrants' reception and their integration into the host communities. The Congress has, in this regard, emphasised in its previously adopted resolutions the need to promote migrant entrepreneurship, their effective access to social rights, participation of foreign residents in public life at local level and intercultural and interreligious dialogue. It has also adopted a declaration on the reception of refugees inviting the member States of the Council of Europe to show greater solidarity and to work closely with the European Union and local and regional authorities to establish a network to share experience as well as best practice examples.

10. In light of the above and convinced that local and regional authorities are the cornerstone of efforts to effectively tackle the current challenges linked to migration, the Congress, while recognising that each State has a sovereign right to determine whom to admit its territory, subject to that State's international obligations, calls on the local and regional authorities of the member States,

a. with regard to all migrants whatever their status, to:

- i. approach local government from an inclusion and early integration perspective that emphasises provision of key services to all residents without discrimination, addressing their needs regardless of their status, nationality or country of origin;
- ii. engage with the existing negative narratives and representations of all migrants, whatever their status, through awareness raising campaigns, based on an approach that promotes human rights and dignity of the person, with particular attention to the No Hate Speech campaign of the Council of Europe among young people in their constituencies;
- iii. take measures to promote intercultural education in order to encourage host communities' knowledge and awareness about migrants' rich backgrounds and the positive impact they can have (for example by facilitating their inclusion in cultural and sports initiatives in co-operation with voluntary sector bodies and private partnerships) and promote education for democratic citizenship to develop migrants' understanding of the host community's social and civic values and functioning;
- iv. initiate capacity building at political and administrative level for elected representatives and municipal staff by means of training, exposure, exchanges and support for "learning by doing" and establish targeted reception, information and support services, cultural mediation and health services for migrants, adapting the training of health professionals to a growing intercultural society, keeping in mind the need for a balanced approach that takes into account the interests of the citizens of the host society as well as those of migrants;
- v. promote the recently developed Congress toolkit on the organisation of intercultural and interreligious dialogue among local authorities to facilitate information and practice exchange;

b. concerning more specifically the reception of refugees, to:

- i. co-operate both with other levels of government (local, regional and national) to ensure a co-ordinated response to the issues related to reception of refugees and with cities in other countries to exchange good practice examples and to develop innovative initiatives involving refugees as well as all citizens;
- ii. bring together local partners (institutional or citizen initiatives) who can contribute to the work on the different aspects of refugee reception, including NGOs that have privileged experience of working with refugees and/ or with the local population;
- iii. ensure that refugee reception centres are not used for detention purposes, particularly as regards children and minors (as this is essential if they are to be integrated into the host society) and provide clear information about national procedures granting refugee status;

- iv. develop assistance programmes for refugees, taking into account their personal identities, individual skills and abilities and providing counselling and support for the development of their individual life projects, including language and vocational training, with particular attention to women, young people and groups with special needs such as elderly people and persons with disabilities;
- v. urge local authorities to be aware of the extreme suffering refugees are subjected to while travelling to Europe (including physical and psychological violence as well as inhuman or degrading treatment) aggravated by bureaucracy and poor reception conditions, and to put in place measures to also provide psychological assistance to those who have been ill-treated;
- vi. remove practical barriers encountered by refugees when trying to access the labour market, by providing them with integration programmes facilitating access to the local employment market, education, vocational training, work transition measures and establishment of own businesses, with a particular focus on measures that foster access to regular work and combat exploitation, in line with the New York Declaration for Refugees and Migrants adopted in September 2016 by the United Nations;
- vii. promote volunteer community work as a way for newly arrived asylum seekers who may be in a transit situation (for example waiting for their resettlement to another country) to contribute to their host community, including in rural areas, by taking part in socially-beneficial activities in order to familiarise them with the work environment and to make them visible to the citizens as contributors to the welfare of the local community;
- viii. prioritise action for children in precarious situations, including children in refugee reception centres (whether they are unaccompanied or accompanied by families), children living and begging in the streets and co-ordinate efforts between local and national authorities to integrate all children into the education system as soon as possible;
- ix. support housing solutions and initiatives that encourage mixing and positive interaction between refugees and host communities and take active measures to avoid any process of ghettoisation;
- x. adopt planning and monitoring instruments to keep track of policies and services initiated within their territories, including through the promotion of agreements, memoranda of understanding and other actions likely to promote synergies between the various public and private sector and economic and social players involved;
- xi. set up networks in order to exchange information on solutions that can be implemented irrespective of national legislative or political choices (the Gateway Cities project of the Council of Europe, could, if launched, function as a framework for exchange and co-operation between frontline reception territories, which face similar challenges with regard to irregular migration).
- xii. consider applying for eligibility for funding to the Council of Europe Development Bank (CEB) which supports integration projects.

**RECOMMENDATION 394 (2017)<sup>3</sup>**

1. The increasing number of migrants coming to Europe constitutes a critical challenge for all levels of government, calling for adapted and effective measures in Council of Europe member States.
2. Local and regional authorities who, as public authorities closest to the population, are the first port of call in any emergency situation, have the responsibility to provide newly arrived migrants with access to key public services (housing, healthcare, education) without any discrimination.
3. Clear definitions are important when talking about migration issues as different responses and investments may be needed to address the current situation although ensuring the respect of human rights for all migrants regardless of their status constitutes the baseline as far as public authorities are concerned.
4. According to the 1951 UN Geneva Convention relating to the Status of Refugees, a refugee is a person who has a “well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality, and is unable to, or owing to such fear, is unwilling to avail himself of the protection of that country.” Refugees have a legal status whereas asylum seekers do not.
5. Asylum seekers are persons who have applied for protection as refugees in a particular State and who are waiting for the determination of their status. States have put in place specific procedures for recognising refugee status. In this context, national asylum systems are in place to determine who qualifies for refugee or subsidiary protection status. Nonetheless, there is a uniform European Union system for the process of seeking asylum to ensure minimal standards such as freedom, security and justice. The Dublin Regulation, which is also the core principle of the Common European Asylum System, establishes the Member State’s responsibility for examining an asylum application.
6. Finally, according to the International Organisation of Migration (IOM), a migrant is any person who is moving or has moved across an international border or within a State away from his/her habitual place of residence, regardless of the person’s legal status; whether the movement is voluntary or involuntary, what the causes for the movement are or what the length of stay is.
7. The absence of a clear and coherent European response to the migratory situation has led to a crisis of policy at international and national level, leaving local and regional governments with limited means and guidance to respond to refugees’ and other migrants’ needs. The burden of managing the current situation has been put on a limited number of States whereas greater solidarity among European States should be the order of the day.
8. Migration management goes hand in hand with integration policies put in place as early as possible. Barriers to access the job market or public life for newcomers can in turn undermine their integration into their host community in the long run. Ensuring the respect of human rights for every migrant should be a priority. This is especially relevant for women and children who are particularly at risk of becoming victims of violence and abuses such as sexual violence, human trafficking or disappearance.
9. To tackle these issues, the Committee of Ministers of the Council of Europe has adopted various resolutions to improve the validation of migrants’ skills, their access to employment as well as their interaction with the receiving societies. The Parliamentary Assembly of the Council of Europe (PACE) has assessed the issues relating to the current migration situation as being the detention of children, the criminalisation of irregular migrants, the need to promote greater solidarity in the resettlement of refugees as well as the need to establish a real European asylum system. The Council of Europe Commissioner for Human Rights has regularly published opinions advising member States to improve the protection of human rights of migrants and to ensure that undocumented migrants and their children have access to basic rights, in particular the right to health care and education. The European Commission against Racism and Intolerance has adopted General Policy Recommendation No. 16 on safeguarding irregularly present migrants from discrimination. The Secretary General’s Special Representative on Migration and Refugees was appointed to gather information on the situation of migrants and refugee rights through field missions, to develop effective partnerships with international organisations and ensure that member States respect their international commitments in this regard.

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<sup>3</sup> See footnote 2

10. In light of the above, the Congress of Local and Regional authorities calls on the member States of the Council of Europe:

*a.* at the international level, to strive for more solidarity and effective co-ordination among member States and to speed up the registration and examination of application procedures for asylum seekers (to facilitate insertion in the host community) as well as resettlement and relocation (to overcome concentration of refugees under difficult conditions in one country) and removal proceedings in the case asylum is not granted;

*b.* at the national level, to clarify the responsibility areas and the distribution of competences between the national, regional and local levels aiming for complementarity between these levels when developing policies and to develop a common strategy and a mechanism for distributing migrants between the local and regional authorities of their countries, either on a voluntary basis or according to objective criteria to be determined;

*c.* to develop specific legal frameworks in order to facilitate local and regional authorities' missions and actions;

*d.* to ensure financial support through sufficient allocation of national or international resources;

*e.* to consult with local and regional levels of government when developing the above-mentioned legal and administrative framework and involve them with the measures taken with respect to their territories;

*f.* to ensure that refugee reception centres are not used for detention purposes, particularly as regards children and minors, as this is all the more essential if they are to be integrated into the host society;

*g.* to allow asylum seekers to work during the time their application is being processed in order for them to be able to start their integration process as early as possible;

*h.* to foster foreigners' participation in the affairs of local authorities once their resident status has been clarified, by signing and ratifying the Additional Protocol to the European Charter of Local Self-Government (CETS No. 207).

11. The Congress is convinced that the Council of Europe Development Bank (CEB) which supports integration projects can contribute to the efforts of local and regional authorities to provide assistance to refugees, ensuring respect for their human rights and dignity.

## EXPLANATORY MEMORANDUM

### 1. Introduction

1. Since 2012, Council of Europe member States have been facing a gradual increase in the number of people arriving from conflict zones, culminating in 2015 with the arrival of over 1.3 million asylum seekers in the European Union<sup>4</sup> and 3.1 million in Turkey, following the outbreak of the Syrian conflict. The term “refugee crisis” has been widely used to describe this situation (although it has also been the subject of criticism<sup>5</sup>) to denote both the very high number of displaced persons seeking protection and the conditions in which they entered Europe – with more than 1 million asylum seekers crossing the Mediterranean Sea by boat in 2015 often in dangerous conditions (3,771 deaths recorded among migrants and refugees crossing the Mediterranean trying to reach Europe according to the statistics of the International Organisation for Migration (IOM)).<sup>6</sup>

2. When talking about the refugee crisis as it has come to be called, one should keep in mind that asylum seekers are not a homogeneous group; they come from different countries (Syria, Iraq, Afghanistan, Somalia, Eritrea, etc.) and backgrounds (including educational backgrounds varying from no education to university degrees), with infinitely varied personal stories marked by the common wish to seek survival and/or a better life in Europe.

3. During this crisis much attention has been paid to the national and international policies, initiatives and programmes that will need to be put in place to facilitate the integration of refugees and how they should be distributed across European countries. However, it was clear from the daily reporting in the media that the “refugee crisis” had an equally important local and regional dimension. Sub-national level authorities and a range of local organisations were and continue to be at the forefront of the reception and integration efforts. They are expected to provide a rapid response, often in the context of reduced resources and political tension and, in many cases, without a clear legal framework. While national governments hold the reins of immigration policy, managing the details of national policy typically fall to local and regional authorities who must receive, host and eventually integrate newcomers and disadvantaged groups.

4. The aim of this report is not to add to the existing literature on the refugee and migration issue by looking at general policies. The objective is to assess the situation from a local and regional government point of view and to examine what local and regional authorities do when dealing with refugees and migrants, starting with the latter’s reception and their social and economic integration as well as the challenges they face. The Council of Europe core values, policies and goals regarding the protection of human and social rights, citizen participation and building inclusive societies constitute the normative background of this assessment. The added value of this report is how to pave the way for a solid road map based on these principles and values, which local and regional authorities can use in their efforts to face the current unprecedented situation, recognising that there already exists a large volume of literature concerning refugee and migration issues.

5. The Congress of the Council of Europe, in its numerous resolutions and recommendations on the question of migrants adopted during the last 15 years, had already outlined its position on a rights-based and cohesion oriented approach:

- increasing migration to Europe raises the questions of both integration of migrants into the host community and their meaningful contribution to the local economy and economic development;<sup>7</sup>
- local and regional authorities who play an increasing role in the provision of basic social services should act as guarantors of the right to equal access to such services and of full respect for the social rights of the whole population;<sup>8</sup>

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4 [http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum\\_statistics](http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_statistics)

5 <https://www.washingtonpost.com/news/monkey-cage/wp/2016/05/14/the-real-refugee-crisis-is-in-the-middle-east-not-europe/>

6 <https://www.iom.int/news/iom-counts-3771-migrant-fatalities-mediterranean-2015>

7 Resolution 362(2013): Migrants’ access to labour markets

<https://wcd.coe.int/ViewDoc.jsp?p=&id=2122421&Site=COE&BackColorInternet=C3C3C3&BackColorIntranet=CACC9A&BackColorLogged=EFEA9C&direct=true>

8 Resolution 218 (2006)<sup>1</sup> on effective access to social rights for immigrants: the role of local and regional authorities

<https://wcd.coe.int/ViewDoc.jsp?p=&id=983707&Site=COE&BackColorInternet=C3C3C3&BackColorIntranet=CACC9A&BackColorLogged=EFEA9C&direct=true>

– there is a need for increased co-operation between all levels of government in order to define a coherent framework for legal and orderly immigration, while effectively combating illegal immigration that encourages trafficking in, and exploitation of, human beings.<sup>9</sup>

6. In response to the current refugee crisis in Europe, the Secretary General of the Council of Europe issued the information document “Migration challenges for Europe: need for collective action“ in 2015<sup>10</sup> and reminded member States of their main legal obligations under the Council of Europe Conventions. He also appointed Ambassador Tomáš Boček as his Special Representative on Migration and Refugees in 2016, with the mandate to gather information on the situation of migrants and refugee rights through field missions and to develop effective partnerships with international organisations such as the United Nations High Commissioner for Refugees (UNHCR), the IOM, UNICEF and Frontex. In parallel, the Council of Europe Action Plan “Living together - Combining diversity and freedom in 21st century Europe” has been set in motion. This plan, which has a specific dimension on building inclusive societies, aims to enhance the ability of European societies to better understand and cope with the long-term impact of the large-scale arrival of migrants, supporting effective integration policies.<sup>11</sup>

7. The Parliamentary Assembly of the Council of Europe adopted its Resolution 1972 on “Ensuring that migrants are a benefit for European host societies” and Resolution 2025 on the “Resettlement of refugees: promoting greater solidarity”<sup>12</sup> in 2014, proposing relocation of refugees, improved co-ordination among States, sufficient funding and more awareness raising among the public. It also adopted several reports including “The human tragedy in the Mediterranean: immediate action needed” in 2015 and “The Mediterranean Sea: a front door to irregular migration” in 2016.

