# Memorandum to the Swedish Presidency

# Putting protection back at the heart of EU asylum policy



## Introduction

Sweden will take over the Presidency of the European Union (EU) at a pivotal time in the development of European refugee law and policy. We are now ten years on from the Council Meeting in Tampere in 1999, where Heads of State and Government set themselves the objective of developing a Common European Asylum System (CEAS) by 2010. They expressed their collective commitment that the future CEAS must be based on absolute respect for the right to seek asylum and the full and inclusive application of the Geneva Convention, thus ensuring that nobody is sent back to persecution<sup>1</sup>. Adopted in 2004, the Hague Programme<sup>2</sup> provided guidance for completing the second phase of the common system.

The results of this process have been mixed, and significant progress remains to be made if Member States are to live up to the commitments they made in Tampere. While common minimum standards are in place, they afford states undue discretion to derogate which, along with varying interpretations and variations in the quality of implementation, has compromised the achievement of a level protection playing field.

Meanwhile, the development of a range of border control policies has seriously undermined the ability of refugees to seek protection in Europe and raised questions about whether EU states are meeting their obligations under international law. Ensuring respect for the principle of non-refoulement is more important than ever in light of recent push-backs by Italy to Libya of migrants without any assessment of their need of protection, and the lack of clear condemnation on behalf of the EU. Against this backdrop, ECRE urges Sweden to take a rights-respecting approach during its Presidency and to seek to uphold Europe's longstanding human rights tradition, and to play a leading role in promoting fair and humane European policies towards asylum seekers and refugees.

#### The Stockholm Programme

Earlier this month the European Commission mapped out key priorities in asylum policy over the next five years in its Communication entitled *An area of freedom, security and justice serving the citizen: Wider freedom in a safer environment.*<sup>3</sup> This will form the basis for the Stockholm Programme, which is due to be adopted by the European Council towards the end of the Swedish Presidency. The Stockholm Programme provides the EU with the opportunity to build a fair and efficient common asylum system, which could serve as a model to other regions of the world. Given current huge disparities in the quality of national asylum systems, this will require better and more systematic monitoring of compliance with the asylum acquis coupled with more rigorous enforcement by the Commission. However, even an exemplary asylum system would be meaningless if it is not accompanied by concrete measures to ensure that refugees can reach sanctuary in Europe.

#### **Defending Refugees' Access to Protection in Europe**

In recent years the EU has increasingly focused on measures aimed at preventing and combating irregular entry. Many of these border control measures lack the necessary mechanisms to identify individuals in need of protection and allow their access to the territory and subsequently to an asylum procedure. This is leading to the violation of the principle of non-*refoulement* at Europe's borders and is having a major impact in preventing refugees from seeking asylum in Europe.<sup>4</sup> With barely any legal

<sup>&</sup>lt;sup>1</sup> Presidency Conclusions, *Tampere European Council 15 and 16 October 1999*, paragraph 13

<sup>&</sup>lt;sup>2</sup> The Hague Programme: strengthening freedom, security and justice in the European Union, 2005/C 53/01

<sup>&</sup>lt;sup>3</sup> Communication from the European Commission to the European Parliament and the Council, *An area of freedom, security and justice serving the citizen*, COM(2009), 262/4

<sup>&</sup>lt;sup>4</sup> Full ECRE report and summary of *Defending Refugees Access' To Protection in Europe* is available at <u>http://www.ecre.org/resources/policy\_papers/988</u>

migration routes into the EU, refugees are often forced into irregular means of travel, including through people smugglers, and to take life-threatening risks to complete their journeys to Europe.

# Nadifa

Nadifa fled her home in Somalia ten years ago due to the ongoing conflict. She wanted to go directly to the UK where her children were already living. She did not want to take the risk of travelling irregularly across two continents and therefore applied for a visa. However, her application was repeatedly refused. Faced with no other option, Nadifa went to Sudan, from where she crossed the Sahara desert overnight into Libya. Crossing the Sahara was extremely difficult and on the way she saw the bones of people that had died before.

