

# UNHCR Note on Refugee Integration in Central Europe



**UNHCR**

United Nations High Commissioner for Refugees  
Haut Commissariat des Nations Unies pour les réfugiés



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# 1. Introduction

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UNHCR considers the integration of refugees to be a dynamic and multifaceted two-way process which requires efforts by all parties concerned, including a preparedness on the part of refugees to adapt to the receiving society without having to forego their own cultural identity and a corresponding readiness of the part of the receiving communities and public institutions to welcome refugees and meet the needs of a diverse community<sup>1</sup>. The 1951 Convention relating to the Status of Refugees and its 1967 Protocol place considerable emphasis on the integration of refugees. The Refugee Convention enumerates a range of social and economic rights that are geared towards the process of integration. These include freedom of movement, access to education and the labor market, access to public relief and assistance, including health facilities, the possibility of acquiring and disposing of property and the capacity to travel with valid travel and identity documents. Furthermore, in Article 34, it calls on States to facilitate integration and access to citizenship for refugees.

UNHCR's Executive Committee has recognized that the process of local integration is complex and gradual, comprising three distinct but inter-related legal, economic and socio-cultural dimensions, all of which are important for refugees' ability to integrate successfully as fully included members of society<sup>2</sup>. The present Note on the Integration of Refugees in Central Europe recognizes the progress that has been made towards developing and implementing a range of policies and programs to facilitate different aspects of refugee integration in the countries under the responsibility of the UNHCR's Regional Representation for Central Europe (RRCE)F (Bulgaria, Czech Republic, Hungary, Poland, Romania, Slovakia and Slovenia). It also acknowledges the increasing interest in the region - and, in the case of the Czech Republic, present involvement - in the selection, reception and integration of resettled refugees.

The Note on the Integration of Refugees in Central Europe aims to outline UNHCR's position on selected themes pertaining to refugee legal, economic and socio-cultural integration in light of currently prevailing conditions and realities in Central Europe. The Note builds inter alia on EXCOM Conclusions, UNHCR's Note on Integration in the European Union<sup>3</sup>, the Integration Handbook<sup>4</sup> the 2007 and 2008 Participatory Assessments on Age, Gender and Diversity Mainstreaming (AGDM) in Central Europe as well as current EU policy statements and associated research on integration. Although the EU's focus has mostly been on migrant integration, given some of the similarities in the integration challenges faced by refugees and migrants, the paper attempts to reflect and incorporate EU policy conclusions and good practice recommendations when relevant to the experiences and situation of refugees in this region.

The term "refugee" in the Note applies to all persons recognized under the 1951 Convention Relating to the Status of Refugees as well as resettled refugees and persons who have been granted subsidiary protection in accordance with the Council Directive on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection<sup>5</sup>.

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<sup>1</sup> UNHCR Executive Committee, Conclusion on Local Integration, No. 104 (LVI) - 2005.

<sup>2</sup> Ibid, para. (k).

<sup>3</sup> UNHCR, Note on the Integration of Refugees in the European Union, Brussels, May 2007.

<sup>4</sup> UNHCR, Refugee Resettlement: An International Handbook to Guide Reception and Integration, (Integration Handbook), September 2002. Online UNHCR Refworld available at: <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?docid=405189284>

<sup>5</sup> Council of the European Union, Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted, (Qualification Directive) OJ L 304/12, 30.9.2004.



UNHCR hopes that the Note on the Integration of Refugees in Central Europe will serve as a reference framework for any review or evaluation of current integration arrangements in the RRCE region or the development of future government and other stakeholders' activities on the integration of persons in need of international protection including refugees arriving as part of resettlement programs. The Office wishes to underscore here its preparedness to co-host with governments of Central Europe an Annual Standing Conference on Integration to share information and exchange good practice on refugee integration including the integration of resettled refugees.

## 2. General Considerations

### 2.1. The Link between the Reception and Integration Phases

UNHCR has often witnessed the impact of lengthy asylum procedures and the conditions of reception of asylum seekers in Central Europe on the integration of those recognized as refugees or persons qualifying for subsidiary protection. “Enforced” idleness, social isolation and separation from receiving communities have regularly been noted as the byproducts of restrictive or inadequate reception policies limiting asylum seekers’ access to work, education, vocational training or accommodation outside collective centers for prolonged periods of time<sup>6</sup>.

UNHCR considers that reception policies are more effective if they are guided by the potential longer term outcomes of the process including the integration of those persons who are ultimately recognized to be in need of international protection<sup>7</sup>. Pending on national arrangements and realities, the Office therefore recommends that:

- the impact of the conditions of reception of asylum seekers and the length of asylum procedures on the integration of refugees into the broader society is fully acknowledged. All efforts need to be made to begin the integration process at the earliest possible while in parallel ensuring that decisions on asylum claims are taken as expeditiously as possible<sup>8</sup>;
- reception policies are designed to minimize isolation and separation from receiving communities and to provide opportunities to asylum seekers to develop their human potential and skills<sup>9</sup> including through vocational or basic skills development;



PHOTO: LIBA TAYLOR

UNHCR often witnesses the impact of lengthy asylum procedures

(waiting for Christmas at the Zastavka accommodation centre in the Czech Republic)

<sup>6</sup> UNHCR, Being a Refugee: How Refugees and Asylum Seekers Experience Life in Central Europe, AGDM Report 2006/07 and AGDM Report 2007.

<sup>7</sup> Op.cit., note 3, para. 8

<sup>8</sup> UNHCR, Observations on the European Commission’s Communication “A Common Agenda for Integration: Framework for the Integration of Third-Country Nationals in the European Union”, (COM (2005) 389 final, 1.9.2005).

<sup>9</sup> UNHCR Executive Committee, Local Integration and Self-Reliance, Standing Committee, 33rd meeting, EC/55/SC/CRP.15, 2 June 2005, para.10.

- opportunities for self-reliance are provided and access to employment is granted progressively taking into account the duration and nature of asylum procedures and no later than six months from the time an asylum claim is submitted<sup>10</sup>;
- appropriate measures are taken to create and enhance harmonious relationships with receiving communities by promoting respect for asylum seekers and refugees, creating awareness of their needs and promoting respect for the local culture, customs and religion among asylum seekers through inter alia provision of basic training in the official language of the receiving country<sup>11</sup>;
- asylum seekers are consulted on different aspects of reception arrangements and are involved in the running of reception facilities;
- gender and age sensitivity is reflected in reception arrangements which need to take into account the specific needs of torture and trauma survivors, single women, unaccompanied and separated children, families with school age children or other vulnerable groups<sup>12</sup>;
- qualified staff, such as accredited social workers are employed in reception centers whose role should include the provision of a wide range of counseling services to asylum seekers including guidance on the consequences of unauthorized onward movement to other countries of asylum in Europe or elsewhere.

## 2.2. Refugee Integration and Mainstreaming

The Common Basic Principles for Immigrant Integration Policy in the European Union refer to integration “as a two way process of mutual accommodation by all immigrants and residents of Member States”<sup>13</sup>. They recognize the need for migrant adaptation while stressing the necessity of involving the receiving society “which should create the opportunities for the immigrants’ full economic, social, cultural and political participation”. Common Basic Principle No 10 underlines the importance of mainstreaming integration policies and measures in all relevant policy portfolios and levels of government and public services including education, social services and others in view of the potential impact of immigration on public services.

While it is often assumed that general integration policies should address persons in need of international protection along with other categories of migrants, UNHCR notes that refugees and holders of subsidiary protection status may have special needs and face particular challenges with regard to integration due to past experiences of persecution, flight and exile. Upon status recognition, many refugees might have spent prolonged periods of time separated from receiving communities as a result of lengthy asylum procedures or reception policies limiting their access to work, education, vocational training or accommodation outside collective centers in the country of asylum. Some might be mentally or physically traumatized due to persecution or have ongoing medical or other needs that require specialized support. Others might have had their education interrupted or might be unable to provide documentary proof of academic qualifications, employment skills or past work experience.