8. The Council of Europe Commissioner for Human Rights has regularly published opinions advising member States to improve the protection of human rights of migrants and to ensure that undocumented migrants and their children have access to basic rights, in particular the right to health care and education. In 2016, an issue paper entitled “Time for Europe to get the migrant integration right”<sup>13</sup> was published by the Commissioner’s Office, drawing attention to integration standards that must be applied in order to manage migration effectively.

9. In this context, mention should also be made of Council of Europe’s work related to trafficking in human beings and the protection of vulnerable groups including refugee women and children. The Convention on Action against Trafficking in Human Beings,<sup>14</sup> the Convention on preventing and combating violence against women and domestic violence<sup>15</sup> and the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse<sup>16</sup> provide a legal framework while the work of the Lanzarote Committee<sup>17</sup> and the Group of Experts on Action against Trafficking in Human Beings (GRETA)<sup>18</sup> can provide guidance for local authorities as well as the General Policy Recommendation no. 16 on safeguarding irregularly present migrants from discrimination adopted by the European Commission against Racism and Intolerance, ECRI.

10. Also in 2016, the Council of Europe Intercultural Cities Network launched its “Sharing our Cities, Sharing our Future” campaign aimed to promote migrants as a resource for local economic, social and cultural development, rather than picturing them as a threat or a burden for the host society. The campaign highlights integration as well as equal rights and opportunities for the people that choose

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9 Resolution 181 (2004)

<https://wcd.coe.int/ViewDoc.jsp?p=&id=1687449&Site=COE&BackColorInternet=C3C3C3&BackColorIntranet=CACC9A&BackColorLogged=EFEA9C&direct=true>

10 SG/Inf (2015)33, [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectID=09000016805c600f](https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805c600f)

11 125th Session of the Committee of Ministers,

<http://www.coe.int/t/DGHL/STANDARDSETTING/PRISONS/PCCP%20documents%202015/CM%20Action%20Plan.pdf>

12 <http://www.assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=20480&lang=en>

<http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=21326&lang=en>

13 [https://www.coe.int/t/commissioner/IP-MigrantIntegration\\_ENG.pdf](https://www.coe.int/t/commissioner/IP-MigrantIntegration_ENG.pdf)

14 <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/197>

15 <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210>

16 <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168046e1e1>

17 The Lanzarote Committee (Committee of the parties to the Convention on the protection of children against sexual exploitation and sexual abuse) launched in June 2016 a monitoring exercise aimed at collecting information on what the States Parties to the Lanzarote Convention are doing to protect children affected by the refugee crisis from sexual exploitation and abuse. Based on this monitoring exercise, recommendations will be made to the States Parties. Link the the webpage :

<http://www.coe.int/en/web/children/lanzarote-committee>

18 <http://www.coe.int/en/web/anti-human-trafficking/greta>



Europe as host continent, after being uprooted because of conflicts and instability in their own countries.<sup>19</sup>

11. The present report is in line with these initiatives, developing the local and regional perspective for better integration, social cohesion and intercultural relations. The Co-rapporteurs have relied on the work of the Reflection Group set up for the purpose of preparing the report and take this opportunity to express their thanks to the participants. The Reflection Group, composed of members of the Congress, NGOs and experts, met twice, in April and in June 2016 (see Appendix for the list of participants) and made oral and written contributions to the discussion which led to the present report.

### **1.1. Refugee crisis: definitions, naming, impact and perception**

12. A short reminder of the vocabulary of the migration phenomenon is useful in order to keep track of the legal, political and social implications of each word we use with reference to the refugee crisis such as refugees, migrants and asylum seekers.

13. These terms confer different types of status to the people concerned. Indeed when it comes to refugees, terminology matters and can be very important in determining the situation of individuals and whether they will be allowed to stay in or be forced to leave a country. For the public and politicians however, a medley of terms including both the above and terms such as illegal migrants, economic migrants or war refugees contribute to create confusion and facilitates generalisations to condemn or reject the people who are risking their lives to reach Europe's borders.

14. According to the IOM, a migrant is any person who is moving or has moved across an international border or within a State away from his/her habitual place of residence, regardless of the person's legal status; whether the movement is voluntary or involuntary, what the causes for the movement are; or what the length of stay is.<sup>20</sup> Thus, migrant is an "umbrella term" that covers people who move to another country for a variety of reasons and for a certain length of time. In this context a refugee is also a sort of migrant. However, refugees are treated differently under international law and they have a distinct legal status.

15. According to the 1951 UN Geneva Convention relating to the Status of Refugees, a refugee is a person who is outside his or her country of nationality or habitual residence; has a "well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality, and is unable to, or owing to such fear, is unwilling to avail himself of the protection of that country."<sup>21</sup> Refugees have a legal status whereas asylum seekers do not.<sup>22</sup>

16. Asylum seekers are persons who have applied for protection as refugees in a particular State and who are waiting for the determination of their status. States have put in place specific procedures for recognising refugee status. In this context, national asylum systems are in place to determine who qualifies for refugee or subsidiary protection status. Nonetheless, there is a uniform EU system for the process of seeking asylum to ensure minimal standards such as freedom, security and justice. The Dublin Regulation<sup>23</sup>, which is also the core principle of the Common European Asylum System, establishes the member State's responsibility for examining an asylum application.

17. These distinctions aside, local authorities' responsibility is to address the needs of human beings regardless of their status, nationality, country of origin or identity. Consequently, services should be tailored to the needs of each individual rather than based on status.<sup>24</sup>

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19 <http://www.coe.int/en/web/interculturalcities/-/world-refugee-day-share-our-cities-share-the-future>

20 It is important to note that since 1992 – Maastricht Treaty, we can say that, the word "migrant" have a new connotation: no longer applying to Europeans moving around within this common area, but only to people arriving from 'outside' (As internal barriers come down to create a European area, a new wall will inevitably rise between Europe and the rest of the world.)

21 Article 1, A(2) of the Geneva Convention; <http://www.ohchr.org/EN/ProfessionalInterest/Pages/StatusOfRefugees.aspx>

22 Article 1, A(2) of the Geneva Convention; <http://www.ohchr.org/EN/ProfessionalInterest/Pages/StatusOfRefugees.aspx>

23 Dublin Regulation: <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32013R0604>

24 For example, the municipality of Leiden (Netherlands), supported by the cities' inhabitants, has set up an intensive 4x24 week integration programme for all new arrivals to ensure that refugees become financially autonomous and can enter the workforce (or if under 30, they can return to education).

## **1.2. The systemic nature of the issue of migration as compared to the emergency nature of the influx of war refugees**

### **The systemic nature of the issue of migration**

18. Migrants have been making their way to Europe for centuries. The main migration waves in 20th century Europe show that people move from their home country for varying reasons (economic, political, security). At the end of Second World War, Europe's refugees and displaced people were estimated to be at around 40 million. The end of the Cold War in the 1990s and the collapse of the Soviet Union also created a refugee situation in which some 3.5 million people came within the mandate of the UNHCR.

19. During the last two decades, Europe has become a preferred destination for migration given its attractiveness on the one hand and Europe's demographic situation and economic needs on the other (ageing population with sub-replacement rates in some countries and lack of workforce in certain sectors). The global financial crisis of 2008 also affected immigration trends and policies. Since then, the continent has been caught up in a security and dissuasion discourse around which the debates have not always been based on facts but rather on fears and prejudices.

20. Europe is faced with a challenge which is unprecedented in many ways. The refugee crisis has required extraordinary commitments and measures on account of both its acute nature and the objective lack of instruments and policies developed by governments and the international community. The unequal distribution of refugee inflows between European States has left the burden of managing the current situation to a limited number of countries. However, after a number of years of "emergency management", it is becoming increasingly clear that we are confronted with a systemic phenomenon, not just a short-term one, and that it will therefore be necessary to develop not only exceptional solutions, but also long-term integrated policies that would require a common European response.

21. The reception and integration of millions of migrants and asylum seekers is an issue which can be addressed only by a multi-governance approach, starting with the international level, since the measures taken by individual States tend to have an impact on the others including shared responsibility for border management and for reception and integration. The national level has an important role to play in setting the legislative framework and providing funding.

22. However, the rapporteurs would like to underline that, *de facto*, local and regional policies and initiatives to promote integration are a "precondition" for the development of an integrated and systemic reception policy. The absence of such a policy carries the potential risk of generating practical and political costs, for example by giving rise to conflicts with the host communities for access to social services and the negative political spillovers of such conflicts. What local authorities manage to achieve in terms of integration (with the indispensable financial backing of governments and European and international institutions) will determine the success and the very feasibility of systemic reception and asylum policies.

23. Aware that reception and integration are complementary aspects of the response to the phenomenon of migration, the current report is trying to address both issues from a local and regional point of view. The local and regional dimension of the migrant/refugee phenomenon is the cornerstone for an efficient and operational approach for tackling the current challenge.

### **"Europe needs migrants"**

24. In the early 2000s, the UN Population Division published a report on "Replacement Migration: Is it a solution to declining and ageing populations?"<sup>25</sup> which opened a public debate at that time. The report presented various scenarios calculating the number of migrants required in the European Union depending on the results to be achieved. According to the report, in order to maintain the size of the potential working population, some 80 million migrants would be needed by 2050.

25. Whether this figure is realistic or not, it is important to underline that Europe and its labour markets will need migrants in the coming decades. Already in 2005 this had been acknowledged by the European Commission Vice-President Franco Frattini, who had noted that "The new key

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25 <http://www.un.org/esa/population/publications/migration/migration.htm>

message is: Europe will need more migration, since labour and skills shortages are already noticeable in a number of sectors and they will tend to increase.”<sup>26</sup>

26. While some legitimate concerns have been raised about Europe’s experience of “assimilationism” and “multiculturalism”, particularly in relation to second generation migrants, the debate has tended to put aside the positive contribution aspect of migration. Interculturalism<sup>27</sup> has emerged as a policy framework offering responses to many of these concerns through a set of principles, practical approaches and narratives designed to reconcile the interests of migrants and those of the host society and realise the diversity advantage. However, debates such as how to successfully integrate migrants and ensure that they bring benefits to their host societies, countries of origin and to the migrants themselves have been overshadowed by a focus on the burden they create on host societies and the risks they bring with them – with much negative emphasis on the fact that most migrants trying to come to Europe are of Muslim religion. The current crisis brings with it the risk of new forms of xenophobic violence and a new outbreak of discrimination and racism.

27. When drafting this report, the rapporteurs have based their approach on the following assumptions: Europe needs migrants and Europe needs both short-term solutions for dealing with the refugee crisis and long-term policies for integrating migrants and building inclusive societies.

### ***The facts and figures of the influx of refugees***

28. Since the outbreak of the civil war in Syria in March 2011, around 10 million Syrians fled their homes. By the end of 2014, there was a substantial rise in the number of persons seeking asylum in Europe. This led to the proliferation in the media of information on the number of people coming in, focusing on different criteria.

29. The IOM indicated in 2016 that there had been 173.761 arrivals by sea. European Asylum Support Office (EASO) reported that EU+<sup>28</sup> countries recorded around 104.000 applications for international protection during April 2016. Between January and April 2016, about 412.000 applications were lodged across EU+ countries; more than the yearly number of applications recorded between 2008 and 2012.<sup>29</sup> Although the war in Syria continued to be one of the main drivers of this displacement, which in turn led to more people fleeing the war to neighbouring countries, Afghan and Iraqi nationals also represent a high percentage among refugees: altogether these three citizenships account for 54% of all applications in the EU+.<sup>30</sup>

30. In this report we have chosen to mainly use the updated statistics of the European Asylum Support Office (EASO) and the UNHCR (see websites). However, it is obvious that these figures are susceptible to change in line with the political situation. For the purposes of this report, numbers indicating the scope and impact of the incoming population might suffice. As noted in the introduction, since 2012, Council of Europe member States have received an increasing number of people arriving from conflict zones, culminating in 2015 with the arrival of over 1.3 million asylum seekers in the European Union and 3.1 million in Turkey, following the outbreak of the Syrian conflict, giving rise to challenges to be faced at the external borders: an unprecedented rise in migratory pressure and a steady rise in the number of regular travellers.