From Libya she took a small boat to Italy and travelled up through Europe to the Netherlands, where she was able to get on a boat to the UK. She was returned to the Netherlands by the UK authorities but made another attempt to join her family, trapped inside a lorry on a small, overcrowded boat. Due to bad weather conditions, the boat was stuck on the docks for five days. Nadifa had no water and felt too scared to come out of the lorry. She finally made it to the UK. In total it took Nadifa two years and \$2,000 to reach safety.<sup>5</sup>

(Source: British Refugee Council)

States have also developed a range of externalised migration controls beyond their borders, which allow people to be returned before they can ever reach European territory. ECRE stresses that Member States' obligations under international and European refugee and human rights law do not stop at the physical boundaries of the EU. Member States cannot abdicate their principles, values and legal commitments by doing outside their borders what would not be permissible in their territories. The obligation of *non-refoulement* does not arise only when a refugee is within or at the borders of a state, but also when a refugee is under its effective or *de facto* control, including in international waters or those of another state.

ECRE is therefore seriously concerned by the situation in the Mediterranean, especially reported pushbacks of possible refugees to third countries such as Libya. ECRE is also deeply worried about any proposals envisaging the setting up of external processing which would allow EU States to evade their obligations to protect refugees by shifting the responsibility to third countries with extremely dubious human rights records. While building protection capacity in third countries is a welcome objective, such cooperation must be additional to, and not a substitute for facilitating access to protection within the EU.

Despite the rhetoric of states recognising the legal right to seek asylum, Europe is not providing refugees with an alternative to undertaking dangerous journeys. Focus should shift towards ensuring refugees' access to protection in Europe by lifting visa requirements for people from certain countries, offering humanitarian visas, a greater use of resettlement and exploring the possibilities for protected entry procedures. Exploration of such measures needs to be prioritised if Member States are to honour their expressed commitment when adopting the European Pact on Immigration and Asylum in 2008 that "the necessary strengthening of European border controls should not prevent access to protection systems by those people entitled to benefit under them".

EU states also need to place greater emphasis on developing protection-sensitive border controls, including through FRONTEX, the EU external border management agency. Oversight of FRONTEX activities should be strengthened through increased supervision of its activities, including consultation with and reporting back to the European Parliament concerning the agency's work programme and activities. FRONTEX should also engage in a structured cooperation with asylum experts such as the United Nations High Commissioner for Refugees (UNHCR) and non-governmental organisations

<sup>&</sup>lt;sup>5</sup> More refugee stories can be found at <u>http://www.ecre.org/refugeestories/</u>

<sup>&</sup>lt;sup>6</sup> Council of the European Union, *European Pact on Immigration and Asylum,* Brussels, 24 September 2008, 13440/08, available at <u>http://register.consilium.europa.eu/pdf/en/08/st13/st13440.en08.pdf</u>

(NGOs) with relevant expertise, in order to facilitate operations that take account of protection issues. Similar oversight is required of national border management policies and bilateral agreements. There are already good initiatives in the EU whereby national border authorities, UNHCR and NGOs work together to ensure compliance with human rights standards at the borders and better access for asylum seekers to the territory of a country and its asylum procedure. For example, tripartite border monitoring agreements, which provide UNHCR and NGO partners' permission to visit border areas and detention centres, are in place in Hungary, Slovenia, Romania and the Slovak Republic.

# Tripartite Border Monitoring

The Hungarian Helsinki Committee, UNHCR and the national Headquarters of the Border Guard have been implementing a tripartite border monitoring agreement since December 2006. All parties involved regard the agreement as an important step forward.

"The Border Guard deemed the presence of civilian monitoring as a very important external evaluating mechanism, and was also conscious of the domestic and international significance of the Tripartite Agreement. Since the conclusion of the Tripartite Agreement, an extremely cooperative and professional working relationship has developed between the parties implementing the Agreement. Border Guard personnel have become aware of the many advantages arising from the Agreement and from analysing the experiences of monitoring visits".<sup>T</sup>

# ECRE calls on the Swedish Presidency to:

- Support the revision of EU border management policies in order to ensure full respect for the principle of non-refoulement and the right to seek asylum.
- Address key gaps in the mandate of Frontex regarding transparency, democratic accountability and responsibilities towards people seeking international protection.
- Ensure border monitoring activities are maintained and expanded to all countries in partnership with UNHCR and NGOs, and with support from the EU Borders Fund.

# Towards a Common European Asylum System

The Commission has proposed amendments to the Reception Conditions Directive and the Dublin and Eurodac Regulations. It has also put forward a proposal to establish a European Asylum Support Office (EASO) with a view to enhance practical cooperation on asylum. The European Parliament has already adopted reports on these proposals, and the co-decision procedures leading to their adoption will continue during the Swedish Presidency. It is expected that proposals to recast the Qualification and Procedures Directives will be presented in the autumn.