UNHCR notes the need for targeted/specialist services for refugees that address their specific needs and complement mainstream support services. It considers that refugee integration measures can only be successful if they are part of a broader strategy that

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<sup>10</sup> UNHCR Executive Committee, Conclusion on Reception of Asylum Seekers in the Context of Individual Asylum Systems, No. 93 (LIII) - 2002, para. (b) vii, UNHCR, Annotated Comments on Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers, see comment on Article 11.

<sup>11</sup> Ibid, para. (d). See also, UNHCR Comments on Article 10 of Council Directive 2003/9/EC.

<sup>12</sup> Ibid, para. (b), iii.

<sup>13</sup> Council of the European Union, Common Basic Principles for Immigrant Integration Policy in the European Union, COM (2005) 0389 FINAL.



actively promotes equality and seeks to transform public institutions and the society at large by rendering them more open and flexible to respond to the challenges of increasing diversity<sup>14</sup>.

The Office encourages governments in Central Europe to position refugee integration measures within broader integration policies, programs and plans drawn up for migrants or EU nationals moving to countries in this region<sup>15</sup>. Refugee integration measures should also form part of broader efforts to ensure protection from discrimination, equitable treatment, social inclusion and access to opportunities on the basis of equality for all.

In this context, and in connection with social policy areas that are of particular relevance to refugee integration, governments, that have not already done so, are encouraged to review their educational, health, social welfare and employment legislation and policies with the aim of recognizing and better responding to refugee special needs and improving accessibility to services on the basis of equality. In facilitating this process, UNHCR promotes the designation of integration focal points of considerable seniority in relevant government departments. Such individuals should be tasked with promoting the mainstreaming of refugee integration into the activities of their departments and ensuring that these deliver on commitments for equitable treatment of refugees<sup>16</sup>.

Integration policies can only be effective if built on partnerships. These should be underpinned by systems and structures that allow for coordination and ongoing dialogue between all key stakeholders involved in the reception of asylum seekers and the integration of refugees as well as in the provision of mainstream social and community services. Against this background, UNHCR promotes the development of inter-agency platforms which bring together all key actors including State institutions, local community and civil society stakeholders as well as refugees and their communities<sup>17</sup>. These should be tasked with developing and implementing refugee specific integration strategies and services as well as reviewing mainstream social policies on their impact on the process of refugee integration. They should also be charged with developing evaluation tools and systematically monitoring the implementation of refugee integration policies and programs with the aim of increasing their effectiveness and long term impact.



PHOTO: BÉLA SZANDELSZKY

Refugees may have special needs and service requirements

(prayer room at a reception centre in Poland)

<sup>15</sup> See Chapter 2.11 Creating Welcoming and Hospitable Communities and Restoring Faith in Government, op. cit., note 4.

<sup>16</sup> Op. cit. note 3, paras 6-7.

<sup>17</sup> See also Directorate-General Justice, Freedom and Security, Handbook on Integration for Policy Makers and Practitioners (Second Edition), May 2007, Chapter 1: Mainstreaming Immigrant Integration.

<sup>18</sup> See also Chapter V: Realizing Local Integration by Enhancing Local Integration Capacities and Partnerships, op. cit. note 9.

## 3. The Legal Dimension of Integration

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UNHCR's Executive Committee has affirmed the particular importance of the legal dimension of integration. This is interpreted to mean that receiving States grant refugees a secure legal status and a wide range of civil, political, economic, social and cultural rights and entitlements that are commensurate to those enjoyed by their citizens<sup>18</sup>. In support of legal integration, EXCOM Conclusion No. 104 refers to the need to adapt and revise the national legal and administrative frameworks of receiving countries to allow refugees equal enjoyment of rights, services and programs without discrimination. The role of legal status in the integration process is highlighted in the second edition of the European Commission's Handbook for Policy Makers and Practitioners. This affirms that admission rules "can be seen as integration starting points which set crucially important conditions for the integration process"<sup>19</sup>. Access to institutions, public and private goods and services in a non discriminatory way and on a basis equal to national citizens is also recognized as a critical foundation for better integration in the Common Basic Principles for Immigrant Integration Policy in the European Union<sup>20</sup>.

UNHCR remains concerned by the practice of some states - not only confined to certain countries in Central Europe - involving the differentiated treatment of refugees and persons with subsidiary or other humanitarian protection status with regard to access to specific integration assistance and certain rights (including the right to family reunification or secure legal status). Of serious concern are also legal or administrative provisions in some countries restricting refugee access to fundamental rights in parity with nationals (for example with regard to access to social housing and employment). We have further taken note of the emergence of limited ad hoc resettlement activities in some countries agreed outside UNHCR's global resettlement framework whereby resettled refugees under such schemes were granted more favorable conditions to those available to persons recognized as refugees under the domestic asylum procedure.

UNHCR considers that differential treatment in terms of access to rights and specific entitlements between different categories of persons in need of international protection or between refugees and nationals of the receiving country might not be justifiable under international human rights law and the principle of non-discrimination. While individual experiences of persecution and flight might differ, the need for international protection of the categories of persons noted above can be equally compelling and in the case of persons with subsidiary or other forms of humanitarian protection, frequently as long in duration as that of refugees<sup>21</sup>. A separate question concerns the impact of differential treatment on community relations and the process of integration of all persons of concern to UNHCR.

UNHCR advocates that beneficiaries of international protection, whether Convention refugees, resettled refugees or persons granted a subsidiary or other humanitarian form of protection, are accorded equitable treatment and access to all rights and services necessary to facilitate their integration in the receiving country<sup>22</sup>. These should include the right to family reunion and a secure legal status that is not subject to frequent reviews. The Office strongly encourages all governments to accord persons recognized to be in need of international protection the same rights and entitlements with regard to employment,

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<sup>18</sup> Op. cit. note 1 para. (l). See also High Commissioner's Forum, Multilateral Framework of Understanding on Resettlement, FORUM/2004/6, 16 September 2004, para. 41.

<sup>19</sup> See also, op. cit., note 8, Chapter 3.

<sup>20</sup> Op. cit., note 13, Common Basic Principle No. 6.

<sup>21</sup> UNHCR Annotated Comments on the EC Council Directive 2004/83/EC of 29 April 2004 on Minimum Standards for the Qualification and Status of Third Country Nationals or Stateless Persons as Refugees or as Persons who Otherwise Need International Protection and the Content of the Protection Granted (OJ L 304/12 of 30.9.2004).

<sup>22</sup> Op. cit., note 3, para. 4.

social housing and other public services in parity with nationals of their country. We recommend that those governments that have not done so, undertake to review the legal framework pertaining to the status of persons with subsidiary protection with the aim of addressing any obstacles to integration or equitable treatment with refugees that might be inherent in current provisions. We also encourage the development of positive action measures that aim to prevent or compensate for any disadvantages faced by refugees due to past experiences of persecution and flight or because of discrimination on grounds of race or ethnicity.

### 3.1. Naturalization

Article 34 of the Refugee Convention provides that States shall facilitate as far as possible the naturalization of refugees by expediting naturalization proceedings and reducing as far as possible the charges and costs of such proceedings. In Europe, the European Convention on Nationality stipulates that State Parties shall facilitate the acquisition of their nationalities of recognized refugees lawfully and habitually resident on their territory<sup>23</sup>.

Naturalization concludes the legal dimension of the integration process, as it leads to the cessation of refugee status as per the provisions of Article 1C (3) of the Refugee Convention<sup>24</sup>. It can also signify the end of the socio-cultural integration process for individual refugees seeking to acquire the receiving country's citizenship as an expression of and acknowledgment of full membership and belonging in that country.