31. This massive exodus onto European soil has triggered responses at all levels of government and society that showcased a certain fragility of the democratic consensus arrived at in Europe through supranational (EU) or international entities such as the Council of Europe.

### ***1.3. The debate: Is it a refugee crisis or a crisis of policy?***

32. The UNHCR report on Asylum applications in European Countries between 1990 and 2014, states that the so-called refugee crisis is a “recurring crisis, not a constant one”. According to UNHCR statistics, although international refugee flows have not been constantly increasing, there have been moments when it peaked following major international crises. This can be seen for instance after World War II, in the 1990s as a result of conflicts in the former Yugoslavia and more recently after the Arab spring in 2011. It is not the first time in its history that Europe is facing important flows of

26 Speech at Harvard 7.11.2005.

[http://lastradainternational.org/Isidocs/69%20Frattini%20speech%20on%20Green%20Paper%20\(fighting%20illegal%20immigration\).pdf](http://lastradainternational.org/Isidocs/69%20Frattini%20speech%20on%20Green%20Paper%20(fighting%20illegal%20immigration).pdf)

27 Recommendation CM/Rec(2015)1 of the Committee of Ministers to member States on intercultural integration

28 This appellation refers to EU member States and Switzerland and Norway.

29 To see updated asylum trends, <https://www.easo.europa.eu/latest-asylum-trends>

30 *ibid*

refugees coming to its continent and various lessons learnt from its past experience could be useful in shaping its current policies.

33. The former President of the Parliamentary Assembly of the Council of Europe (PACE) Anne Brasseur had a slightly different take on the definition of the situation. She said, "it is not a crisis, because a crisis comes and there is a peak and then it goes away. This is a phenomenon. I think the refugee problem is going to be permanent; so we have to address it".<sup>31</sup>

34. Whether one considers that the arrival of one million refugees in Europe is part of a recurring crisis or the symptom of a permanent phenomenon, the declarations coming from different governments and political personalities in 2014 and 2015 were indicative of a crisis of policy. The contradictory declarations and actions of various European governments and the lack of a concerted response contributed to exacerbate the negative perceptions and fears of the population. They also made it difficult for local authorities to confront the challenge they were facing: where they needed legislative and regulatory clarity, they had cacophony: Germany declared they would accept 800 000 refugees and then sent back Afghan refugees in October 2015; Denmark sent a group of refugees who arrived from Germany in September 2015 back to Germany.<sup>32</sup>

35. The EU, after much confusion, arrived at a political solution, the so-called EU-Turkey deal, which has been much criticised. The deal aims to reduce irregular migration to Europe by sending back to Turkey all new irregular migrants who have crossed over to the Greek islands and stipulates that for every Syrian returned to Turkey from a Greek island, another Syrian will be resettled from Turkey to the EU. This agreement has been criticised by many international actors such as UNHCR and Amnesty International for having been prematurely implemented without the required safeguards in place. CoE Commissioner for Human Rights Nils Muižnieks defined the agreement morally and legally questionable. The Commissioner referred to ECHR protocols, which expressly prohibits the collective expulsion of foreigners and states that foreigners should not be expelled collectively.<sup>33</sup>

36. The Dublin system (which stipulates that the first EU member country entered by a refugee must process his asylum application) is not capable of functioning as a burden-sharing mechanism to ensure an even distribution of refugees. As a solution, PACE recommended introducing a status of "European refugee" for beneficiaries of international protection, which allows the transfer of residence of those claiming asylum between the bloc's member States. Its resolution recommends the EU to adopt a so-called triangular approach for migration policy, which involves the countries of origin and transit. The resolution also urges that asylum seekers should not be returned to countries such as Lebanon, Turkey, Jordan, "the former Yugoslav Republic of Macedonia", Serbia or Hungary that already bear a disproportionate refugee population, or those States where protection for migrants is not guaranteed.<sup>34</sup> Concerning the regional and local levels, one solution would be to put in place a mechanism for distributing the reception of refugees and migrants between local and regional authorities within individual States, either on a voluntary basis or according to objective criteria to be determined and to guidelines that will define such a mechanism. The Norwegian practice can, in this regard, serve as an example with municipalities voluntarily informing the Directorate for Integration and Diversity of the number of refugees they are able to welcome and receiving in turn subsidies as well as integration grants for a period of five years in order to cover any cost incurred by the settlement of newly arrived refugees.<sup>35</sup>

37. To sum up, one could say that there is both a refugee crisis (one million people arriving in Europe in one year by sea and around 3 million refugees in Turkey); more than a thousand deaths in sea crossings) as well as a crisis of policy. What is needed is a combination of a long-term approach and crisis management, which can provide basic necessities and promote social cohesion, safeguarding at the same time the human rights of the new migrants.

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31 [https://www.youtube.com/watch?v=1Z5\\_-jy9KQ](https://www.youtube.com/watch?v=1Z5_-jy9KQ)

32 <http://www.dw.com/en/germany-to-send-afghan-refugees-back/a-18812173>

33 To read the article (in German), <http://www.coe.int/en/web/commissioner/-/diese-plane-sind-schlicht-illegal?inheritRedirect=true&redirect=%2Fen%2Fweb%2Fcommissioner%2Fopinion-articles>

34 Resolution 2072 (2015) "After Dublin; The urgent need for a real European asylum system", <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=22178&lang=en>

35 <http://www.resettlement.eu/country/norway>

#### 1.4. Political leadership from local authorities is crucial

38. With this in mind, the role of a political leadership that does not fuel the fears and prejudices against newcomers becomes crucial. The language used by politicians and officials when they describe “migrants” is important in shaping public opinion. Czech President Miloš Zeman’s declaration cited in the media in August 2016 to the effect that his country should refuse to take in refugees to ensure they cannot commit “barbaric attacks”, as he opposed the government’s modest plan to take in just 80 Syrian refugees this year, is a sorry example of negative opinion shaping.<sup>36</sup>

39. Addressing statements by British ministers referring to “illegal migrants”, the CoE Commissioner for Human rights asked them to use instead the term “irregular migrants” to qualify foreigners who enter a country without permission. He was reminding them of the dangers of putting people outside the law. Commissioner Muižnieks stated: “People are not illegal. Their legal status may be irregular, but that does not render them beyond humanity”.<sup>37</sup>

40. Examples of xenophobic declarations coming from local politicians can be given starting with a statement of the Mayor of Palermo, Leoluca Orlando, who described his city as “no longer European” and stated “You can walk in the city and feel like you’re in Istanbul or Beirut”.<sup>38</sup> László Toroczkai, the mayor of Ásotthalom (Hungary), also made the headlines in September 2015 when he posted online an “action movie” inspired video in which he discourages “migrants” to illegally enter his country stating “Hungary is a bad choice (...) Ásotthalom is the worst” and declaring that they will be arrested and put in prison if they choose to do so.<sup>39</sup> The far-right mayor of the French town Béziers, Robert Ménard, a former journalist and co-founder of Reporters Without Borders, published on the front cover of his town’s municipal newsletter a picture showing a group of migrants, captioned “They’re coming” (“Ils arrivent”). On the town’s official website he uploaded a video in which he is seen verbally attacking Syrian refugees telling them “You are not welcome here, you need to go away”.<sup>40</sup>

41. The role the media can play cannot be sufficiently emphasised to fuel a positive public response. Regional media such as televisions, radio channels, printed media as well as social media that local governments have access to are important tools in the hands of local and regional authorities to fight against prejudice, to diffuse true facts and promote positive inclusive policies.

42. Recent initiatives in this direction can be cited such as the “C4i” (Communication for Integration) project put in place by the Council of Europe and the EU in eleven cities across Europe (Barcelona, Bilbao, Amadora, Loures, Sabadell, Patras, Erlangen, Nuremberg, Lublin, Botkyrka and Limerick)<sup>41</sup> with the aim of combating stereotypes and xenophobia and fostering the integration of migrants into local communities. The city of Lublin (Poland) has launched the “Lublin 4 all” social awareness campaign with the objective is to present the city’s local diversity through portraits and interviews of the city’s inhabitants. The “Connect from the heart” campaign initiated in Malta by local NGOs with the support of the Council of Europe is also a good example of a project asking people to combat online hate speech targeting asylum seekers, refugees and migrants. A “Connect from the heart” march has moreover been organized on July 8 in the streets of Valletta.<sup>42</sup>

43. The rapporteurs underline the importance of awareness raising among local and regional elected representatives of the positive welcome message they can convey and of the already existing good practice examples. The Congress could facilitate this effort by creating a toolkit similar to the one established under its de-radicalisation strategy and provide local and regional authorities with resources they can use when tackling the refugee and integration issues.

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36 <http://www.reuters.com/article/us-europe-attacks-migrants-czech-idUSKCN10D17A>

37 CommDH(2016)17, 23 March 2016

<https://wcd.coe.int/com.instranet.InstraServlet?command=com.instranet.CmdBlobGet&InstranetImage=2911315&SecMode=1&DocId=2370960&Usage=2>, p.10

38 To read the article (in English), <http://www.dailymail.co.uk/news/article-3546081/Mafia-declares-WAR-migrants-Sicilian-gangster-shoots-innocent-Gambian-head-amid-soaring-levels-migration-Italy-mayor-saying-Sicily-s-capital-no-longer-European.html#ixzz4HTsfQodb>

39 To read the article (in English), <http://www.dailymail.co.uk/news/article-3240272/Hungarian-mayor-mocked-action-movie-video-warning-migrants-not-enter-town-including-choreographed-chase-horseback.html#ixzz4HTJOMaNU>

40 To read the article (in French), [http://www.lemonde.fr/politique/article/2015/09/14/le-maire-de-beziers-aux-refugies-vous-netes-pas-les-bienvenus\\_4756249\\_823448.html#h9Xy2ktJ050vqjf.99](http://www.lemonde.fr/politique/article/2015/09/14/le-maire-de-beziers-aux-refugies-vous-netes-pas-les-bienvenus_4756249_823448.html#h9Xy2ktJ050vqjf.99)

41 <http://pjp-eu.coe.int/en/web/c4i/context>

42 [http://www.maltatoday.com.mt/news/national/67318/watch\\_citizens\\_against\\_hate\\_speech\\_in\\_connect\\_from\\_the\\_heart\\_march#.V7MjHWdf2Uk](http://www.maltatoday.com.mt/news/national/67318/watch_citizens_against_hate_speech_in_connect_from_the_heart_march#.V7MjHWdf2Uk)



51. Firstly, local and regional authorities have principally been considered as being involved in the reception and integration of migrants and asylum seekers at the "end phase" of the process, downstream from the rescue, initial reception, identification, admission and, possibly, relocation or resettlement efforts.

52. However, by reversing the logic, it can also be claimed that, in actual fact, local and regional policies and initiatives to promote integration are a "precondition" for the development of an integrated, systemic reception policy. As far as local authorities are concerned, the integration process starts from the reception of refugees by the host country, regardless of whether the refugee or asylum seeker can stay or return to his/her country of origin. In this report we look at reception and integration under separate headings for ease of analysis but the unifying idea behind our approach is the distinguishing features of a local authority, i.e. its closeness to the population, provision of services to all without discrimination, protection of the rights of the people under its authority: in short, the idea that the local authority is the first port of call in an emergency.

53. The integration capacity of local authorities, in qualitative and quantitative terms, is a determining factor regarding the arrangements for admission of migrants in European countries, after first arriving in neighbouring countries, following a quota relocation or resettlement process. Any and all decisions that do not factor this into their configurations are doomed to fail. The strategic nature of the role of local authorities should be recognised at all levels, be it from a political, administrative, organisational or financial point of view. Local and regional governments' competences and responsibilities cover a very wide range of areas, from security of persons as well as protection of health, housing (including emergency housing), provision of adequate food and clothing, and access to education and employment. Municipalities can moreover be responsible for the provision of electricity and water as well as waste management which can be of particular importance when establishing a refugee camp in or near a city. In this connection, access should be ensured to regular/mainstream services (for example health and employment) while the specific problems of refugees and asylum seekers are also taken into account (such as post-traumatic treatment or awareness of the new employment environment).

54. Secondly, in many countries the distribution of competences between the national level and the local and regional or sometimes county or province levels are either not clear or constitute "shared" responsibilities. This state of affairs can easily lead to situations where no one takes direct responsibility which is a risk factor in case of emergency. This was seen in Calais for example where the NGO "Doctors of the World" had to set up its "emergency plan" (usually put in place in situations of armed conflicts) in order to take charge of migrants as no direct measure had been taken either by the local authorities or the French Ministry of Health.<sup>47</sup> In France, the mayor of the municipality of Grande-Synthe used his own initiative to house more than a thousand refugees who were previously living in what has been called the "camp de la honte" (camp of shame). With the help of "Doctors of the World", a new camp was built in March 2016 being the first one in France to follow UNHCR norms. However this action was opposed by the governor's office hostile to this transfer of refugees.<sup>48</sup>

55. The Congress has held a series of debates in 2015 during its sessions on refugee and migration issues during which the mayors invited to take the floor in these discussions (coming from countries such as Germany, France, Italy, Syria and Turkey) have underlined persistent difficulties for local reception policies. These range from housing issues (primarily related to temporary solutions which do not facilitate contacts between migrants resettled in the territories and local communities), risk of exploitation of labour (particularly as regards to unaccompanied minors), access to education for children and youth, integration in the social and cultural environments and employment of migrants (when allowed by the legal forms of reception and residence provided).