# Addressing flaws in the Dublin System

The practical operation of the Dublin system impedes the development of the CEAS, interferes with the goal of facilitating the integration of new residents and leads to serious human rights violations. The Dublin process exacerbates the hardships of the refugee experience, as many States use detention to facilitate transfers. The rules can also result in families being separated, or in ill or other vulnerable applicants being transferred to Member States lacking adequate treatment facilities.

<sup>&</sup>lt;sup>7</sup> Hungarian Helsinki Committee, *Asylum Seekers' access to Territory and to the Asylum Procedure in the Republic of Hungary*, December 2008, available at <u>http://helsinki.webdialog.hu/dokumentum/Border Monitoring</u> <u>Report 2007 ENG FINAL.pdf</u>

#### Zulay

Zulay from Chechnya has two daughters, Ayshat and Aminat, who left Chechnya for Belgium, where they were granted refugee status. Zulay was desperate to join her daughters and entered Belgium via Spain. Once she arrived in Belgium her daughters tried to get a permit on the ground of family reunification. Zulay was finally sent back to Spain because it was her first country of arrival and therefore technically responsible for deciding her asylum request under the Dublin Regulation. Zulay was then sent to Barcelona and is now alone and separated from her daughters.<sup>8</sup>

(Source: CEAR)

It follows that the Dublin system urgently requires reform. ECRE welcomes most of the amendments recommended in the European Commission recast proposal<sup>9</sup> and the European Parliament report,<sup>10</sup> especially those aimed at better ensuring the reunification of family members, respecting the rights of children and other vulnerable groups, and restricting the detention of Dublin transferees. However, ECRE believes that additional amendments are required to provide for a right to appeal with suspensive effect in all cases since this is the only way to ensure that states' comply with their non-refoulement obligations.

ECRE also welcomes the Commission's recognition that the flaws in the Dublin system require a mechanism enabling the temporary suspension of transfers to states, which are experiencing particular pressures or failing to adhere to necessary reception and protection standards. However, ECRE cautions that such suspensions should be conditional on and combined with measures to address the failings of a particular state through effective monitoring and resource allocation.

#### ECRE calls on the Swedish Presidency to:

- Ensure the adoption of the amendments to the Dublin Regulation proposed by the Commission on the reunification of family members, respect for the rights of children and other vulnerable persons, and restricting the use of detention.
- Ensure the adoption of an amendment obliging the responsible Dublin State not to remove an asylum seeker until a full and fair examination of the individual claim has taken place.
- Support the Commission's amendment proposing the temporary suspension of Dublin transfers to States, which are experiencing particular pressures or have inadequate reception and protection standards. Such suspensions should be conditional on and combined with measures to address the failings of a particular state through effective monitoring and resource allocation.

<sup>&</sup>lt;sup>8</sup> ECRE, *The Dublin Regulation: Twenty Voices – Twenty Reasons for Change,* March 2007, available at <u>http://www.ecre.org/resources/ECRE\_actions/798</u>

<sup>&</sup>lt;sup>9</sup> European Commission (EC), *Proposal for a Regulation of the European Parliament and of the Council establishing an application for international protection lodged in one of the Member States by a third-country national or a stateless person (Recast)*, COM (2008) 0243 final, 3 December 2008 ('Dublin Regulation recast or recast'), available at <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0820:FIN:EN:PDF">http://eur-lex.europa.eu/LexUriServ.do?uri=COM:2008:0820:FIN:EN:PDF</a>

<sup>&</sup>lt;sup>10</sup> European Parliament, *European Parliament legislative resolution of 7 May 2009 on the proposal for a regulation of the European Parliament and of the Council establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast) (COM(2008)0820 – C6-0474/2008 – 2008/0243 (COD)), available at <a href="http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2009-0377+0+DOC+XML+V0//EN">http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2009-0377+0+DOC+XML+V0//EN</a>* 

#### Reception of asylum seekers

ECRE believes that, if adopted, the amendments proposed by the European Commission to the Reception Conditions Directive would go a considerable way in addressing many problems identified through the implementation of the first phase instrument.<sup>11</sup> Most of these proposed amendments have already received the backing of the European Parliament.<sup>12</sup> Allowing asylum seekers to work within a period of six months will improve their self-sufficiency and help them prepare for both possible outcomes of the asylum procedure, namely integration in the host society or return. ECRE also supports the proposal for a mechanism for the early identification of vulnerable asylum seekers. Furthermore, detention during the asylum procedure should always be used as a last resort, for the shortest possible period, and should be regularly and individually reviewed to ensure that its application is lawful, necessary and proportionate. ECRE supports the Commission's proposed amendment prohibiting the detention of separated children.