A refugee's path to naturalization is not without problems. In some countries under RRCE's responsibility, refugees might have to wait for lengthy periods before meeting the eligibility criteria for applying for citizenship. In this regard, no exceptions are made for preferential treatment in light of their status as refugees. In countries where preferential treatment might be granted, the time spent waiting for a decision on an asylum application might not always be counted towards the length of residence required prior to submitting an application for citizenship. Additional concerns connected to specific arrangements in individual countries might relate to the length of citizenship procedures, lack of transparency, the lack of a right to appeal against a negative decision on a citizenship application, and the absence or limited availability of counseling programs and easily understood information material preparing refugees for citizenship tests or interviews. Where counseling support exists, it is usually available on an ad hoc basis, through volunteers or on a project basis.

UNHCR advocates that countries in Central Europe review the content and implementation of their nationality legislation with the aim of ensuring facilitated access to acquisition of citizenship by refugees. In keeping with good practice, we advise where necessary that consideration is given to:

- treating the fact of being a refugee as a favorable element for the purposes of the procedure for granting nationality<sup>25</sup>;
- taking into account the total period of authorized residence in a country when considering eligibility for citizenship, including the time spent in the asylum procedure;
- removing or reducing legal obstacles to naturalization, such as any requirements to be in permanent employment for a minimum period of time, requirements relating to a minimum period of residence when it exceeds five years, or lengthy processing periods of citizenship applications<sup>26</sup>;

<sup>23</sup> See Article 4 (g) of the European Convention on Nationality. Except Slovenia, all countries under the RRCE responsibility have signed this Convention. In Poland however, it has not been ratified.

<sup>24</sup> Op. cit., note 3, para. 40. See also note 9, para. 20.

<sup>25</sup> Council of Europe, Committee of Ministers, Recommendation No. R (84)21 on the Acquisition by Refugees of the Nationality of the Host Country. 1984

- introducing less stringent language and knowledge requirements for refugees including making exemptions from such criteria for vulnerable persons such as the elderly or torture and trauma survivors and for illiterate persons<sup>27</sup>;
- facilitating as far as possible the naturalization of refugee children<sup>28</sup>;
- introducing simple transparent and expedited procedures, waiving requirements for documentation that can only be obtained from a refugee's country of origin and lowering or exempting refugees from procedural fees in particular when such fees exceed the financial possibilities of refugees<sup>29</sup>;
- supporting the development of legal and other counseling services or user friendly information material to assist refugees throughout the process of citizenship acquisition including submission of applications, preparation and coaching for undertaking any required language or knowledge-based examinations.

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<sup>26</sup> See also, Parliamentary Assembly of the Council of Europe, Recommendation 564 (1969) on the acquisition by refugees of the nationality of their country of residence.

<sup>27</sup> See Council of Europe, Explanatory Report to the European Convention on Nationality, (ETS No. 166) para. 52, Strasbourg, 1997.

<sup>28</sup> UNHCR Executive Committee, Conclusion on Children at Risk, No 107 (LVII) - 2007, para (xvii).

<sup>29</sup> Op. cit. note 27, see also Article 25 of the Refugee Convention on administrative assistance.

# 4. The Socio-Economic Dimension of Integration

## 4.1. Housing

The Commission on Human Settlements and the Global Strategy for Shelter to the Year 2000 defines “adequate shelter” to mean “... adequate privacy, adequate space, adequate security, adequate lighting and ventilation, adequate basic infrastructure and adequate location with regard to work and basic facilities - all at a reasonable cost”<sup>30</sup>. It is UNHCR’s position that, as well as being a fundamental human right, safe, secure and affordable housing plays a critical role in determining overall health and well-being and providing a base from which refugees can seek employment, re-establish family relations and make connections with the wider community<sup>31</sup>. While housing is not included among the Common Basic Principles on Integration, it has been argued that the Common Basic Principle 7 provides the context for situating housing policies within an integration framework<sup>32</sup>. This notes that “shared forums, intercultural dialogue, education about immigrants and immigrant cultures, and stimulating living conditions in urban environments enhance the interactions between immigrants and Member State citizens”.

Refugees can face many obstacles when seeking to access adequate housing in Central Europe. In addition to problems associated with general shortages of affordable housing in this region - also affecting local populations - refugees might lack sufficient financial resources, contacts or local knowledge to locate and retain affordable and decent housing. In some countries, they might not be eligible for subsidized public housing as a result of legal or administrative provisions linking housing access to nationality or length of residence in a country or a specific location. They frequently encounter discrimination because of ignorance/lack of familiarity with their rights by public or private landlords or because of racism and xenophobia. In countries where public housing is made available to refugees, this is often located in deprived urban areas or towns where employment opportunities or basic amenities might be scarce. As for affordable housing in the private sector, this might be either poorly maintained and of inferior quality. It might also be inaccessible to refugees because of landlords’ refusal to issue formal rental contracts so that they can avoid paying tax. Without other options, many refugees end up staying in collective reception or integration facilities for the maximum time allowed before moving to insecure and substandard private accommodation rented invariably at high market prices. Without a formal rental contract, they are often unable to claim rental or social welfare subsidies, register as job seekers (the provision of an official permanent address being a prerequisite for such registration in some countries) or obtain identity documents proving legal or permanent residency in the country of asylum<sup>33</sup>.

Ensuring that refugees have early access to secure and affordable housing is clearly a formidable challenge in Europe. In Central Europe, privatization of public housing, decline in the construction of new social housing and rent de-regularization might render this challenge more pronounced. In developing strategies or programmes to address the housing needs of refugees, coordinated action is necessary involving

<sup>30</sup> Office of the High Commissioner for Human Rights, CESCR General Comment No. 4: The Right to Adequate Housing, Art.11 (1): 13/12/91.

<sup>31</sup> Op.cit., note 4, Chapter 2.8, A Place to Call Home: Access to Secure and Affordable Housing.

<sup>32</sup> Op. cit., note 16, Chapter 2: Housing in an Urban Environment.

<sup>33</sup> Op. cit., note 6.

all relevant stakeholders including central government, local authorities, NGOs and community networks or groups. To that end, consideration needs to be given not only to housing availability and the specific characteristics of national housing markets but also the broader integration potential of an area where refugees might settle. This is interpreted to include an assessment of local labor market conditions, employment and educational opportunities, community relations and attitudes and availability of social services including schools, child-care centers and health facilities necessary for refugee integration<sup>34</sup>.

PHOTO: BÉLA SZANDELSZKY



Safe, secure  
and affordable  
housing is a  
fundamental  
human right

(home of a  
refugee family  
in Ljubljana,  
Slovenia)

UNHCR's Refugee Resettlement: An International Handbook to Guide Reception and Integration outlines a series of steps to be undertaken in order to effectively address the housing needs of refugees<sup>35</sup>. Where indicated, governments and other stakeholders are encouraged to inter alia consider:

a) Partnership Development and Building the Capacity of Housing Providers

- raising awareness and developing partnerships with private sector landlords, renting agents, public housing authorities, refugee communities and NGOs engaged in housing advocacy, advice and support;
- organizing training for public and other housing providers or advocates on refugee rights and taking steps to ensure that an understanding of the needs and experiences of refugees informs housing allocation decisions and administrative processes;
- consulting with refugees and their representatives in the context of development or review of national housing strategies<sup>36</sup>.

<sup>34</sup> Op. cit. note 30, para. 8 (f).

<sup>35</sup> Many of the recommendations below are drawn from Chapter 2.8 on Access to Secure and Affordable Housing of UNHCR's Integration Handbook. While the Handbook focuses specifically on resettled refugees, it includes many recommendations that are of relevance to all categories of persons in need of international protection with regard to access to adequate housing.

<sup>36</sup> Op. cit. note 30, para. 12.