56. Misconceptions and stereotypes stand in the way of effective responses. Local and regional responses to migrant issues are undermined by both an inadequate understanding of the "rights gap" faced by migrants and of the practical steps that can be taken to bridge that gap. To address this challenge, public authorities must strive to develop evidence-based responses that break down myths which surround migration and to include migrants in the design of their activities in order to increase understanding of migrants' needs. Awareness should be raised on the fact that refugees and migrants are part of the solution rather than a problem.

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47 To read the article (in French), <http://www.lavoixdunord.fr/france-monde/acces-aux-soins-medecins-du-monde-alerte-sur-la-ia0b0n3104947>

48 [http://www.lepoint.fr/societe/grande-synthe-la-victoire-de-damien-careme-29-05-2016-2042866\\_23.php](http://www.lepoint.fr/societe/grande-synthe-la-victoire-de-damien-careme-29-05-2016-2042866_23.php)

57. The CoE Intercultural Cities Network, which launched its “Sharing our Cities, Sharing our Future” campaign on the occasion of the World Refugee Day on 20 June 2016, has an innovative “solutions map”, bringing together examples of cities working to improve conditions and integrations efforts for refugees and asylum seekers<sup>49</sup> as well as good practice examples from cities for “welcome projects”.

58. In a Declaration issued in October 2015, the Congress called on all local and regional authorities of its member States to establish a “European network of cities of solidarity” thereby responding to the European appeal launched on 3 October 2015 by the municipalities of Strasbourg, Catania and Rovereto, in order to co-ordinate more effectively their refugee reception activities and initiatives.<sup>50</sup>

59. In order to encourage greater solidarity among the actors confronted by the current situation, the rapporteurs are of the opinion that the Congress should draw the attention of its member States to the urgent need to clarify the responsibility areas and the distribution of competences between the national, regional and local levels. Greater co-ordination is indeed crucial and local and regional action should be considered as a precondition for the success of systemic reception and integration policies.

### ***Conditions in reception centres, camps and settlements***

60. Reception centres are the most urgent and difficult challenge for local authorities who have to find quick solutions to a problem which national bureaucracies are not prepared to tackle rapidly. The situation is dire; the conditions are drastic. As mentioned in various reports published by the Special Representative on Migration and Refugees, there is an urgent need to improve the living conditions for migrants, refugees and to protect unaccompanied children.<sup>51</sup>

61. The Committee of Regions of the EU notes that many displaced people are reduced to living in refugee camps, often in a neighbouring country. They do not all have the necessary means to travel onwards, for example to Europe, whether or not the reception conditions in their current location are of a satisfactory quality. Many have to find a worthwhile existence in a refugee camp and examples that have been reported in the media point to rather bleak conditions.<sup>52</sup>

62. The security of refugees in reception centres is an issue. Such centres can be run by NGOs or the private sector. Municipalities have a “monitoring” role to play in such centres, by making regular security controls in co-operation with the police to prevent possible conflicts and abuses in the centres. It is also important to note that reception centres should not be used for detention of migrants. Asylum seekers have the right to move freely and this is all the more essential if they are to be integrated into the host society. Nor should such centres be seen only as places for staying and sleeping. They should include activities such as language courses, sport activities, kindergarten for children etc. which can launch the social integration process.

63. In some countries (individual or organised) volunteers play a vital role in organising such activities, animating discussion groups, giving language courses etc. In Western and Northern Europe, volunteer contribution to public and social policies is part of the social culture; in other countries, which do not have such traditions, the local authorities have a leading role to play in order to encourage their inhabitants to volunteer for such activities and co-ordinate their action.

64. Berlin's gigantic Tempelhof airport is best known today for being the German capital's biggest refugee camp. Since 2014, up to 2,300 asylum seekers have been camping inside the aircraft hangers, queuing up to use portable toilets.. The responsibility to manage initial reception centres of asylum seekers is in principle given to the Federal Länder's high accommodation authorities as opposed to the follow-up accommodations that are managed either at the regional level (as it is the case in Bavaria for instance) or at the local level (rural and urban districts and municipalities) as it is seen in Brandenburg, Saxony, Thuringia or Hesse.<sup>53</sup>

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49 <http://www.coe.int/en/web/interculturalcities/intercultural-cities-and-refugees>

50 <https://wcd.coe.int/ViewDoc.jsp?p=&id=2372185&direct=true>

51 See reports at: <http://www.coe.int/en/web/portal/activities-special-representative-migration-refugees-tomas-bocek>

52 <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52015IR6328>

53 [http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european\\_migration\\_network/reports/docs/emn-studies/10a.germany\\_national\\_report\\_reception\\_facilities\\_en\\_final.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/emn-studies/10a.germany_national_report_reception_facilities_en_final.pdf)



65. In Calais, about 3,000 migrants, including an increasing number of women and children, lived in conditions “far below any minimum standards for refugee camps” before this camp was dismantled at the end of 2016.<sup>54</sup> It had been built on a former toxic waste dump on the outskirts of the town, never intended to be easily accessible from the center which explains why the refugees and the inhabitants of the town did not cross paths very often.

66. In the United Kingdom, a private firm (Clearsprings Ready Homes) in Cardiff (Wales) that houses newly arrived asylum seekers oblige asylum seekers to wear coloured wristbands all the time (since May 2015) and make it a rule that if asylum seekers refuse to wear these wristbands they cannot have food and will be reported to the Home Office. Because of this application, they feel themselves discriminated against, walking in the street with wristbands.<sup>55</sup> This echoes the “red door” controversy that took place in January 2016 in the city of Middlesbrough (England). In this case, asylum seekers were housed in homes procured by private contractor G4S, whose contractor landlord had painted the doors of all its properties red, leading to concerns that they were marked out as housing asylum seekers.<sup>56</sup> Czech police authorities in the city of Břeclav at the border with Austria have also made the headlines when they decided to identify newly arrived asylum seekers by tagging numbers on their hands.<sup>57</sup>

67. In Turkey, about 250,000 Syrians live in refugee camps (about 11% of the total number of refugees living in Turkey), presenting a whole new set of challenges for international relief agencies.<sup>58</sup> The vast majority of Syrian refugees (around 90%) estimated to be in Turkey live outside the 26 official camps and face major issues to access food, education, shelter. Moreover, they are made more vulnerable because of rising inter-communal tensions in their host communities.

68. In March 2016 in Greece, while visiting the Idomeni camp which used to host around 12 000 refugees despite being planned for just 2,500 people (many from Syria and Iraq) in wet, cold and muddy conditions, the Greek interior minister, Panagiotis Kouroublis said: “I do not hesitate to say that this is a modern-day Dachau, a result of the logic of closed borders.”<sup>59</sup> At around the same time, CoE Special Representative on Migration and Refugees, Tomáš Boček, on a visit to Idomeni, issued a statement noting the “catastrophic situation”.<sup>60</sup> CoE Parliamentary Assembly’s rapporteur to Greece Ms Tineke Strik, who was able to visit receptions centres in May, denounced the insalubrity of the new camps created by the Greek authorities in Thessaloniki (Sindos, Oreokastro and Softex mainly) after the Idomeni centre was cleared. She warned about serious threats the actual situation in these camps could pose in terms of security (failure to ensure security by the local police, high proximity of tents inside and outside the buildings) as well as in terms of health (inadequate sanitation facilities, no psycho-social support, waste waters from the showers creating a stagnant pool). She explained that “unless things change soon, the situation in Greece is simply unsustainable”.<sup>61</sup>

69. In Italy, the most striking element denounced by Doctors Without Borders is the lack of infrastructures to host the refugees leaving them with no other solution than to live in squats, in railway stations or in the countryside without water, sanitation nor electricity<sup>62</sup>. When these structures do exist (conceived for a maximum of 100 000 refugees), they are usually only equipped for people staying for short term periods<sup>63</sup> when in reality some of them can wait up to three years to be granted a refugee status.

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54 <https://www.theguardian.com/world/2015/oct/02/calais-refugee-camp-conditions-diabolical-report-jungle-bacteria-hygiene>

55 To read the article (in English), <https://www.theguardian.com/uk-news/2016/jan/24/asylum-seekers-made-to-wear-coloured-wristbands-cardiff>

56 To read the article (in English) <https://www.theguardian.com/uk-news/2016/jan/20/home-office-officials-red-door-policy-inquiry-middlesbrough>

57 To read the article (in English), <http://www.bbc.com/news/blogs-eu-34128087>

58 <http://www.pbs.org/newshour/bb/inside-the-harsh-living-conditions-for-syrian-refugees-in-turkey/>

59 <http://www.independent.co.uk/news/world/europe/idomeni-refugee-dachau-nazi-concentration-camp-greek-minister-a6938826.html>

60 <http://www.coe.int/en/web/portal/news-special-representative-migration-refugees-tomas-bocek/>

/asset\_publisher/6OFr8g5YnypB/content/risk-of-a-new-humanitarian-disaster-on-another-balkan-border-tabanovce  
61 <http://semanticpace.net/tools/pdf.aspx?doc=aHR0cDovL2Fzc2VtYmx5LmNvZS5pbnQvbnVncveG1sL1hSZWYvWDJILURXLWV4dHluYXNwP2ZpbGVpZD0yMjgyNyZsYW5nPUVQ&xsl=aHR0cDovL3NlbWFudGljcGFJZS5uZXQvWHNsdC9QZGZYvWFJlZi1XRC1BVC1YUWYUERGLnhzbA==&xsltparams=ZmlsZWlkPTlyODI3>

62 To read the article (in French), <http://www.rfi.fr/europe/20160413-italie-msf-rapport-denonce-conditions-vie-10000-demandeurs-asile-refugies>

63 To read the article (in French), <http://www.msf.fr/actualite/articles/en-italie-systeme-accueil-inadapte-aux-traumatismes-psychologiques-migrants>.

70. In Catalonia (Spain), the region is working with five administrative levels. Consequently, the time taken to process asylum claims can take up to a staggering two years, with many migrants whose status become irregular when their claims are rejected, although applications for asylum are relatively low (14600 in 2014). Officials of the region recognise, in particular, the lack of and the need for more co-ordination between government levels in order to arrive at an acceptable level of processing time.

71. Looking at examples of reception centres from different parts of Europe that have been set up since the beginning of the refugee crisis, the picture is rather grim, although more and more positive examples are seeing the light of day. One such example is the Logistics Centre set up by the Regional Government of Attica in Greece which the rapporteurs had the opportunity to visit in September 2016. This Centre provides its entire area with support services in order to ensure that goods are received and collected in order to protect refugees from fraud and also to co-ordinate the solidarity effort of the citizens. The Centre has already expanded its mission to the rest of the country.

72. The mayor of the City of Paris has, taking their cue from the Grand-Synthe example, developed a project for a humanitarian camp in an ancient train warehouse in order to offer shelter to new arrivals, concentrating in one place health, social and legal support services.<sup>64</sup>

73. The European Committee on Legal Co-operation of the Council of Europe is currently preparing a legal instrument codifying the existing international standards relating to the conditions in which migrants are held in closed administrative centres and, as appropriate, in other places or situations of detention. The instrument should be made available by the end of 2017.<sup>65</sup>

74. The rapporteurs believe that the Congress should call on both its members and remind the member States to respond to the urgency of the situation and the regrettable conditions that people of all ages, who have already suffered war and great tragedy, are being subjected to in reception centres. Local and regional authorities are trying to cope with this human tragedy as best as they can. What is missing is political will at the national level to help speed up bureaucratic and logistic processes and to overcome prejudice.

#### ***The protection of particularly vulnerable populations***

75. Since the beginning of the refugee crisis in Europe, women and children on the move outnumber adult men. While in 2015 about 70 % of the population on the move were men, today women and children make up nearly 60% of refugees and other migrants crossing into Europe. This also means that more women and children risk and lose their lives in the Mediterranean Sea and on the land routes to Europe.