# MAPP project – Netherlands

MAPP is a small Dutch NGO that has in 2006 with assistance from PHAROS and Dutch Council for Refugees opened a desk for the psychological examination of asylum seekers within the procedure of refugee status determination. The MAPP pilot tests the mental health of asylum seekers by means of checklists and examinations with a view to identify mental health problems that may interfere with the applicants' ability to render a coherent, complete and consistent account of their story during the asylum interview. The project has been successful and might continue (in a different form) next year.

The identification of psychological problems at an early stage of the asylum procedure contributes to the shortening of procedures and the prevention of multiple applications.

# ECRE calls on the Swedish Presidency to:

- Ensure the adoption of the Commission's proposed amendment to grant asylum seekers access to the labour market within six months from the start of the asylum procedure.
- Ensure the adoption of the Commission's proposed amendments to improve the conditions and safeguards for children and other vulnerable persons during their asylum procedure.
- Support proposals to make sure detention of asylum seekers is lawful, proportionate, only used as a last resort and subject to regular review.

# European Asylum Support Office (EASO)

As the EU body in charge of promoting practical cooperation among the Member States, the EASO has the potential to fundamentally shape the development of the CEAS. The Office can facilitate the development of closer working relationships between the Member States, promote the exchange of good practices and minimise disparities between recognition rates in different countries, thus improving equality of protection across the EU. But in order for the EASO to be effective, it is critical

<sup>&</sup>lt;sup>11</sup> European Commission, *Proposal for a Directive of the European Parliament and of the Council laying down minimum standards for the reception of asylum seekers (Recast)*, COM(2008)0815 final/2, 9.12.2008. Available at: <u>http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52008PC0815R(01):EN:HTML</u>

<sup>&</sup>lt;sup>12</sup> European Parliament, Legislative resolution on the proposal for a directive of the European Parliament and of the Council laying down minimum standards for the reception of asylum seekers (recast), P6\_TA-ROV(2009) 0376. Available at: <u>http://www.europarl.europa.eu/oeil/file.jsp?id=5723652</u>

that such a permanent body is well-resourced and strongly founded on principles of democratic accountability and transparency. To this end, full participation of, and cooperation with UNHCR, NGOs and other independent asylum experts needs to be formalised in the EASO structures.

The EASO could also help facilitate greater responsibility-sharing and solidarity between Member States. For example, EASO could coordinate the despatch of asylum support teams, which would provide technical and operational assistance to Member States subject to particular pressures. The EASO could play a role in monitoring protection gaps in states facing particular pressures in order to identify what practical steps would be required to redress problems, as well as highlighting the need for possible legislative action.

ECRE, a pan-European network of 69 refugee assisting organizations, is in a good position to assist Member States and the EASO in achieving high levels of protection for people in need of international protection. ECRE and its members have valuable experience in cooperating with national authorities.

## European Asylum Curriculum (EAC)

The EAC project was launched under the auspices of GDISC, General Directors' of Immigration Services Conference. It aims at creating a curriculum for common training for officials working in the Member States' Immigration Services. Key modules on EU asylum law, international human rights law and interview techniques have already been developed. ECRE, together with UNHCR, IARLJ, Red Cross Austria and the Odysseus academic network, is part of the reference group, which provides comments on the training modules produced by national immigration services with a view to ensure a coherent and inclusive approach. The EAC training modules show that good cooperation between Member States, academics, judges and governmental and non-governmental organisations is possible and results in positive outcomes.

#### ECRE calls on the Swedish Presidency to:

- Support the establishment of an EASO based on high standards of transparency and democratic accountability, including appropriate oversight by the European Parliament.
- Ensure that the full participation of, and cooperation with UNHCR, NGOs and other independent asylum experts is formalised in the EASO structures.
- Support the setting up of asylum support teams through the EASO, which are able to assist Member States subject to particular pressures.

#### Responsibility sharing on a global level

Most refugees flee to countries close to their countries of origin, which often are developing countries where protection standards fall short of the entitlements recognised in the 1951 Refugee Convention and other international human rights instruments. EU Member States should take their share of the responsibility for these refugees.