#### b) Targeted Financial and Other Support to Facilitate Access to Housing

- providing economic incentives to private and public landlords to rent properties to refugees through for example provision of government subsidies or grants towards renovation or repair expenses, urban regeneration programs or through schemes involving the use of volunteer labor in housing renovation or reconstruction;
- developing brokerage services whereby a government agency or designated NGO provide private landlords with rental, insurance or other guarantees in connection with tenancies involving refugees;
- providing rental subsidies, grants and refundable loans to meet up any “up front” accommodation costs. These should be provided at a level that is commensurate to housing market realities and the specific situation and added disadvantages facing refugees in the housing market;
- waiving requirements to supply a formal rental contract when applying for a housing subsidy with respect to refugees able to demonstrate that they cannot do so for reasons beyond their control.

#### c) Refugee Capacity Building

- including as part of refugee orientation courses and individual integration programs, information on tenant and landlord rights and responsibilities, information about utilities and methods of payment, home ownership schemes and housing support services;
- supporting the development of community based services that provide inter alia follow up housing advice, information and advocacy on a case by case basis including in relation to tenancy matters once refugees have moved out of government run integration facilities or when searching for a new home in the event of relocation. Such services could be located with NGOs supporting refugee integration or as part of mainstream services established for nationals experiencing disadvantage in the housing market;
- engaging volunteers with local knowledge to provide “hands on”, practical assistance to refugees seeking to identify affordable housing.

#### d) Other Issues

- ensuring that priority arrangements for social housing are in place for vulnerable refugees such as the elderly, physically disabled or children and to that end, amend housing and law policy as necessary<sup>37</sup>;
- de-linking registration as a permanent resident or a job seeker from any requirements to supply a formal housing contract;
- monitoring the implementation of legal provisions aimed at preventing discrimination and racism and tackling structural barriers faced by refugees searching for secure and affordable housing;
- reviewing as necessary, national, regional and local level policies and practices with the aim of removing obstacles to government subsidized/social housing stemming from nationality or residency requirements and ensuring full compliance with equality and anti-discrimination requirements.

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<sup>37</sup> Op. cit. note no 30, para. 8 (e).

## 4.2. Employment

UNHCR's Conclusion on Local Integration encourages all States receiving refugees to consider ways in which refugee employment and active participation in the economic life of the asylum country can be facilitated, inter alia through education and skills development. It proposes that States examine their laws and practices with a view to identifying and removing to the extent possible existing obstacles to refugee employment<sup>38</sup>. Similar recommendations can also be found in the Common Basic Principles for

PHOTO: BÉLA SZANDELSZKY



Employment is key to the integration of refugees

(woman at a vocational training course in Poland)

Immigrant Integration Policy in the European Union which acknowledge the importance of employment as “a key part of the integration process ... central to the participation of immigrants (and) to the contributions immigrants make to the receiving society”<sup>39</sup>. The Principles further refer to the need to take “active steps to ensure that public institutions, policies, housing and services, wherever possible, are open to immigrants”.

Employment is key to the integration of refugees. Through its regular protection monitoring activities and AGDM participatory assessments, UNHCR has identified many obstacles encountered by refugees and persons with subsidiary protection when seeking to access employment in Central Europe. Many refugees are unable to get their academic and professional qualifications and past work experience recognized by governments and professional associations due to loss or lack of relevant documentation, no access to formalized processes of certification and accreditation or because of stringent requirements for re-accreditation that might require contact with the authorities of the country of origin, which in the case of refugees is not an option. They might also be unfamiliar with available recruitment, training or job placement services and programs. As a result, many end up being unemployed or underemployed. In the case of persons with subsidiary protection, they might face additional difficulties to securing employment due to short-term residency permits or no access to targeted employment support/integration services.

<sup>38</sup> Op. cit., note 1, para. m (ii).

<sup>39</sup> Op. cit., note 13, para. 3.



Many refugees report not to have a clear knowledge of their rights and entitlements in the work place. They might therefore face a heightened risk of exploitation or abuse. Discrimination in the labor market is another key concern with many refugees reporting problems to accessing available employment opportunities as a result of employment agencies or employers' ignorance of their rights or because of xenophobia and racism. With regard to self-employment, refugees might lack knowledge of available services in support of business start-up or might not be able to provide the necessary guarantees required by banking institutions in order to demonstrate "bankability" and obtain start-up loans. In some countries, the right to self-employment with regard to certain regulated professions might only be available to nationals therefore excluding refugees until they are granted citizenship.

UNHCR's *Refugee Resettlement: An International Handbook to Guide Reception and Integration*, outlines a series of steps to be undertaken when planning for the economic self-sufficiency of refugees<sup>40</sup>. Where indicated, governments and other stakeholders are encouraged to *inter alia* consider<sup>41</sup>:

#### a) Partnership Development and Capacity Building of Employment Actors

- developing partnerships and undertaking outreach with key public and private sector partners, including employment agencies, individual employers, employer associations, training providers and local networks with potential links to employment opportunities;
- undertaking to raise awareness among employers of the validity of any refugee re-certification/accreditation processes that are developed at national level and any qualifications gained by refugees participating in vocational training, basic skills development or other courses specifically targeting refugees;
- putting in place measures that facilitate the recruitment of refugees through the provision of language and other assistance with initial induction and training to potential employers or through the use of economic incentives promoting the employment of refugees as vulnerable people with special needs.

#### b) Refugee Capacity Building

- introducing flexible and effective measures for the early identification, assessment and validation of refugee skills, competences and qualifications<sup>42</sup>;
- including as part of individual integration programs or orientation courses, skills and qualifications' assessments, orientation to the labor market and vocational training opportunities and job-search skills' development; an element of such programs could involve the provision of advice and support to access and make use of small business enterprise schemes;
- including as part of language training courses, the development of basic communication skills that correspond to individual refugees' employment aspirations and past work experience;

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<sup>40</sup> Op. cit. note 4, Chapter 2.9: Building Bridges for Economic Self-Sufficiency: Employment and Training. While the Handbook focuses specifically on resettled refugees, it includes many recommendations that are of relevance to all categories of persons in need of international protection with regard to promoting self-sufficiency and participation in the labor market.

<sup>41</sup> See also, op. cit., note 16, Chapter 3: Economic Integration. Also, Commission of the European Communities, Communication on A Common Agenda for Integration: Framework for the Integration of Third-Country Nationals in the European Union, COM (2005) 389 final, Brussels, 1.9.2005, Chapter 2.3 and Annex.

<sup>42</sup> Council of Europe, Explanatory Report to the Council of Europe/UNESCO Convention on the Recognition of Qualifications concerning Higher Education in the European Region, adopted in Lisbon on 11 April 1997 and Recommendation on Criteria and Procedures for the Assessment of Foreign Qualifications adopted by the Lisbon Recognition Convention Committee on 6 June 2001. See also op. cit. note no 1, para (m) (iii).

- developing mentoring and volunteering schemes linking refugees with peers in their profession to help them with orientation to specific professional areas in the receiving country, support with job-search and skills development and networking with employers and professional peers;
- developing schemes that enable refugees to gain work experience and receive practical training while doing a job (“on the job” training) and have work-related skills tested and certified by local employers;
- supporting the development of community based services that provide inter alia follow up employment advice, information and advocacy on a case by case basis including in relation to contract and other labor market or self-employment related matters once refugees have moved out of government run integration facilities or when searching for a new job. Such services could be located with NGOs providing integration services or as part of mainstream services established for nationals experiencing disadvantage in the labor market;
- putting in place small-business start up schemes that promote refugee self-employment including in relation to traditional arts and crafts.

#### c) Other Measures

- adopting measures aimed at compiling refugee skills’ profiles, monitoring refugee labor market participation and addressing practical barriers to employment and self-employment associated with lack of access to affordable childcare or pre-school education, “tools of trade”, appropriate transport or banking and credit services;
- monitoring the implementation of legal provisions aimed at preventing discrimination and racism, tackling structural barriers faced by refugees seeking work and promoting equal opportunities for all in the workplace;
- reviewing government recruitment policies and practices with the aim of removing obstacles to public sector employment stemming from nationality or residency requirements and ensuring full compliance with equality and anti-discrimination requirements;
- reviewing legal provisions with the aim of removing restrictions to the right to employment or self-employment in certain regulated professions linked to nationality, residency or other requirements<sup>43</sup>;
- reviewing legal provisions with the aim of removing restrictions to the right to employment or self-employment for persons with subsidiary protection status including those stemming from short-term residence permits or non-eligibility for employment support/integration services.