76. Many of these women and girls flee countries such as Syria and Afghanistan, where they were subjected to persecution and sexual and gender-based violence, including war-related violence. UNHCR has expressed concerns at reports of sexual violence against refugee women and children. According to UN officials, refugee and migrant children moving inside Europe are at heightened risk of violence and abuse. This includes sexual violence, especially in overcrowded reception sites and in many locations where refugees and migrants gather, such as parks, train stations, bus stations and roadsides as they move through Europe, sometimes at night, along insecure routes or staying in places that lack basic security. Many reception centres lack adequate lighting and separated spaces for single women and families with children. In this context, UNHCR appeals to all concerned authorities in Europe to take measures to ensure the protection of women and girls, including through providing adequate and safe reception facilities.<sup>66</sup> CoE Special Representative on Refugees and Migration is currently preparing an action plan on the protection of migrant and refugee children which will focus on detention, access to education, effective guardianship and age-assessment procedures and family reunification.<sup>67</sup>

77. Examples of regional and local authorities' measures to protect vulnerable groups of refugees exist: in the German *Land* of Baden-Württemberg, 22 municipalities and villages have decided to put in place a programme providing free treatment and visas on humanitarian grounds to over

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64 Baumard Maryline, "Comment sera organisé le camp de migrants qui ouvrira dans le nord de Paris", Le Monde, 06/09/2016 : [http://www.lemonde.fr/immigration-et-diversite/article/2016/09/06/paris-ouvre-une-bulle-d-accueil-de-court-sejour-pour-les-migrants\\_4993195\\_1654200.html](http://www.lemonde.fr/immigration-et-diversite/article/2016/09/06/paris-ouvre-une-bulle-d-accueil-de-court-sejour-pour-les-migrants_4993195_1654200.html)

65 [http://www.coe.int/t/dghl/standardsetting/cdcj/Administrative%20detention%20of%20migrants/administration\\_detention\\_migrants\\_en.asp](http://www.coe.int/t/dghl/standardsetting/cdcj/Administrative%20detention%20of%20migrants/administration_detention_migrants_en.asp)

66 <http://www.unhcr.org/562a3bb16.html>

67 <https://www.coe.int/en/web/portal/-/srsg-fact-finding-missions-and-children-s-action-plan>

1,100 Yazidi women and children who were held captive by ISIS. This initiative was welcomed by local mayors who have helped organize its implementation and offered shelter and support to the refugees.<sup>68</sup> The issue of missing refugee children has been raised by various sources. According to the NGO “Save the Children”, an estimated 26.000 unaccompanied children entered Europe in 2015 and Europol estimates that at least 10.000 unaccompanied child refugees have disappeared after arriving in Europe.<sup>69</sup> A report published by *Funke Mediengruppe* on 11 April 2016 states that in Germany, in 2015, around 6000 refugee children have been recorded missing and that many of them were under the age of 14. According to the German Ministry of the Interior, most minors who disappeared came from Afghanistan, Syria, Morocco, Algeria and Eritrea. In the UK the number of children who disappear soon after arriving as asylum seekers has doubled over the past year.<sup>70</sup> However the issue is not resolved in that no further substantive proof has been produced on these figures and there are explanations to the effect that this discrepancy is the result of incompatible registration systems or to deficient data exchange mechanisms.<sup>71</sup>

78. These results raise fears that refugee children may be targeted by criminal gangs and become the object of sexual exploitation. Police agencies have documented a disturbing crossover between organised gangs helping to smuggle refugees into the EU and human trafficking gangs exploiting them for sex and slavery. According to Europol officials, longstanding criminal gangs known to be involved in human trafficking, whose identity had been logged in the agency’s Phoenix database, were now being caught exploiting refugees.<sup>72</sup> The detention of children is another issue for concern. It is essential to create alternatives to detention for children who are often detained while their asylum claims are being processed or on their way to shelters, as mentioned by PACE in its report<sup>73</sup> and its campaign “end immigration detention of children”<sup>74</sup>. Attention must be drawn to the necessity of education in the camps as only 50 per cent of refugee children have access to primary education, compared with a global average of more than 90 per cent. There is also an urgent need to strengthen the child-protection system to protect refugee and migrant children from exploitation.

79. The rapporteurs would also encourage local and regional authorities to consider the work of the Council of Europe Development Bank (CEB), which supports the funding of transit and reception centres and of integration projects that are specifically relevant for children.

80. Other groups such as people with disabilities and the elderly are also particularly at risk as they face compounded challenges and are confronted to added physical and communication barriers<sup>75</sup>. Reception centres are usually not equipped and not adapted to respond to their special needs making it urgent for authorities to take this into consideration when implementing their policies.<sup>76</sup> Another vulnerable group among the refugee population are the LGBT asylum seekers who have in some cases continued to face verbal and physical abuses as well as discrimination in reception centres.<sup>77</sup>

81. Local authorities have a specific role to play in these situations. Negative examples have shown how effective the non-intervention or a negative intervention of local authorities can be on the lives of the population in reception centres. Local authorities should prioritise policies and programmes directed towards children (accompanied or not). Apart from the humanitarian side of the question, this is also a social issue and long term risk management problem. Children whose personalities are under construction risk carrying the stigma of this whole journey throughout their lives and may even develop anti-social behavior. The host communities will be dealing with consequences of these injuries and possible consequences for social cohesion for many years to come, if left untreated. The rapporteurs believe that involving the children themselves in local authorities’ work and seeing them as partners would facilitate and set a good practice example of participation.

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68 [http://www.aljazeera.com/indepth/features/2016/06/german-village-helping-yazidi-women-raped-isis-160621083203597.html?utm\\_source=Al+Jazeera+English+Newsletter+%7C+Weekly&utm\\_campaign=a70d5efd2f-weekly\\_newsletter&utm\\_medium=email&utm\\_term=0\\_e427298a68-a70d5efd2f-214187797](http://www.aljazeera.com/indepth/features/2016/06/german-village-helping-yazidi-women-raped-isis-160621083203597.html?utm_source=Al+Jazeera+English+Newsletter+%7C+Weekly&utm_campaign=a70d5efd2f-weekly_newsletter&utm_medium=email&utm_term=0_e427298a68-a70d5efd2f-214187797)

69 <https://www.theguardian.com/world/2016/jan/30/fears-for-missing-child-refugees>

70 <https://www.theguardian.com/world/2015/dec/05/asylum-seeker-children-refugees-missing>

71 <http://www.dw.com/en/refugee-crisis-where-have-6000-children-vanished/a-19180385>

72 To read the article (in English), <https://www.theguardian.com/world/2016/jan/30/fears-for-missing-child-refugees>

73 PACE Doc.13597 (2014)

74 <http://website-pace.net/web/apce/children-in-detention>

75 <https://www.hrw.org/news/2015/12/03/people-disabilities-added-risk-war-displacement>

76 <https://www.hrw.org/news/2016/05/23/dispatches-dignity-stake-refugees-disabilities-greece>

77 [https://www.washingtonpost.com/world/europe/gay-asylum-seekers-face-threat-from-fellow-refugees-in-europe/2015/10/23/46762ce2-71b8-11e5-ba14-318f8e87a2fc\\_story.html](https://www.washingtonpost.com/world/europe/gay-asylum-seekers-face-threat-from-fellow-refugees-in-europe/2015/10/23/46762ce2-71b8-11e5-ba14-318f8e87a2fc_story.html)

82. When faced with crisis situations in which the central government is slow to take concrete action, it is local and regional authorities' responsibility to make sure that basic human rights are maintained for refugees arriving in their communities.<sup>78</sup> Indeed, with the development of the "responsibility to protect" (R2P) norm in the international discourse, the protection of refugees<sup>79</sup> fleeing war crimes, ethnic cleansing and crimes against humanity could be a strong argument pushing mayors and local authorities to take action, whether action is being taken at the national level or not.

83. The challenge now is to increase the number of positive local initiatives. The rapporteurs emphasise the need to call on Congress members to set up networks in order to exchange information on solutions that can be implemented irrespective of national legislative or political choices.

### **2.3 Partnerships with the humanitarian aid sector**

84. The essential volume of humanitarian aid activities are carried out by the voluntary sector organisations, which have developed forms of migrant participation in various activities and services for the benefit of the community in the fields of personal services, health care, culture and sports. An important role is played by the many opportunities for migrants to participate in local amateur sports clubs, the management of social centres, the organisation of intercultural musical or other events, the organisation of interreligious events and, in general, activities to promote intercultural knowledge and exchanges.

85. Some of these activities also involve NGOs which are active in the international development co-operation field and are therefore pursuing major projects to develop synergies between projects for the integration of migrants and projects focused on support for countries of origin. The aim is to foster a reduction in migration flows in time and to encourage migrants' return to their communities of origin, so as to support their economic and social development. For example in Italy, some of these projects have resulted in interesting experiences with "humanitarian corridors" opening up access to Italy for groups of refugees from war-torn countries *via* secure routes, without exposing them to the dangers of the routes used for irregular migration by sea or by land.<sup>80</sup>

86. Voluntary sector organisations require clearly defined and appropriate responsibilities as regards the institutional environment and less dependence on national administrations – including the option of working directly with international organisations and countries or regions that are prepared to offer assistance<sup>81</sup>. It has however been noted that the UNHCR and humanitarian NGOs often work independently of local and regional authorities, with no consultation or discussion. This effectively weakens local and regional authorities rather than strengthening them in their co-ordinating role.<sup>82</sup>

87. In Italy, some regions and municipalities are promoting the signing of agreements and protocols between the territorial government agencies, trade unions and volunteer organisations to encourage best practices and integration-oriented activities, to fight against discrimination and labour exploitation. Obviously, even for the implementation of these protocols, the question of resources provided by local budgets (which, considering the persistent budgetary difficulties of many Italian local authorities, are limited) is crucial.

88. The Intercultural Cities programme had considered launching, already in 2009, the "Gateway Cities" project as a city platform on the reception of irregular migrants at Europe's borders. The project would concern border territories that migrants are trying to leave in order to move further North or West on the continent, but where they nevertheless have to spend significant amounts of time in makeshift camps, hostels, detention centres and other overcrowded facilities, often in appalling sanitary and safety conditions. Having fled war, persecution or poverty, individuals and families arrive after an exhausting and dangerous journey, often in poor health and psychological distress. The purpose of "Gateway Cities" would be to function as a framework for exchange and co-operation between frontline reception territories, which face similar challenges with regard to irregular migration. This will concern both human rights issues, and social issues. While before the massive refugee

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78 <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52014IR5728>

79 <https://sustainablesecurity.org/2016/03/09/the-responsibility-to-protect-and-the-refugee-crisis/>

80 For more information on the project, <http://www.santegidiosa.org/humanitarian-corridors>

81 Committee of Regions, Draft Opinion on Protection of refugees in their areas of origin: a new perspective 2016

82 *ibid*, paragraph 23; Also, for more information on UNHCR partnership with NGOs, <http://www.unhcr.org/non-governmental-organizations.html>

arrival there was little urgency to implement this project idea, perhaps its time has come and this can be reinserted into the Council of Europe agenda.<sup>83</sup>

89. Regions and local authorities have a crucial co-ordinating role to play in the delivery of emergency assistance by bringing together all local partners and co-ordinating aid. This role needs to be acknowledged by national governments and international institutions. Local and regional authorities should therefore be seen as a precondition for the work to be done and solutions to be found rather than as the end phase. What they need is capacity building at political and administrative level, for the elected representatives and the municipal staff, by means of training, exposure, exchanges and support for learning by doing. They also need adequate financial resources to enable them to shoulder their responsibilities, by means of transfers, local revenues and/or direct funding from donors.

### **3. Integration of migrants: the role of local/regional authorities**

90. In its monthly report of migration-related fundamental rights on the “Impact of the asylum crisis on local communities”<sup>84</sup> (July 2016) the European Union for Fundamental Rights Agency (FRA) has drawn attention to the following:

- many local authorities do not actively inform the local population about the migrant situation (through websites, public information events and campaigns as information channels), which is important to counter negative reactions;
- while in most places the local reaction has been positive, with large numbers of volunteers and municipalities, civil society and local volunteers which have mobilised to receive migrants and help them integrate, there have also been many protests and attacks against refugees.

91. It is important to note that integration is a two-way process, involving the mutual rights and corresponding obligations of immigrants and the receiving society. Namely, while migrants need to make efforts to integrate, receiving countries also need to continue to promote and facilitate integration.

92. At the local level, this translates into a mutual learning curve for city and town communities. As an example, the Union of Baltic Cities who have recently published their Strategic Framework 2016-2021<sup>85</sup> stressed that integration is not only a task for refugees who have to learn to live in new social environments, but also for the inhabitants of the receiving cities who have to learn new lessons about living together.

93. Integration encompasses language, culture, labour market and social life. Therefore, when discussing the integration of migrants into the host-society, all these dimensions need to be taken into account. All too often, migrants are regarded as merely passive subjects targeted by social policies, charitable acts and support payments. The individual life stories, skills and aspirations of migrants who have work abilities, knowledge and skills to offer need to be brought to the fore. Personal projects are often linked to the identification of occupational, training or family reunion objectives which are an integral part of long term integration policies. Without such “rebuilding of identities” and personal projects, there is a risk of negating the distinctive human nature of each migrant and of treating human beings as mere numbers, causing the integration process to fail from the very outset.

94. The rapporteurs underline that the legislation in matters of migration and asylum management must take due account of this by ensuring that full identification procedures for refugees particularly in frontline States of first entry should go hand in hand with joint action to promote the fulfilment of personal integration projects.

95. When talking about integration programmes, it is also necessary to adopt a gender-based perspective stressing out the additional barriers refugee girls and women can encounter. These can emanate from religious and cultural codes attached to migrants’ ethnic communities of origin such as specific dress codes, the limitation of interchanges between men and women as well as the need to limit the exposure of women’s body.<sup>86</sup> These obstacles need therefore to be acknowledged by the local and regional authorities when drawing new integration policies.

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83 <http://www.jp.coe.int/CEAD/JP/Default.asp?ID=25918&ActSyn=True>

84 The countries covered are : Austria, Bulgaria, Germany, Greece, Hungary, Italy and Sweden.

85 <http://www.former.ubc.net/documentation>

86 [http://www.dge.mec.pt/sites/default/files/Projetos/Agenda\\_Europeia\\_Migracoes/Documentos/inclusion\\_in\\_sport\\_guidelines.pdf](http://www.dge.mec.pt/sites/default/files/Projetos/Agenda_Europeia_Migracoes/Documentos/inclusion_in_sport_guidelines.pdf)

96. An important point to raise with regard to cultural relations is the issue of hate speech, it being understood that migrants are among the first to suffer from this type of discrimination. The Council of Europe has launched its “No Hate Speech” Movement<sup>87</sup>, an online youth campaign for human rights, to reduce the levels of acceptance of hate speech and to develop online youth participation and citizenship, by training local actors in this approach, organising awareness-raising events and promoting participation in the campaign’s national committees. The rapporteurs think that the Congress should continue to support such campaigns and encourage its members to promote them in their constituencies.