#### **Regional Protection Programmes**

As part of the EU's external dimension policy, Regional Protection Programmes (RPPs) were established in December 2005, consisting of a 'tool box' of measures oriented mainly at the

improvement of refugees' protection in countries of origin or transit. The Commission had planned to carry out an evaluation of the RPPs by 2007, but to date an evaluation is still not published.<sup>13</sup>

It is regrettable that this evaluation is not available as a reference tool at a time when the Commission has already announced that it intends to extend the RPPs, in partnership with UNHCR and the countries concerned, using the EASO and the Community's external financial instruments.<sup>14</sup> ECRE has constantly stated that in order to have an added value, RPPs should be sufficiently funded and should complement rather than substitute the ability of refugees to seek protection in the EU.

The question of where new RPPs will be established is also important. The Commission's Policy Plan on Asylum of June last year mentioned Iraq, the Middle East, Northern Africa and the Horn of Africa, as possible new countries and regions for the establishment of RPPs, but the proposal for the Stockholm Programme is silent on possible future locations. When deciding on new locations for the establishment of RPPs, a starting point should be that the RPPs complement and not substitute the EU's responsibility to allow access to protection on its territory.

#### ECRE calls on the Swedish Presidency to:

Ensure that RPPs, if extended to other regions and countries, are sufficiently funded, bring an added value and complement rather than substitute the ability of refugees to access protection in the EU.

#### Resettlement

UNHCR has estimated that in 2009 there are 560,000 people in urgent need of resettlement.<sup>15</sup> Last year only around 7,000 refugees, approximately 7% of the global total, were resettled to the EU. While some EU Member States, such as Belgium, France and Germany, are stepping up their resettlement efforts, more needs to be done if Europe is to take its fair share of global responsibility.

Sweden has one of the longest-running refugee resettlement programmes in Europe and is therefore well placed to coordinate progress towards developing a Common European Resettlement Programme, which should be a key component of the Stockholm Programme. A European Resettlement Programme should provide added value to already existing resettlement programmes, and increase the number of resettlement places in the EU. It should be used strategically to complement and encourage additional durable solutions such as local integration or sustainable return and thereby ultimately contribute to solving protracted refugee situations.

This can only be achieved if all Member States commit to the programme and if this builds on existing experiences and best practices. ECRE stresses that proposals to facilitate the internal relocation of recognised refugees between Member States must not detract attention away from efforts to establish a Common EU Resettlement Programme to facilitate the transfer of refugees from protracted situations in developing countries. A clear distinction must be maintained in order that resources are not diverted from existing resettlement programmes or their quotas reduced.

Similarly, NGO involvement is key for successful resettlement. NGOs can and do play an important role in all the different stages of the resettlement process by undertaking activities in the regions of origin, the countries of first asylum as well as in resettlement countries.

<sup>&</sup>lt;sup>13</sup> Communication from the Commission to the Council and the European Parliament on Regional Protection Programmes, COM(2005)388, Para 6.19

<sup>&</sup>lt;sup>14</sup> Communication from the Commission to the European Parliament and the Council, *An area of freedom, security and justice serving the citizen*, COM (2009) 262/4, Para 5.2.3

<sup>&</sup>lt;sup>15</sup> UNHCR Refugee Resettlement, *Performance outcomes 2007 and global projections 2008*, page 8

# ASPIRE Project

ASPIRE project (*Assessing and Strengthening Participation In Refugee resettlement to Europe*) enhances knowledge and political will in EU member states to engage in resettlement - as an additional and integral element of refugee protection. The project aims at encouraging additional EU member states to formally commit to resettlement, so that a sufficient number of EU resettlement countries is reached in order to explore added value of European coordination in this area. The project is carried out by CCME, ECRE, Forum Réfugies, Dutch Council for refugees, ARCA, EKD, Hungarian Helsinki Committee and Portuguese Refugee Council.<sup>16</sup>

#### ECRE calls on the Swedish Presidency to:

- Support the development of a European Resettlement Programme, which leads to a significant increase in resettlement places yearly available in the EU.
- Support the involvement of NGOs in a European Resettlement Programme in order to help facilitate the sharing of good practice.

#### The outcomes of the asylum procedure: rejection or recognition

#### Safe, Sustainable and Dignified Returns

European governments have stepped up their efforts to enforce returns in recent years, without accompanying return measures with adequate human rights safeguards. This has led to an increasing use of detention, often for unjustifiably long and even indefinite periods of time.