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<sup>43</sup> See also EXCOM Conclusion No 50 (XXXIX) 1988, General Conclusion on International Protection, para. (k)

### 4.3. Education for Refugee Children and Adults

Education is both a right in itself and an indispensable means of realizing other human rights. As an empowerment right, it can be a primary vehicle for refugees, whether adults or children, to escape from poverty and have the means to participate fully in the community of the country of asylum<sup>44</sup>. UNHCR's Conclusion on Local Integration notes the role of education and skills development in facilitating refugee participation in the economic life of the receiving country. It further recognizes the link between education and durable solutions in the context of calling for access to educational opportunities for refugee children<sup>45</sup>. UNHCR's Education Strategy further stresses the very important role of educational and recreational activities in helping to reintroduce a sense of normality and routine into the lives of refugee children and adolescents<sup>46</sup>.

The Common Basic Principle 5 for Immigrant Integration refers to efforts in education being critical to preparing immigrants and their descendents "to be more successful and more active participants in society". The measures proposed include the introduction of diversity in the school curriculum, measures to prevent underachievement and early school leaving of young people, participation in higher education and measures to address youth delinquency<sup>47</sup>.

Refugees can face many difficulties with regard to access to education in Central Europe. In the case of adult refugees, some might have not received or completed primary education in their country of origin, they therefore lack the basic skills and qualifications that are necessary for participation in vocational training or further education programs and for employment in certain sectors. Those lacking basic literacy skills, usually have serious problems learning the language of the receiving country or acquiring other skills necessary for independent living. As for refugees with higher education qualifications, these might not be recognized because of loss or lack of documentary proof, lack of procedures to enable the competent educational authorities to make appropriate assessments or because of a requirement for verification of documentary evidence by the educational authorities of the country of origin - an option that is not available to refugees.

Regarding refugee children and young persons, many face serious problems at school. Frequent changes of place of residence during the asylum procedure and upon status recognition can lead to and foster insecurity and hinder the active participation of children in education. Problems securing a school place for refugee children in the vicinity of reception or accommodation facilities have often been reported to UNHCR and attributed to discriminatory attitudes by school management or teaching staff or difficulties with providing documentary evidence of past educational achievements. In some countries, teachers might lack the expertise necessary to teach ethnically diverse groups of pupils or children with a different mother tongue to that spoken in the country. In cases where experienced teachers are employed, the school might have no access to specialized educational resources or additional financial support to facilitate refugee children's engagement in school activities or introduce diversity as an important part of the school curriculum. While in some countries, provision is made for the delivery of preparatory language courses, this might not be of sufficient intensity or duration to enable children and young people to get the skills required to take part in mainstream education, including higher education. Without the required knowledge of the receiving country's language, older children are often required to attend school at a lower grade to that corresponding to their age, intellectual development or needs - a situation that fosters stigmatization and their further marginalization<sup>48</sup>.

<sup>44</sup> See UN Committee on Economic, Social and Cultural Rights, General Comment No.13, The Right to Education (Article 13 of ICESCR), Twenty-first Session, 1999.

<sup>45</sup> Op. cit., note 1, para. n(iii).

<sup>46</sup> UNHCR, Education Strategy 2007-2009, Policy Challenges and Objectives, Technical Support Section, Division of Operational Services, June 2007. See also, EXCOM Conclusion on Refugee Children, No. 59, (XL) - 1989, para. (f).

<sup>47</sup> Op. cit. note 41, Chapter 2.5.

<sup>48</sup> Op. cit., note 6.

UNHCR's Agenda for Protection calls upon States to accord importance to refugee primary and secondary education<sup>49</sup>. At a first instance, we urge governments in Central Europe to review their reception arrangements to ensure age sensitivity<sup>50</sup>. In order to foster some stability and predictability in children's lives, government authorities are advised to refrain from changing the places of residence of asylum seeking families with school age children unless absolutely necessary. Targeted and specialized support should be provided to refugee children and their families as early as possible during the process of examination of asylum seeking children's claims or that of their family as well as thereafter. This should aim at addressing educational, psychological, recreational and other special needs. It should be geared towards helping refugee children to adjust to the educational system of the receiving country, acquire language skills and start redressing some of the effects of potentially disrupted education or intellectual or developmental delay due to past experiences of flight and exile<sup>51</sup>.

PHOTO: BÉLA SZANDELSZKY



Education is both a right in itself and an indispensable means of realizing other human rights

(class at the Csapókerti elementary school in Debrecen, Hungary)

To that end, the provision of additional funding - in the form of special grants - should be considered for schools where asylum seeking and refugee children and young people are enrolled. Where such provision is available, relevant authorities should establish a system of monitoring the effective use of funding by all educational establishments with a mixed pupil population. Given the central role of families in supporting children and young people with their integration, efforts should be made to engage refugee families in supporting their children and young people at school through inter alia the provision of information on the educational system of the receiving country, child rearing practices relating to discipline and supervision, bullying and racism and peer pressure.

<sup>49</sup> UNHCR, Agenda for Protection, Goal 6, Section 2: Measures to improve the framework for the protection of refugee children, Department of International Protection, October 2003

<sup>50</sup> Op. cit., note 10, para. (b) iii.

<sup>51</sup> Op. cit. note 4, Chapter 3.3: Investing in the Future: Refugee Children and Young People.

UNHCR's Refugee Resettlement: An International Handbook to Guide Reception and Integration, outlines a series of steps to be undertaken in connection with the education of refugee children and youth<sup>52</sup>. Where indicated, governments and other stakeholders are encouraged to inter alia consider:

a) Child-Centered Reception and Integration Services

- reviewing reception arrangements with the aim of addressing in particular the educational, psychological, recreational and other special needs of refugee children<sup>53</sup>;
- refraining from frequently moving asylum seeking families with school age children unless proven absolutely necessary.



PHOTO: IVAN GRIGOROV

Some adult refugees might have not received or completed their primary education

(learning about the new country at the SAR Integration Centre in Bulgaria)

b) Access to Education for Refugee Children and Young People

- setting up special language and orientation programs to prepare refugee or asylum seeking children and young people for full time entry into the general educational system of the receiving country and introduce them to the culture and social structures of that country<sup>54</sup>. Such programs should be made available upon arrival in the country of asylum. Pending on specific circumstances, they could be set up separately from mainstream provision or be part of a flexible arrangement enabling refugee children and young people to initially divide their time between general and targeted school activities;

<sup>52</sup> Many of the recommendations below are drawn from Chapter 3.3 on refugee children and young people of UNHCR's Integration Handbook. See also UNHCR's Strategy and Activities concerning Refugee Children, Priority Issues 4 & 5 on Education and Specific Concerns of Adolescents, Geneva, October 2005, UNHCR Executive Committee, Children at Risk, Stranding Committee, 38th meeting, EC/58/SC/CRP 7, 22 February 2007 and UNHCR EXCOM Conclusion No 107 (LVIII) - 2007 on Children at Risk.

<sup>53</sup> Op. cit. note 10 para. (b) iii.

<sup>54</sup> Op. cit., note 28, para. (h) xvii.