### **3.1. Early integration model: immediate insertion in local communities**

97. Public authorities have to focus on the long-term goal of promoting the successful integration of migrants as well as rely to short-term imperatives, such as reception and the processing of asylum claims.

98. If they are newly arrived asylum seekers, there are of course vital and fundamental necessities such as food, water, health care, shelter which should be provided by local and regional authorities. While taking into account the fact that state-level procedures to determine the status of the asylum seekers is slow, there is no need for local and regional authorities to wait for starting an integration process for “future” refugees. They can already start to apply some early integration programmes, in the camps and settlements, to give newly arrived migrants basic information that will facilitate learning the receiving society’ language and culture, preparing them for the host country’s social life and labour market.

99. If they have obtained “refugee” status in the receiving country, local and regional authorities can immediately start the implementation of a long-term integration programme that can be defined as a “developed version” of the early integration programme. For example in Norway, newcomers, after their arrival in a city, start a mandatory 2-year “Introduction programme” which aims to qualify them for a job or participation in the ordinary education system and society. The participants of this programme also receive a financial benefit, considered as a sort of salary, to participate in this course.<sup>88</sup> Another qualification programme which includes both refugees and migrants in Norway called the “Second Chance” is a work qualification centre for migrants who have not succeeded in completing the professional and social training within the two-year integration programme. Followed by a “contact person” who establishes a close relation with the participants, they benefit from a tailor-made work plan based on their wishes.<sup>89</sup> Many of the participants of this programme are migrant/refugee women. They are an important resource for the Norwegian labour market, and their employment and own income will give economic independence and possibilities for choice for women and their families. This “second chance” programme’s cost benefit shows that it influences in a positive way the economy of Norway.<sup>90</sup> Another good practice example from Norway is the “Learning Centres for Adult Students” such as the NYGARD School.<sup>91</sup> The municipality of Bergen which carries out these programmes, notes that the current government has increased the funds to this programme when cost-benefit analysis proved its good value for money.<sup>92</sup>

100. The rapporteurs would underline once more that, as far as local authorities are concerned, the integration process starts from the reception of refugees into the country, regardless of whether the refugee or asylum seekers can stay or return to their country of origin.

### **3.2. Economic parameters of integration**

101. Economic integration is one of the main conditions of social inclusion. Immigrants can make valuable contributions by relieving labour shortages, increasing labour market efficiency, and acting as catalysts for job creation, innovation and growth. In addition, they can make important contributions to economic development in their countries of origin by means of remittances. Migrants and refugees

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87 About the movement, [http://website-pace.net/en\\_GB/web/apce/no-hate-alliance](http://website-pace.net/en_GB/web/apce/no-hate-alliance) ; also <http://www.nohatespeechmovement.org>

88 More information on the programme, ICC study visit report on Bergen Refugee inclusion, June 2016 <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806696ea>

89 *ibid*

90 <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806696ea>

91 <https://www.bergen.kommune.no/omkommunen/avdelinger/skoler/nygard-skole/9296/article-92672>

92 More information about the statistics of the programme, <http://ssb.no/en/utdanning/statistikker/introinnv/aar-tidligere-deltakere/2015-12-21>

are an asset to the host society and we should focus on their potential rather than their perception as a challenge to be overcome.

102. Labour market integration is a crucial one: migrants' access to the labour market or to creating their own businesses is of utmost importance for successful integration processes. Migrants' access to regional labour markets and business activities requires a broad range of policies and measures, which must be part of the general economic development and social policy, and which must be guided by the principles of equality, non-discrimination and respect for human rights.

103. The presence of migrants in the host societies has both short and long term impact: the short-term impact is related to the way migrants/refugees are treated by native residents, their opportunities for social mobility, and access to social and political rights. Here, local and regional authorities can play a role in preventing social marginalisation leading to a disadvantaged socioeconomic position and exclusion. In the long run, the focus moves to the promotion of cultural diversity as an advantage and the contribution of migrants to boosting local economies through new forms of innovation, of entrepreneurship. The joint CoE and EU programme DELI (Diversity in the Economy and Local Integration) has developed, within the framework of the Intercultural Cities programme, new approaches for the support of migrant entrepreneurs, based on the idea that diversity is a way to enrich the range of products and services by offering different approaches derived from people's differing origins.<sup>93</sup>

104. Volunteering can also be a way for newly arrived migrants and asylum seekers who don't have a clear status or are in a transit situation (waiting for their resettlement to another country for example) to contribute to their host community by using their unique and diverse skills and experience. Indeed, it can allow them to stay active and feel more included by taking part in socially-beneficial activities as well as to familiarise them with the work environment and to make them visible to the citizens as contributors to the welfare of the local community.

105. As underlined by the Congress in its report on "Migrants' access to regional labour markets"<sup>94</sup>, and in its Recommendation 347 (2013) on "Integration through self-employment: promoting migrant entrepreneurship in European municipalities", such policies must be based on an integrated approach encompassing most aspects of traditional integration policy, improvement of intercultural relations and diversity management. The challenge calls for innovative measures in all relevant institutions of the host society, and the regional level offers unique opportunities for a bottom-up development of such innovation.<sup>95</sup>

106. A legal status which includes granting a "work permit" for asylum seekers and refugees that allows these groups to access employment is of course an important step in the integration process as it involves inclusion into the host-society. The PACE report on "Refugees and the right to work"<sup>96</sup>, emphasises that States need to ensure that asylum seekers are allowed to work if there is to be any delay in dealing with their asylum applications and that refugees need not only the legal authorisation to work but they should also be able to exercise the right.

107. However, alongside the removal of legal and administrative barriers,<sup>97</sup> practical barriers such as language learning and access to the labour market need to be addressed. Local and regional authorities need to provide integration programmes, including language classes and courses on how to access the labour market. The Council of Europe LIAM website (Linguistic Integration of Adult Migrants) has lists of legal and policy sources that can be useful for local authorities.<sup>98</sup> Lithuania can be given as an example where the assessment of the feedback provided by 73 refugee respondents in several cities revealed that the key factors preventing refugees from successful economic integration are an inability to speak the Lithuanian language, older age, gender and negative attitudes of employers.<sup>99</sup>

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93 <http://pjp-eu.coe.int/en/web/deli>

94 CPR(25)3PROV, 10 October 2013

95 <https://wcd.coe.int/ViewDoc.jsp?p=&id=2122421&Site=COE&direct=true>

96 Doc.13462 (2014), Res. (1994) 2014

97 The decision of the Turkish authorities on 15 January 2016 to allow 2,5 million Syrians refugees to apply for "work permits", welcomed by international bodies, such as International Labour Organisation (IOM) and the UNCHR), is one positive example.

98 <http://www.coe.int/en/web/lang-migrants>

99 [http://www.unhcr-northerneurope.org/uploads/tx\\_news/UNHCR\\_Integration\\_of\\_refugees\\_in\\_Lithuania.pdf](http://www.unhcr-northerneurope.org/uploads/tx_news/UNHCR_Integration_of_refugees_in_Lithuania.pdf)

108. In order to ensure the implementation of the “right to work”, there are good practice examples that encourage the private sector to recruit refugees and migrants. For instance, in Switzerland, the AGRIV project in Neuchatel, aims to increase the language skills and knowledge on local agriculture of refugees to integrate them in rural areas.<sup>100</sup>

109. In Austria, the Salzburg action plan for labour market integration of refugees was initiated by the Governor in 2015. Collaborating with social partners including the local Industrial Association and Labour Market Service, Caritas Salzburg, the Austrian Integration Fund ÖIF, Diaconate of Salzburg, the University of Salzburg, the Department of Social Affairs and the Department of Culture, Education and Society, the city developed concrete measures which cover qualification screening, language acquisition, training programs for young refugees and volunteering. In addition, the Salzburg Regional Government has drawn up a Charter of Integration Partnership that aims to inform the newcomers about the local communities’ constitutional basis and values.<sup>101</sup>

110. In Sweden, once the newly arrived obtain their permits of residence, the municipal departments and companies jointly organise a special training programme, which is managed by the Labour Market Unit, in order to increase the participants’ awareness and to improve their integration.<sup>102</sup> There is also an internship programme in local businesses run by the municipality of Boden, which matches employee seekers’ requirements with the competences and professions of the asylum seekers.<sup>103</sup>

111. In Klaipeda (Lithuania), women from the refugee community work in a day centre, taking care of children, or teaching the Chechen language. For many of them, this is the only chance to earn money and to communicate with others.<sup>104</sup>

112. To sum up, economic integration of refugees is a precondition for their long term social inclusion. National and regional as well as local authorities should focus on removing any practical barriers encountered by asylum seekers when accessing the job market. This priority notwithstanding, the process of integration also requires social policies to be put in place to help refugees feel included in their host community and remove any potential conflict that could arise with local inhabitants.

### **3.3. Social policies within local authority competence**

113. We have underlined many times in this report that migrants and refugees who stay in their host cities must be enabled to live in dignity and be provided with access to employment and essential services such as housing, education (for instance language learning) and health care. We also noted how important it is that they must also be able to communicate with members of the host community. We now wish to draw attention to the fact that integration is a two-way road that requires mutual recognition from both host and migrant communities in order to prevent all kind of conflicts, resulting in exclusion and incomprehension of the real situation, thereby helping the rise of racism and xenophobia. Just as migrants and refugees have to learn to live in new social environments, so must the inhabitants of the receiving cities learn about living together with the newcomers. There are more and more examples of local authorities developing programmes that include all inhabitants of the receiving cities in the integration progress. Two examples can be given from Austria: the “New Here Project” in Vienna promoting a “welcome culture” in Vienna (see, in particular, their interactive map)<sup>105</sup> and the Salzburg welcome guide to inform refugees arriving in Austria about inclusive values for living together.<sup>106</sup>

114. The CoE Commissioner for Human Rights had mentioned in his previously cited Issue Paper “Time for Europe to get migrant integration right” language proficiency and work as desirable outcomes: “the residents, regardless of their reason for migration, are proficient in the country’s common language(s) or receive the support they need to improve their skills” and “migrants are likely to be in employment, education or training as non-migrants with the same socio-economic background” (see paragraph 8).

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100 For more information on AGRIV project, see [http://www.ne.ch/medias/Pages/151006\\_Projet-AGRIV-un-partenariat-entre-l'Etat-et-le-monde-de-l'agriculture-du-canton-de-Neuch%C3%A2tel-.aspx](http://www.ne.ch/medias/Pages/151006_Projet-AGRIV-un-partenariat-entre-l'Etat-et-le-monde-de-l'agriculture-du-canton-de-Neuch%C3%A2tel-.aspx)

101 [http://service.salzburg.gv.at/lkorrij/Index?cmd=detail\\_ind&nachrid=56648](http://service.salzburg.gv.at/lkorrij/Index?cmd=detail_ind&nachrid=56648)

102 [http://www.unhcr-northern-europe.org/fileadmin/user\\_upload/Documents/PDF/Sweden/2013-Sep-SE-A-new-beginning-refugee-integration-in-Sweden.pdf](http://www.unhcr-northern-europe.org/fileadmin/user_upload/Documents/PDF/Sweden/2013-Sep-SE-A-new-beginning-refugee-integration-in-Sweden.pdf)

103 <http://fra.europa.eu/en/theme/asylum-migration-borders/overviews/local-communities>

104 [http://www.ubc.net/sites/default/files/bcb\\_1\\_2016\\_www\\_0.pdf](http://www.ubc.net/sites/default/files/bcb_1_2016_www_0.pdf)

105 [www.newhere.org](http://www.newhere.org)

106 [https://www.stadt-salzburg.at/pdf/welcome\\_guide\\_englisch\\_\\_stand\\_11\\_2015.pdf](https://www.stadt-salzburg.at/pdf/welcome_guide_englisch__stand_11_2015.pdf)



## Housing

115. The right to housing is expressly provided for under Article 31 of the European Social Charter (Revised) and ensures that States take the necessary measures, for citizens of States that have ratified the Social Charter:

- to promote access to housing of an adequate standard;
- to prevent and reduce homelessness with a view to its gradual elimination;
- to make the price of housing accessible to those without adequate resources.

116. These rights are not irrelevant to migrants; they afford protection from forced evictions and from destruction of homes. While no specific standards of living can be inferred from the rights guaranteed by the ECHR, the European Court of Human Rights has found that, in certain cases, conditions of extreme poverty of vulnerable individuals, such as asylum seekers, may amount to a violation of Article 3 of the ECHR. In the landmark case *M.S.S. v. Belgium and Greece*, the Court held that the living conditions of the applicant in Greece during the examination of his claim, combined with his vulnerability and the inaction of the state, amounted to inhuman and degrading treatment. The Court took note of the fact that the applicant had been living in the street for several months “with no resources or access to sanitary facilities, and without any means of providing for his essential needs”.

117. The Congress, in a Declaration adopted in October 2015, defended that local and regional authorities, regardless of their geographical position in Europe, must play a key role in the arrangements for accommodating the refugees. In practice, this role can be reflected on the ground by the provision of public buildings converted to accommodate refugees and political and material support to associations specialising in migrant reception in this context.<sup>107</sup> For this purpose, and because of dwindling populations in the countryside of European countries, rural areas should be considered as a “laboratory of integration”<sup>108</sup> providing cheaper and more numerous housing solutions. For example, Gransee (Germany) – population 4000- has offered to house 80 refugees and many village mayors across Germany see the recent influx as an opportunity to revitalise their community both demographically and economically.