Governments sometimes withdraw access to benefits as a means to compel people to leave. The result is that asylum seekers whose applications have been rejected form a growing segment of vulnerable, poor and marginalised people in European societies. Amongst this group there are a growing number of rejected asylum seekers who cannot return through no fault of their own, for example because their countries of origin refuse to provide the necessary documents or to readmit their own nationals.

# Rachel

Rachel was born in Rwanda to a Rwandan mother and a Congolese father. She is a Congolese citizen and was raised in the Congo for most of her life. She fled to Belgium where both her sister and brother live as recognised refugees. Rachel's asylum claim was rejected. She was placed in detention and finally deported to Kinshasa in Congo. During the deportation she was aggressively handcuffed and forced into bodily restraint.

Upon return she was physically assaulted by the Congolese migration authorities and as a consequence sustained a severe injury. The authorities did not recognise Rachel's Congolese citizenship and returned her to Belgium. She was again placed in detention and finally released with an order to leave the Belgian territory. Since then she has been living in Belgium without documents, stateless and financially dependent on other people.

Rachel is destitute and relies on social welfare centres for food, and has suffered from health problems as a result.

(Source: JRS Europe)

<sup>&</sup>lt;sup>16</sup> To find out more about the project go to: <u>http://www.ecre.org/projects/resettlement/aspire</u>

Upon return refugees may face torture, imprisonment or even death. Therefore it is of vital importance that returns are only carried out after a fair and thorough examination has concluded the person is not in need of international protection.

Return policies also share a lack of concern for the long-term fate of those who have been returned, with no mechanisms in place to ascertain whether their human rights have been respected in the country of return and whether their reintegration has been successful. Return Policies should focus on sustainable return and ensure systematic monitoring of returns.

# Independent NGO monitoring of the human rights situation on the EU's external borders in the East

ECRE is implementing a programme to monitor safe and dignified returns and conditions of detention in Belarus, Moldova, the Russian Federation and Ukraine, funded by the EU.<sup>17</sup> The project concentrates on the provision of additional capacity to NGOs in these countries to allow them to carry out independent monitoring of border facilities, return cases and to provide legal assistance to those in detention and upon return. It aims to develop the monitoring and advocacy skills of the partner organisations and to support their work with vulnerable migrants, and also to carry out consistent training of local authorities involved in border management and refugee issues, alongside NGO partners.

Recent Readmission Agreements between the EU and third countries, including the Russian Federation, Moldova and the Ukraine amongst others, make it more important than ever to ensure independent monitoring of what is happening on the EU's external borders. The European Union and its Member States should ensure that returns under the Readmission Agreements are in accordance with international human rights standards and that persons in need of international protection are not returned to places where their lives may be at risk.

# ECRE calls on the Swedish Presidency to:

- Support the European Commission's call in the Stockholm programme to find solutions for rejected asylum seekers who cannot be removed for specific reasons.
- Facilitate the exchange of good practices amongst Member States to promote and enhance the sustainability of returns.
- Facilitate effective cooperation between Member States to ensure fair, efficient and thorough examination of asylum applications, which must underpin any legitimate return procedure.

#### Integration

The process of trying to integrate newcomers into European societies is one affecting many types of immigrants, including refugees. In contrast to other immigrants refugees do not choose to leave their countries of origin, but flee because of serious danger and persecution. Due to the forced nature of their migration and their experiences, compared with other migrant groups, refugees will often have specific needs that have to be met in order to support their integration. Their rapid and effective integration carries social, cultural and economic benefits for the EU, Member States and local communities, as well as for the individuals concerned.

<sup>&</sup>lt;sup>17</sup> To find out more about ECRE's work in Eastern Europe go to: <u>http://www.ecre.org/projects/eastern\_europe</u>

However, EU asylum policy-making has been focusing on deterring asylum seekers, while paying little attention to the barriers these policies create for the integration of those who eventually become new European citizens. In addition, once recognised as refugees or beneficiaries of subsidiary forms of protection, they are excluded from mainstream EU integration policies for other third country nationals such as the European Integration Fund and the Long Term Residence Directive.

## ECRE calls on the Swedish Presidency to:

- Ensure that a key objective of the Stockholm programme is to improve the integration of persons enjoying international protection, taking into account the conditions of their arrival to the EU.
- Promote the inclusion of refugees and their families into mainstream integration policies and instruments such as the Integration Fund and the Long Term Residence Directive.

#### ECRE, June 2009

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The European Council on Refugees and Exiles (ECRE) is a network of 69 refugee-assisting organisations in 30 European countries, working together to protect and respect refugees.