- using flexible criteria for determining the level at which to enroll refugee children or young persons based on their educational development and needs rather than availability of school certificates;
- providing supplementary assistance to refugee children and young people in the classroom to prevent early drop out and meet specific educational needs through the use of bi-lingual teaching professionals, bilingual instruction and other initiatives;
- ensuring access to pre-school or kindergarten facilities for young children as early as possible after arrival or submission of an asylum application by their parents;
- supporting the development of recreational, sports, play and cultural activities for all asylum seeking and refugee children and youth outside of school hours including the formation of youth groups<sup>55</sup>;
- making targeted educational and training arrangements for young refugees approaching or over the age of majority including access to grants and scholarships towards the completion of their studies or acquisition of necessary certification;
- in the case of young refugees who have not completed their basic education, providing special support or facilitated access to adult literacy classes, training courses, apprenticeships and non-formal education that facilitate the acquisition of basic literacy and other skills;
- develop procedures designed to assess fairly and expeditiously whether refugees fulfill all relevant requirements for access to higher education and further higher education programs even in cases in which the qualifications obtained cannot be proven through documentary evidence<sup>56</sup>.

#### c) Capacity Building for Educational Providers

- organizing specialized training for teaching staff working with diverse pupil populations and developing culturally inclusive curricula and teaching resources;
- putting in place a system to support ongoing pedagogical research on refugee children's education and monitor the implementation of inter-cultural pedagogical programs including the take up of funding for this purpose by all educational establishments with a diverse pupil population.

#### d) Other Issues

- pending on parental consent, developing individual integration plans for children and young people to identify their educational and social support needs and link them with educational, leisure, recreational or child support services.

As for adult refugees who have not completed a basic education, UNHCR wishes to underline the importance of inter alia:

- promoting the development of literacy programs by specialist educational institutions for adult refugees without basic education given the role of literacy as a necessary skill in itself as well as the foundation of other life skills<sup>57</sup>;

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<sup>55</sup> Ibid, para. (h) viii.

<sup>56</sup> See Council of Europe/Unesco Convention on the Recognition of Qualifications concerning Higher Education in the European Region, adopted in Lisbon on 11 April 1997 (ETS No. 165) Art. VII. See further Explanatory Report to the Lisbon Convention and Recommendation on Criteria and Procedures for the Assessment of Foreign Qualifications adopted by the Lisbon Recognition Convention Committee on 6 June 2001 in Riga. Also, para 30 of UNHCR Note on the Integration of Refugees in the European Union.

<sup>57</sup> World Conference on Education for All, World Declaration on Education for All, (Thailand, March 1990), Article 5.

- addressing other basic learning needs of young and adult refugees through the provision of vocational and other forms of training, the development of volunteering or job placement opportunities, non-formal education or orientation programs in health, the environment, family life and other issues, or through apprenticeships;
- making flexible arrangements, including women only classes, that foster the participation of refugee women without basic education in educational or training activities promoting basic life skills' development including literacy skills;
- organizing specialized training for teaching or other staff working with adult refugees and developing culturally inclusive curricula and teaching or training resources.
- treating adult refugees as favorably as possible with respect to academic fees, other educational charges or the award of scholarships for higher or further education.

## 4.4. Health

Health is a fundamental human right indispensable for the exercise of other human rights. Every human being is entitled to the enjoyment of the highest attainable standard of health conducive to living a life in dignity<sup>58</sup>. Refugees often have added physical and mental health problems to those found within the general population due to past experiences of persecution, trauma and flight. In the case of resettled refugees, they might have added healthcare needs as a result of limited access to preventative or other health care programs, prolonged deprivation of basic resources required for good health or poor quality treatment in the country of first asylum<sup>59</sup>.

Refugees can face numerous problems when seeking to access healthcare services in Central Europe. Although under the Qualification Directive, they have access to health care under the same eligibility conditions as nationals<sup>60</sup>, such access can be limited to basic and emergency services and might not cover comprehensive care. Many refugees are unfamiliar with the health systems of receiving countries.

Without basic language skills or access to interpreting and translation services, they are often unable to communicate with health professionals and be referred for the right treatment. Health providers can be unfamiliar with the type of documentation used to verify refugee entitlements to health insurance and therefore might refuse to treat refugees or refer them to specialists. In countries where attendance in integration programs such as language training is compulsory, refugees with special needs unable to participate in classes (elderly persons or torture and trauma survivors) might risk losing health insurance cover although they might be the most likely to need medical care and the least likely to be in employment. In the case of torture and trauma survivors, specialized support might only be available in capital cities or within accommodation facilities or it might be of inadequate intensity and quality. Complaints about xenophobic or discriminatory attitudes among doctors and other staff have been reported to UNHCR as well as complaints about some doctors or nurses' expectations for "gratuity money" payments in the event of major operations or childbirth<sup>61</sup>.

<sup>58</sup> Committee on Economic, Social and Cultural Rights, General Comment No. 14 (2000), The Right to the Highest Attainable Standard of Health (Article 12, International Covenant on Economic, Social and Cultural Rights).

<sup>59</sup> Op. cit. note 4, Chapter 2.10: A Healthy Start: Access to Health Care.

<sup>60</sup> Op. cit. note 5, Art. 29.

<sup>61</sup> Op. cit., note 23.

UNHCR's Refugee Resettlement: An International Handbook to Guide Reception and Integration, outlines a series of steps to be undertaken in connection with planning for and supporting a healthy start for refugees<sup>62</sup>. Where indicated, governments and other stakeholders are encouraged to inter alia consider:

a) Capacity Building for Health Providers

- organizing training and educational programs for health professionals working with refugees to sensitize them of their needs and past experiences and build their capacity to provide adequate and effective treatment;
- funding the development of community based interpreting services, including training for community interpreters, to facilitate communication between newly recognized refugees or refugees with special needs and health professionals;
- setting up “help desk” services to provide information or clarification to health professionals about refugee entitlements to health care and related services.

PHOTO: BÉLA SZANDELSZKY



Refugees' access can be limited to basic and emergency services

(Nurse's room at the Bicske reception centre, Hungary)

b) Capacity Building of Refugees

- including basic health education as well as orientation to the health care system and health-related rights in the receiving country as part of language learning or cultural orientation activities;
- supporting the development of community based services that inter alia provide follow up advice, information and advocacy on health matters on a case by case basis including in relation to access to specialized medical treatment once refugees have moved out of government run integration facilities. Such services could be located with NGOs providing integration services or be part of mainstream services established for nationals with special health needs.

<sup>62</sup> Many of the recommendations below are drawn from Chapter 2.10, A Healthy Start: Access to Health Care of the Integration Handbook.



#### c) Provision of Targeted Assistance and Specialist Support

- as part of fee-free healthcare arrangements for refugees during the initial phase of the integration process, ensuring cover for comprehensive dental, optical and other auxiliary care as well as specialist medical services;
- providing healthcare cover free of charge to refugees with special needs for as long as they are unable to cover their health costs through independent means and beyond the initial phase of integration;
- ensuring targeted medical and psychosocial care is available to women and girls at risk to facilitate their recovery and integration in the receiving country<sup>63</sup>;
- providing specialized care, counseling and other services to refugees who have experienced torture and trauma including cross-cultural mediators and interpreters to enable them to benefit from specialist support<sup>64</sup>;
- as part of orientation, language training or other educational programs, providing health education including information on reproductive health, to young refugees including unaccompanied and other minors approaching the age of majority.

#### d) Other Measures

- reviewing healthcare providers' policies and practices to ensure non-discrimination and access to affordable, adequate and specialized healthcare for refugees on the basis of equality with nationals of the receiving country in a similar situation<sup>65</sup>;
- issuing healthcare insurance cards shortly after status recognition in a format recognised by mainstream health providers. This should clearly set out refugee eligibility for health services including supplementary health insurance cover as appropriate.

## 4.5. Public Relief and Social Security

The Universal Declaration of Human Rights provides for the right to a standard of living adequate for the health and well-being of everyone including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability...old age or other lack of livelihood in circumstances beyond his control<sup>66</sup>. In the case of refugees, Articles 23 and 24 of the Refugee Convention deal specifically with their rights with respect to public relief and assistance as well as social security.