118. Housing issues not only relate to reception centres but also to the availability of social housing units for longer term settlement (for instance, this is a critical issue in Sweden). Limited availability of housing also constrains the possibility of evenly “distributing” the refugee population over a given territory, and in a way that matches employment and education opportunities.

119. Housing is a fundamental question to be faced from both short-term and long-term perspectives. Some countries such as Norway clearly make a distinction on this point. They have “transition reception centres” where newly arrived asylum seekers can stay to three months; and centres for longer term stay until they can obtain refugee status. The use of public buildings as well as of private apartments is a solution (this is the case in Athens). Once residence permits are obtained, it is the municipality’s responsibility to find these people a place in the city. In this regard, attention should be given to the fact that it is important for local and regional authorities to avoid concentrating refugees in limited areas that could potentially lead to a form of ghettoisation and would impede their long term integration into the host society.

120. Much has been said about the need to house unaccompanied children in separate locations to ensure their security. This should be one of the top priorities of local authorities. The city of Malmö in Sweden has for example put in place specific places of transit for minors as it is the municipalities’ responsibility to take care of unaccompanied minors under Swedish law.<sup>109</sup> As this specific group of refugees requires adapted care and support, the aim is to facilitate children’s access to education and job opportunities for their long term integration into the local community.

121. The development of networks such as the “*Réseau des Villes Solidaires*” for housing refugees by citizens is a project which emphasises that integration is a two-way dynamic. The cities of Strasbourg (France), Catania and Rovereto (Italy) have signed a common text in favour of establishing a European network of cities of solidarity. The aim of the initiative is to reaffirm the principle of solidarity and human dignity towards refugees and to help cities define active local policies for the reception

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107 <https://wcd.coe.int/ViewDoc.jsp?p=&id=2372185&direct=true>

108 <http://www.thelocal.de/20160125/rural-germany-an-integration-laboratory-for-refugees>

109 <http://www.eurocities.eu/eurocities/news/Cities-welcome-refugees-Unaccompanied-minors-in-Malmo-WSP0-A8XKV2>

and the integration of asylum seekers into the local communities. The Congress had already drawn attention to this project in its declaration on the reception of refugees adopted on 21 October 2015.<sup>110</sup>

122. Establishing a European network of cities of solidarity will help municipalities share good practice examples as well as develop innovative initiatives incorporating all citizens. The rapporteurs are of the opinion that the Congress should encourage the implementation of such networks and assist the existing initiatives, encouraging its members to participate therein.

### **Education**

123. The European Convention on Human Rights stipulates that “No person shall be denied the right to education”, and, as such, constitutes a right to which every person is entitled. Article 17 of the European Social Charter (revised) also calls States to ensure an “effective exercise of the right of children and young persons to grow up in an environment which encourages the full development of their personality and of their physical and mental capacities”.<sup>111</sup>

124. Education is a key point in integration policies. It has a fundamental role in the process of building sustainable democratic societies that are respectful of diversity and human rights. Especially for the migrants, “learning the language” of the host-state is crucial for social inclusion and one of the key points of successful integration. It is also a challenge and needs investment from both the governments and local and regional authorities.

125. The Syrian war refugees’ situation in Turkey, where their number has topped 3 million is an example of the gravity of the problem. The non-schooling of refugee children is a major issue. Human Rights Watch noted in 2015 that 400 000 thousand refugee children did not have access to education in spite of the fact that the government had adopted an education policy allowing Syrian children to attend state schools<sup>112</sup>. The language barrier, social integration problems and economic difficulty made it impossible for these children to attend school. According to one study, only children housed in the 25 refugee camps- who constitute 13% of the total of minors- received schooling.<sup>113</sup> On the other hand, given the massiveness of the numbers concerned, State level policy and support action is needed to tackle the issue.

126. In some countries, such as Sweden and Norway, there are special courses, which include social studies in addition to language courses. Plus, some of these are online courses in different languages that can facilitate participation from everywhere.<sup>114</sup> Taking into account the technological developments and use of mobile phones and the internet, the application created for refugees in Finland called “About Finland”, which provides free service to immigrants delivering reliable information from official sources to mobile phone users is a good practice example.

127. One example of early integration efforts is the city of Bergen (Norway) which enrolls children in school directly upon their arrival at the Reception Centre. To avoid school segregation, these children are placed in municipal schools. The national legislation on education, according to which every child that is likely to spend more than three months in Norway has the right to education, indubitably plays an important role in making it possible for local governments to take such initiatives. It gives them a chance to apply it for refugee children in Reception centres.

128. Another good practice example on refugee children education is the European Primary School *Goldschlagstrabe* in Vienna. It is a multilingual public school that has courses in 11 languages given by native language teachers, whereby children become multilingual and multicultural after following a three-year programme.

129. As regards the role of the education system to convey values of democratic citizenship and social and civic responsibility, Council of Europe’s Standing Conference of Ministers of Education held in Brussels in April 2016 has called for more targeted investment in education as well as for the reinforcement of the co-operation with strategic partners (ministries, local authorities, EU institutions, UN agencies,...) in order to support reforms in member States.<sup>115</sup> Strengthening the culture of democracy through education is expected to help build more cohesive, sustainable and inclusive

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110 <https://wcd.coe.int/ViewDoc.jsp?p=&id=2374261&Site=CM&direct=true>

111 For more information: [http://www.coe.int/t/democracy/migration/Source/migration/ProtectingMigrantsECHR\\_ESCWeb.pdf](http://www.coe.int/t/democracy/migration/Source/migration/ProtectingMigrantsECHR_ESCWeb.pdf)

112 <https://www.hrw.org/news/2015/11/08/turkey-400000-syrian-children-not-school>

113 [http://file.setav.org/Files/Pdf/20160309195808\\_turkiyedeki-suriyeli-cocuklarin-egitimi-pdf.pdf](http://file.setav.org/Files/Pdf/20160309195808_turkiyedeki-suriyeli-cocuklarin-egitimi-pdf.pdf) (in Turkish)

114 An example on e-learning courses free and in 22 language, [www.samfunnskunnskap.no](http://www.samfunnskunnskap.no)

115 [http://www.coe.int/t/dg4/education/Source/MED25/MED\\_25\\_Final-Declaration\\_en.pdf](http://www.coe.int/t/dg4/education/Source/MED25/MED_25_Final-Declaration_en.pdf)

democratic societies and will help respond to the recent rise of populism and xenophobia in Europe.  
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130. This echoes the 2010 “Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education” adopted by the Committee of Ministers providing European countries with a reference point and a catalyst for action as well as diffusing good practice in order to raise education’s standards across the member States.<sup>117</sup>

131. Alongside education opportunities provided by the school system, local and regional authorities should take measures for widespread intercultural education in order to prevent distrust in the society regarding migrants and refugees, and to promote mutual cultural and religious knowledge. Local authorities are well-equipped to bring together grassroots organisations, local associations and communities to exchange experiences. The various good practice examples cited on the CoE Intercultural Cities Network’s website are evidence of a large number of initiatives taken in CoE member States for the integration of migrants through employment (entrepreneurship, training), cultural exchanges (music, sports, culinary discovery), communication strategies (traditional and social media).

132. The Congress Toolkit for the use of local authorities when organising intercultural and interreligious events is also a useful tool for this purpose. Instigated by the Congress Strategy to combat radicalisation but also inspired by the CoE policy on living together in diversity, the aim of the toolkit developed by the Congress is to promote intercultural and interreligious dialogue and to inform local elected representatives about the issues involved in combating radicalisation, encouraging them to take more action in this area.

133. The Congress Toolkit includes four special files giving quick access to the online resources listed on the site [www.coe.int/congress-intercultural](http://www.coe.int/congress-intercultural), the guidelines for local and regional authorities on preventing radicalisation and manifestations of hate at the grassroots level and the Congress’ 12 principles for interfaith dialogue at local level. The Congress has set up a website to give local and regional authorities direct access to relevant information and resources in the 36 languages of the CoE (link to website to be added when online).

134. A new policy development in Sweden related to education has shown how unexpected results can occur when different social policies clash and create a rather grey zone. In 2015, the Swedish authorities issued guidelines<sup>118</sup> denying access to school to children of EU migrants who were begging in the streets. This concerns some 5,000 EU migrants, coming mostly from Romania and Bulgaria, who try to survive in Sweden by begging. The initiative is meant to give municipalities clearer guidelines regarding EU migrants’ rights in Sweden, aims at discouraging people from begging and to incite them instead to find a job so they can be entitled to welfare allocations. While the idea of preparing clear guidelines for local authorities could be considered as a good practice example, the decision to deny school to children because they are begging in the streets is not only a problem under the European Convention of Human Rights but also not an easy one to solve.

135. The city of Salzburg (Austria) had raised the issue of beggars in the city with the Congress in 2015, proposing a Europe-wide debate and analysis of human trafficking and the development of policies for solving the problem in countries of origin. The issue of begging in the cities is not the focus of this report; however the question of child beggars is an issue. Recently it has been highlighted by the Turkish media following the massive arrival of Syrian war refugees into Turkey. A motion brought to the Parliament drew attention to the fact that school-age Syrian children now make up the majority of street beggars and vendors (total number estimated at 100 000 in Istanbul only).<sup>119</sup>

136. In this respect, the rapporteurs refer to their recommendation as regards local authority responsibility to prioritise action for children (see paras. 75 – 82) and invite local authorities to coordinate efforts with their national authorities to bring children from the streets back into the education system. The rapporteurs can only reiterate that education is a key point in integration policies and that it has a fundamental role in the process of building sustainable democratic societies that are respectful of diversity and human rights.

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116 <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016803034e5>

117 <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016803034e5>

118 For the coverage on the report, <http://sverigesradio.se/sida/artikel.aspx?programid=2054&artikel=6358572>

119 <https://onedio.com/haber/binlerce-cocuk-cetelerin-aginda-668408>

### **Health services**

137. In most Council of Europe member States, municipalities and regions are responsible for providing reasonable, high-quality primary health care and social services to everyone in need of them, while the State is responsible for providing the legislative and financial framework as well as supervision and control. In countries such as Italy, Spain and Austria there are management systems whose regulation, operation and also co-funding are delegated to regional authorities.<sup>120</sup>

138. Territorial authorities have wide health-related competences including emergency services, preventive health care (vaccinations, food safety, environmental health, services related to subsistence use, etc.) and health education.

139. The 1951 Refugee Convention states that refugees should have access to health services equivalent to that of the host population, while everyone has the right under international law to the highest standards of physical and mental health. The UNHCR which monitors the situation of refugees, collecting public health data on refugees, cites among their guiding principles equity of care and access to health care for refugees.<sup>121</sup> These fundamental principles are in general adhered to in CoE member States.

140. The rapporteurs were glad to find, during the course of their research, a promising trend whereby cities are moving away from immigrant-specific services towards provision of services to all residents, irrespective of their language, nationality or country of birth. For instance, some regions that are part of the Intermediterranean Commission of the Conference of Peripheral Maritime Regions have taken active and preventive measures to help integrate migrants in their healthcare systems through bilateral agreements.<sup>122</sup> This is in line with the Congress approach to address the needs of human beings whatever their status or origin might be.

141. An equally important point in the context of the current refugee crisis is that, apart from access to regular health services on offer, refugees need special treatment as well. Most refugees have been psychologically and physically traumatised because of the horrors of the war, the persecution in their country and the hardships occasioned by their travel conditions. Not only material and physical assistance, but also psychological support during their integration to the society, such as group therapies and individual consultations, is important for them and needs to be provided by local authorities.

### **Cultural and sporting activities**

142. Local authorities have a role to play alongside national government bodies to bring together small groups in neighbourhoods and rely on social skills that unite human beings through vectors such as culinary skills, arts and crafts, sport and cultural heritage that can link migrants to the host society.

143. The success of integration at the local level depends on the interaction, co-ordination and co-operation between the compulsory tasks of the local authorities and also the commitment of citizens in helping and ensuring harmonious relations in local communities.

144. It is important to involve migrants and refugees in local public life and bring them into contact with the local population in order to overcome cultural barriers, prejudices and to foster mutual socialisation. The role of social entrepreneurs in this context is important. For instance, the "Somalia bandy" is an integration project that was created by a Swedish entrepreneur and consists of a football team of Somalian nationals living in Sweden. They played for example in the 2014 Bandy World Championship.<sup>123</sup>

145. The CoE Enlarged Agreement on Sport (EPAS) conference held in June 2016 addressed how sport can be used as a tool to enhance the integration of migrants. It also allowed the participants to share best practice across Europe at international, state and local level, looking at how sport clubs and coaches are working to cultivate tolerance and social inclusion.<sup>124</sup> The role of the Olympic movement's approach to respect and friendship as well as the host communities' responsibility to

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120 <http://cor.europa.eu/en/documentation/studies/Documents/health-systems/health-systems-en.pdf>

121 <http://www.unhcr.org/protection/health/4b4c4fca9/unhcrs-principles-guidance-referral-health-care-refugees-other-persons.html>

122 [http://www.medregions.com/pub/focus/157\\_en.pdf](http://www.medregions.com/pub/focus/157_en.pdf)

123 <http://www.somaliabandy.com/start/>

124 [http://www.coe.int/t/dg4/epas/resources/Vienna-2016/Conference-migrants-Vienna\\_default\\_EN.asp](http://www.coe.int/t/dg4/epas/resources/Vienna-2016/Conference-migrants-Vienna_default_EN.asp)

undertake action to adapt and better integrate refugees into their community were noted. At the local level, the participants emphasised the importance of an adequate training for educators concerning intercultural dialogue and the collaboration between their sport club and the local community.

146. The Salzburg Integration Football World Cup<sup>125</sup> is an example of an activity which does not require any language skills from participants. It is a world championship tournament with “national teams” from the different countries of origin, including asylum seekers from an adjacent camp, organised with the involvement of civil society (including private firms), religious communities and political authorities at all levels: federal, regional (Land of Salzburg) and local (City of Salzburg’s Integration Office) for a common goal that is integration. Similarities are emphasised rather than differences between the countries. A total of 48 football teams from around the world took part in the 2016 edition.

147. The European Forum for Urban Security (Efus), has set up a European Prize for social integration projects throughout Europe, open to local and regional authorities, the voluntary sector, NGOs and private organisations from EU member States, based on the understanding that “sport brings educational benefits because of the values it promotes such as respect, tolerance and self-control”.

148. In Karlstad (Sweden), the municipality has made a campaign directed to all citizens with the slogan “A Warm Welcome” promoting openness and inclusion for refugees. A website was launched where anyone who would like to meet and get to know a refugee can register.<sup>126</sup>

149. Music also helps to connect people, to break down barriers in language and in minds. For instance, in Bremen, the Musicians of the Expat Philharmonic Orchestra (EPO), mostly refugees and migrants from Syria and other Middle East countries, have come together and created their own orchestra. They gave their first concert in Bremen in September 2015.

### ***Participation in decision-making processes***

150. Various initiatives enabling migrant participation in the social life of a municipality, for example through local councils on immigration, or on a higher level, through the recognition of the right to vote, mainly in the local elections, have been taken across Europe.

151. The city of Barcelona’s (Spain) Municipal Immigration Council established back in 1997 in order to allow migrants to be fully integrated into the local social, cultural and political life is one such example.

152. In Switzerland, the Jura, Vaud, Fribourg and Neuchâtel Cantons have granted non-nationals the right to vote in the local elections as well as the eligibility to stand at communal elections depending on the duration of their residency within the Swiss territory. In Norway, non-nationals “who have been included in the Norwegian Population Register as resident in Norway for the past three years prior to Election Day” are also granted the right to participate to the municipal and local county elections.

153. Even though the presence of migrants in city councils is usually rare in European cities as foreigners usually lack the right to vote or to campaign at local elections, several examples of consultative bodies can be noted:

154. In Italy, Bologna’s “Council of Foreign and Stateless Citizens of the Province” and the “Neighbourhood Councils of Foreign Citizens” act as consultative bodies allowing immigrant representatives to express their voice and concerns even though they are not granted the right to vote in local elections. Similar consultative councils and expert committees including migrants’ organisations and NGOs also exist in Tallinn (Estonia) as part of a bigger national strategy of “Integration and Social Cohesion in Estonia 2014-2020”.<sup>127</sup> The city of Zagreb (Croatia) also provides specific rights to minorities allowing them to participate in the management of local activities through nine ethnic minority councils operating within the Assembly of the City of Zagreb.<sup>128</sup>

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125 <http://www.integrationsfussball.at/>

126 About the campaign, [www.varmtvalkommen.se](http://www.varmtvalkommen.se)

127 [http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european\\_migration\\_network/reports/docs/annual-policy/2012/07.estonia\\_annual\\_policy\\_report\\_2012\\_final\\_december2013.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/annual-policy/2012/07.estonia_annual_policy_report_2012_final_december2013.pdf)

128 <http://www.zagreb.hr/default.aspx?id=2017>

155. The Congress opened its Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority (CETS No. 207) to signature in 2009. It has only been ratified by eight member States yet.

156. The rapporteurs are of the opinion that the ratification of this protocol by member States and its application, particularly with regard to migrants and youth is more urgent than ever. They would therefore recommend that member States be invited to sign and ratify the Additional Protocol in the near future.

### ***The long-term vision : Building inclusive societies***

157. Migrants can enhance cultural diversity and stimulate interest in other cultures and regions of the world among native populations. They have played such a role for Europe in the past. The challenge of integrating migrants in regional and local communities as a major factor for better social cohesion and intercultural harmony, and the crucial role of regional and local authorities in this process, were also highlighted in the report on “Living together: Combining diversity and freedom in 21st century Europe”, commissioned by the COE and prepared by its Group of Eminent Persons in 2011.

158. The 2014 PACE resolution on “Ensuring that migrants are a benefit for European host societies”<sup>129</sup> invites member States to do more to ensure that the benefits that migrants can bring are maximised.

159. The Council of Europe action plan on “Building Inclusive Societies 2016-2019” aims to assist member States in managing Europe’s diversity through smart policies fostering mutual understanding and respect. It is organised around activities in the fields of education, anti-discrimination and effective integration.

160. Over the past decade, the Congress has addressed to the Committee of Ministers a number of recommendations on various aspects of the integration of migrants at local level, in particular Recommendation 115 (2002) on “the participation of foreign residents in local public life: consultative bodies”; Recommendation 153 (2004) on “A pact for the integration and participation of people of immigrant origin in Europe’s towns, cities and regions”; Recommendation 252 (2008) on “Improving the integration of migrants through local housing policies”; Recommendation 261 (2009) on “Intercultural cities”; Recommendation 262 (2009) on “Equality and diversity in local authority employment and service provision”; Recommendation 304 (2011) on “Meeting the challenge of inter-faith and intercultural tensions at local level” ; and Promoting diversity through intercultural education and communication strategies Resolution 3745 (2014). The toolkit for the use of local authorities mentioned in paragraphs 125-126 above is part of the arsenal local authorities can use in developing integration policies.

161. The Congress approach to inclusion is one based on principles of social solidarity, respect for the individual and their rights, acceptance of diversity and security and safety of citizens. The Congress has been working for two decades on the development of inclusive and resilient communities and this work has become all the more relevant both in the face of the refugee crisis and the mounting radicalisation and extremist violence in the recent years.

## **4. Conclusions**

162. In this report, the rapporteurs have argued that local and regional authorities should approach the question of refugee reception and the integration of migrants both as an emergency situation where local authorities have the responsibility to address the needs of refugees regardless of their status, nationality, country of origin or identity, tailoring the services they provide to the needs of each individual, and from a strategic perspective, based on the assessment that Europe needs migrants and long-term policies for integrating migrants and building inclusive societies.

163. The refugee crisis has pointed to a crisis of policy in the way European governments approach migration which necessitates stepping up political leadership in promoting an approach that fuels a positive view of what migrants can bring to host societies. There is growing evidence that national integration policies are deeply correlated to the image and perceived threat associated with migrants’ arrival.

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129 <http://www.assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=20480&lang=en>

164. A vital area of intervention for the local elected representatives is therefore in the awareness raising and communication field. The negative narrative on refugees, daily aired in all kinds of media and social media needs to be addressed. Changing the negative narrative based on facts and an approach based on human rights and dignity is a responsibility that falls on public officials' shoulders. Mayors and regional governors are high profile agents of communication, whose intervention draws much attention and commentary. They need to capitalise on this position. Actions such as anti-rumour campaigns and the CoE "No Hate Speech" campaign can also be instrumental in conveying the message to the public.

165. There is a growing risk of radicalisation in society if awareness raising and integration policies are not developed at the local level. A toolkit for local authorities on the integration of migrants could be a useful instrument in prioritising this issue on local government agendas. Such a toolkit could be based on a series of standard setting texts of the Council of Europe, also giving access to good practice databases already in existence both from within the Council of Europe such as the Intercultural Cities Network or from partner organisations such as the European Forum for Urban Security (Efus) or the Fundamental Rights Agency of the European Union.

166. As regards effective action on the ground, local and regional authorities are major and essential players and actors in designing reception, integration and cohesion policies. Their strategic role should be recognised at all levels and from the political, administrative, organisational and financial standpoints. For an efficient and successful outcome, they must be able to count on their national governments and entities such as the European Union, to support their actions to reinforce and improve facilities for accommodating refugees by means of concrete initiatives, in particular in conjunction with local voluntary organisations. The adoption of the New York Declaration in September 2016 at the first UN Summit on Addressing Large Movements of Refugees and Migrants is a positive step going towards this direction calling "countries which can resettle or reunite many more refugees to do so"<sup>130</sup> and richer States to invest in communities hosting large numbers of refugees. The development of a UNHCR "Comprehensive Refugee Response Framework" is also an important aspect in creating a "a stronger system with more reliable funding and early engagement of development actors" including local and regional authorities.

167. Beyond the international framework, EU treaties and national legislation dealing with refugees and migrants, a specific legal framework is needed, tailored for facilitating the mission and actions of local and regional authorities in order to help them to be more efficient. It is not always easy to find common solutions for all actual challenges concerning refugee and integration policies. National and local experiences and proposals for solutions differ and might diverge which necessitates a permanent exchange of experiences for successful co-ordination. Synergy among all government levels, especially between local and regional authorities and the EU institutions, has a higher chance of success if based on a clear legal framework.

168. Among the measures and actions for which local authorities need support from the national government, not just financially but also in terms of training and organisation, mention should be made first and foremost of the following action, services and measures:

- re-building personal identities, including specifying migrants' individual skills and abilities, counselling and support for the development of their individual life projects;
- promoting language training;
- supporting housing solutions and initiatives that encourage mixing and positive interaction between refugees and host communities;
- facilitating migrant access to the local employment market, education, vocational training, work transition measures and establishment of own businesses, with a particular focus on measures that foster access to regular work and combat exploitation;
- facilitating migrants' integration in social activities carried on in the region (cultural and sports initiatives in co-operation with voluntary sector bodies and private partnerships);
- promoting education for democratic citizenship and social and civic responsibility;

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130 <http://www.unhcr.org/news/press/2016/9/57dff34f4/unhcr-welcomes-unprecedented-force-resonance-new-york-declaration.html>

- promoting widespread intercultural education, for the prevention of distrust and hatred, and for mutual cultural and religious knowledge;
- promoting intercultural and inter-religious activities;
- establishing targeted reception, information and support services/counters and cultural mediation, adapting the training of health professionals to a growing intercultural society for foreign nationals;
- supporting the integration of migrant women and migrant groups with special needs (such as elderly people and persons with disabilities);
- prioritising action towards refugee and migrant children, whether accompanied or not, (this includes the adoption and the monitoring of strategies for the protection of children from all forms of violence) and strengthening the child protection systems at local and regional level and developing specific trainings for local level child protection officers

169. In order to launch the above cited measures and foster synergies in these areas, local and regional authorities should be encouraged to adopt planning and monitoring instruments that enable them to keep track of the policies and services they initiate within their territories, including through the promotion of agreements, memoranda of understanding and other actions likely to promote synergies between the various public and private sector and economic and social players involved.

170. Co-operation and co-ordination between all levels of governments including local, regional and national governments and dialogue between cities of different countries as well as exchanges of good practices examples, will allow the development of innovative initiatives involving migrants and refugees as well as all citizens. Local and regional authorities should strive to share their best practices within European networks such as the Intercultural Cities of the Council of Europe, that have acquired a certain experience working on these issues. They should also intensify direct contacts between municipalities and regions, in order to provide opportunities for the reception and integration of migrants and refugees.

171. In view of their significance for the implementation of national or supranational reception policies, such measures must receive appropriate support through the allocation of national or international resources. Similar financial instruments should be provided in order to strengthen regional co-operation and city partnerships to create the infrastructure for good migration governance. In this regard, local and regional authorities, working with civil society to accommodate refugees, need to gain better access to national and European funding.<sup>131</sup>

172. One solution is to give local and regional authorities direct access to the European Funds such as the Asylum, Migration and Integration Fund -AMIF and to financial tools concerning the means for housing, health care, and other pressing needs of refugees and migrants, in co-operation with the European institutions, the national governments and the NGOs.

173. It should be stressed that in the EU countries within the Council of Europe member States, local and regional authorities are currently not full partners of the EU institutions (the Commission, the Council, the European Parliament) although they assume at first hand the responsibility of tackling all kinds of problems related to the refugee and migrant issue, such as sheltering, health care, food. EU member States should consider the advantages of making them full partners to give them direct access to the financial tools and different funds concerning migration and refugee-related European policies.

174. One policy decision at the national level that can assist local and regional authorities and which is particularly conducive to effective integration is the development of national and international legislation to facilitate the recognition of vocational qualifications and to foster family reunification measures, since living together as a family is often a precondition for the implementation of life projects and for lasting integration at local level.

175. Finally, the rapporteurs would suggest that the Congress should take the occasion of this report to remind the Committee of Ministers to invite all member States that have not yet signed and/or ratified the Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority (CETS No. 207) to sign and ratify it in the near future.

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<sup>131</sup> The EU Asylum, Migration and Integration Fund (2014-2020) aims at supporting actions to contribute to the efficient management of migration flows and the implementation, strengthening and development of a common union approach to asylum and immigration.



**Appendix – List of the members of the Reflection Group on Migration set up to draft the report**Congress co-rapporteurs :

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- Yoomi Renström, Sweden (R, SOC)

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- Michalis Angelopoulos, Greece (L, EPP/CCE)
- Giuseppe Boschini, Italy (R, SOC)
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- Andreas Galster, Germany (L, EPP/CCE)
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- Leontien Kompier, Netherlands (L, SOC)
- Mustafa Palancioglu, Turkey (EPP/CCE)
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- Nihal Eminoğlu, Congress expert nominated by the Secretariat for drafting of the report
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