The main challenge for many countries in Central Europe has been to set up financial assistance schemes at a level which discourages dependency while enabling refugees to live in dignity and meet their immediate material needs upon status recognition until such time when they can become self-sufficient and lead independent lives. In the case of one country, assistance is mostly provided in kind during the initial integration phase and until such time when people move to independent housing. This has often been reported by refugees to be less than what is required to meet basic needs. As a result, some refugees opt to work as unskilled laborers rather than participate in integration activities such as language or cultural orientation classes that would enable them in the medium term to fulfill their full employment potential as per their skills and aspirations. In other countries where assistance is provided at a level that is equivalent to the basic minimum wage, this might not be sufficient to cover actual living costs in particular if there are no

<sup>63</sup> See UNHCR Executive Committee, Conclusion No. 105 (LVII) - 2006, Women and Girls at Risk, para. (p) v.

<sup>64</sup> Op. cit. note 3, paras 23-25.

<sup>65</sup> Op. cit. note 58, paras 12(b), 18 & 19.

<sup>66</sup> Article 25, Universal Declaration for Human Rights.

subsidies available towards the cost of private sector rental accommodation. Without access to informal support networks, many refugees end up living in poverty and in constant fear of becoming homeless: a situation that can seriously compromise their integration process.

PHOTO: IVAN GRIGOROV



Many refugees end up living in poverty and in constant fear of becoming homeless

(distribution of public relief at the Red Cross office in Sofia, Bulgaria)

UNHCR's Agenda for Protection stipulates the establishment of assistance programs for refugees that integrate strategies for self-reliance and empowerment. Where indicated, governments and other stakeholders are encouraged to inter alia consider<sup>67</sup>:

- ensuring that income support provisions for refugees are at a level that is adequate to meet basic housing, food, transportation, clothing and educational expenses while refugees participate in integration programs. Such provisions should take into account and reflect the additional costs refugees might face upon status recognition with respect to establishing themselves in the receiving country;
- establishing special loan or “one off” cash or material assistance schemes to cover personal or household establishment costs when refugees move to independent housing in the community;
- ensuring that appropriate income support provisions and targeted integration support arrangements are put into place for refugees with special needs including refugees of retirement age (if they are unable to meet the legal requirements for pensions), unaccompanied minors, sole parents with responsibility for young children, disabled refugees and refugees with acute physical and psychological health problems as a result of past trauma or torture;
- providing training to government staff responsible for the administration of income support to sensitize them to the special needs of refugees and raise their awareness of refugee rights and entitlements to social welfare;
- supporting the development of community based services that inter alia provide advice, information and advocacy on social welfare matters on a case by case basis including in relation to access to benefits and other forms of social assistance for special needs groups. Such services could be located with NGOs dealing with integration or as part of mainstream social welfare services.

<sup>67</sup> Many of these recommendations have been drawn from Chapter 2.4 of the Integration Handbook on Meeting Immediate Material Needs: Income Support and Establishment Resources.

## 5. Socio-Cultural Integration

EXCOM Conclusion No. 104 on Local Integration sets out the content of socio-cultural integration as a two way process underpinned by the values of diversity, non-discrimination and tolerance. The Conclusion encourages the implementation of anti-discrimination policies, awareness raising activities to foster understanding and the development of appropriate legislation and social policies to allow refugees' active participation in the civic, economic, social and cultural life of the receiving country. It further stresses the importance of family unity and reunification<sup>68</sup>.



PHOTO: TUDOR VINTILOIU

Socio-cultural integration is a two way process underpinned by the values of diversity, non-discrimination and tolerance

(gathering at the premises of NGO ARCA in Bucharest, Romania)

A number of the Common Basic Principles on Immigrant Integration Policy in the European Union are also relevant for socio-cultural integration. These relate to the acquisition of basic knowledge of the receiving society's language, history and institutions<sup>69</sup>, efforts in education to prepare people for active participation in society<sup>70</sup>, equality of treatment and protection from discrimination<sup>71</sup>, inter-cultural dialogue<sup>72</sup>, and participation in the democratic process and in the formulation of integration policies and measures<sup>73</sup>. The following section will address issues pertaining to language and cultural orientation, participation and family unity and reunification.

<sup>68</sup> Op. cit. note 1, para. (n).

<sup>69</sup> Common Basic Principle No 4.

<sup>70</sup> Common Basic Principle No 5.

<sup>71</sup> Common Basic Principle No 6.

<sup>72</sup> Common Basic Principle No 7.

<sup>73</sup> Common Basic Principle No 9.

## 5.1. Language Learning and Cultural Orientation

Learning the language and having a basic knowledge of the receiving country are basic requirements for achieving independence and self sufficiency as well as becoming part of the local community. They are also means for refugees to regain a sense of security, dignity and self worth<sup>74</sup>. There are a number of factors that may affect the ability of refugees to learn the language or culture of the receiving country including their educational background and familiarity with a classroom environment, age, gender, physical and mental health condition, experiences of past trauma or torture, family responsibilities and economic or housing circumstances. External factors might relate to the availability of qualified staff, the extent to which the curriculum caters for the needs of refugees with special educational requirements and the availability of support systems that enable people to participate in language and cultural orientation training including childcare, travel costs or adequate income support.

PHOTO: LIBA TAYLOR



Learning the host country language is also a means to regain a sense of security, dignity and self worth

(wall of the Prague Blue School in the Czech Republic)

While cultural orientation and the acquisition of the receiving country's language are central elements of government integration policies and programs in Central Europe, a number of concerns exist about the adequacy and effectiveness of current arrangements. In terms of language learning, in some countries, classes might only be available for a limited number of hours that are not sufficient for either acquiring basic skills or for obtaining advanced understanding of the receiving country's language. In most cases, the length of time refugees can follow free language classes is restricted to one year from status recognition. As a result, those who are unable for health, family or other reasons to attend classes during the first year from being recognized as a refugee, cannot avail themselves of another opportunity to learn the language and culture of the receiving country. Furthermore, language tuition might only be offered at basic level. Many refugees therefore cannot develop

the linguistic skills necessary for further education or employment in positions where advanced language skills are a prerequisite. As for cultural orientation classes, some are reported to have little relation to real life experiences or needs of refugees.

Additional concerns relate to shortages of qualified teaching staff and the absence of specialized language and cultural orientation support for those with special needs such as the elderly, torture and trauma survivors, people lacking basic education or women with childcare/dependent responsibilities. The lack of flexible arrangements enabling those in employment to attend language or cultural orientation classes after hours or during the weekend is a further concern. In countries where participation is obligatory and income support payments are not sufficient to meet basic needs, refugees and their families are faced with little option but to forfeit the opportunity to learn the language or participate in cultural orientation programs so that they can work to survive. The lack of special measures to foster the participation of refugee women in training and orientation

<sup>74</sup> Op. cit., note 4, Chapter 2.6: Fostering Independent Communication: Language Training Programmes for Adult Resettled Refugees.



PHOTO: LIBA TAYLOR

Governments are encouraged to develop a specialized curriculum for the teaching of national language(s) to refugees

(language class at the Straz integration facility in the Czech Republic)

activities is also a matter requiring urgent consideration. In the absence of women-only classes, refugee women coming from gender-segregated societies might have little option but to forfeit acquiring language or other skills. This might also be the case for women with family/dependent responsibilities unless childcare or other support is provided.

UNHCR's *Refugee Resettlement: An International Handbook to Guide Reception and Integration*, outlines a series of steps to be undertaken in connection with planning for and supporting language learning for refugees<sup>75</sup>. Where indicated, governments and other stakeholders are encouraged to inter alia consider:

- involving refugees in the planning, implementation and evaluation of learning activities that are of relevance to their everyday lives and needs as parents, consumers, citizens, employees and so on;
- providing ongoing opportunities for language learning beyond the first year from status recognition including inter alia in conjunction with other activities such as vocational training, work placements, volunteering and so on;
- piloting flexible and culturally responsive language training arrangements such as women-only or other special group based programs, work or home based schemes, and after working hours' instruction or tutoring programs by paid or trained volunteer teachers;
- providing options for advanced language training and further education to interested refugees in cooperation with mainstream educational providers;
- developing specialized educational resources including a curriculum for the teaching of national language(s) to refugees, training and professional development programs for teachers and language learning tools that make use of interactive methods of learning and involve a range of media such as printed form or audio-visual material.

<sup>75</sup> These recommendations are drawn from Chapter 2.6 on language training for adult resettled refugees of the UNHCR Integration Handbook.



In most cases, the length of time refugees can follow free language classes is restricted to one year from status recognition

(language class at the Straz integration facility in the Czech Republic)

Cultural orientation courses can be effective in imparting essential skills and knowledge about the culture and values of a receiving society if they:

- during the early phases of integration programs, are provided in a language that is understood by the refugee or with the support of skilled interpreters as a last resort;
- focus on fostering participants' skills in addressing day to day needs and challenges;
- involve learning through showing and doing;
- make use of interactive methods of learning such as discussions, group work and role play;
- involve a range of media and provide varied learning experiences that take into account cultural approaches to learning, literacy and educational levels and special needs;
- are confined to issues relevant to refugees' specific stage of integration;
- take as a starting point for learning, the refugees' country of origin experiences and involve as appropriate, established refugee community members in the delivery of cultural orientation programs<sup>76</sup>.

In developing cultural orientation courses, UNHCR proposes that governments and other stakeholders consider:

- structuring cultural orientation courses as an integral part of language learning or integration programs. Under such schemes, language learning and case management through individual integration programs would serve as the base for continually reinforcing and expanding upon information provided through cultural orientation courses.

<sup>76</sup> Ibid, pp. 144-145.

- engaging volunteers and mainstream service providers, including front-line staff, in the delivery of cultural orientation activities. Not only would such an engagement facilitate the orientation of refugees to specific services and community settings. It might also contribute to increasing awareness among service providers and local communities of the profile and characteristics of refugees therefore promoting mutual understanding and acceptance.
- developing resources, information manuals and training courses that enhance the capacity of volunteers and personnel in mainstream services to contribute to orientation courses but also provide orientation support to refugees outside the framework of tailored programs;
- developing resources that enable refugees to experience “hands on” the values, culture and public services available in the receiving country through fostering interaction with service providers and community members in various settings (schools, religious institutions, community centers, public offices etc) and promoting refugee participation in mentoring or volunteering schemes.

## 5.2. Building Bridges and Fostering Participation

EXCOM Conclusion No. 104 encourages the implementation of activities that promote the positive aspects of a diverse society and interaction between refugees, the local population, civil society and refugee organizations. This is also a key theme in the Common Basic Principles on Immigrant Integration which identify frequent interaction between migrants and citizens as a fundamental mechanism for integration and encourage the participation of immigrants in the democratic process as well as in the formulation of integration policies and measures. The theme of civic participation is also addressed in the first edition of the Handbook on Integration for Policy Makers and Practitioners<sup>77</sup>.

UNHCR has been concerned by the absence of refugee involvement in the design, implementation or evaluation of integration programs and activities in Central Europe. In terms of participation in broader societal or political processes, many refugees remain trapped in the margins of receiving societies lacking the know-how and means to participate in local, regional or national processes. In some countries, without access to the right to vote and stand for election at local or regional level, some refugees might have to wait for lengthy periods of time and go through complex procedures until such time when they are granted citizenship and the right to participate in formal political processes.

The Office further observed the limited involvement of local communities and institutions in the process of integration of refugees in this region. They might rarely be provided with the opportunity to have an input on the content of integration-related initiatives and limited or no role in their implementation. As affirmed by the Council of the European Union in 2007, the process of integration takes place primarily at a local level<sup>78</sup>. Not only is the lack of community involvement a major gap, it is also a considerable impediment to refugee integration.

The lack of, or limited dialogue and interaction between refugees and local communities and within societies receiving refugees has had manifold effects fuelling a public climate characterized by mistrust, prejudice and discrimination in this region. UNHCR has received reports of service providers such as health practitioners or landlords refusing to provide services to refugees. There have also been reports of refugees being subjected to verbal abuse because of the way they dress or speak. In some countries, societal ills are attributed to the presence of asylum seekers and refugees without any recourse to evidence supporting popular assumptions.

<sup>77</sup> Directorate General Justice, Freedom and Security, Handbook on Integration for Policy Makers and Practitioners, European Communities, 2004, Chapter 2: Civic Participation.

<sup>78</sup> Council of the European Union, Council Conclusions: Strengthening of Integration Policies in the European Union, Potsdam, 12-13 June 2007, para. 2.

Integration is an interactive process involving refugees, nationals as well as the institutions of the receiving state. The end result is the creation of a society that is both diverse and open where people can form a community regardless of differences. UNHCR's *Refugee Resettlement: An International Handbook to Guide Reception and Integration*, outlines a series of steps to be undertaken in connection with creating welcoming societies for refugees<sup>79</sup>. Where indicated, governments and other stakeholders are encouraged to *inter alia* consider:

- ensuring that participatory and community development approaches permeate all activities aimed at enhancing the capacity of refugees to integrate locally<sup>80</sup> and to that end, engage local communities/institutions and refugees alike in the design, implementation and evaluation of integration policies and programs;
- fostering collaboration between refugees and receiving societies through the establishment of local level networks bringing together relevant service providers, local authorities, representatives of civil society as well as refugee representatives;
- supporting the development of specific projects that facilitate dialogue between refugee and local communities and enable them to work together in pursuit of common agendas and priorities;

PHOTO: TUDOR VINTILOIU



Participatory and community development approaches enhance the capacity of refugees to integrate locally

(meeting of the Refugee Women's Association OFRR in Romania)

- supporting the development of initiatives that can act as bridges between specialized integration provision and mainstream services at community level;
- extending the right to vote and stand for election in local and regional authority elections to all refugees in compliance with the legal requirements applying to nationals after a period of habitual residence which should not exceed five years preceding the elections<sup>81</sup>;
- supporting awareness raising activities that challenge stereotypes, promote public acceptance of refugees and highlight the positive contributions refugees can make to receiving societies when provided with opportunities to do so;
- promoting the development of monitoring systems aimed at preventing and combating discrimination and promoting the positive aspects of a diverse society.

<sup>79</sup> These recommendations draw from Chapter 2.11: Creating Welcoming and Hospitable Communities and Restoring Faith in Government of the UNHCR Integration Handbook.

<sup>80</sup> Op. cit. note 1, para (o).

<sup>81</sup> Council of Europe, Convention on the Participation of Foreigners in Public Life at Local Level, (CETS No 144), Art.6



## 5.3. Family Unity and Reunification

The family is the natural and fundamental group unit of society entitled to protection by society and the state<sup>82</sup>. UNHCR's Executive Committee has adopted a series of conclusions that reiterate the fundamental importance of family unity and reunification and call for facilitated entry on the basis of liberal criteria of family members of persons recognized in need of international protection<sup>83</sup>. With respect to integration, EXCOM Conclusion No. 104 notes the potential role of family members in promoting the smoother and more rapid integration of refugee families given that they can reinforce the social support system of refugees.

There are many difficulties with the realization of the right to family unity as it affects refugees in the region under the responsibility of the Regional Representation for Central Europe. UNHCR regularly receives requests for assistance and intervention with relevant authorities from refugees unable to reunite with family members remaining in the country of origin or first asylum. This might be often caused by governments not recognizing the validity of travel documents issued by certain countries of origin, technical difficulties with granting visas to family members living in places where the country of asylum has no representation as well as difficulties with financing the cost of travel of family members to Europe. Problems might further arise due to a requirement to provide proof of ability to independently support family members if the family reunification application is submitted after the expiry of a deadline from status recognition, as well as the use of restrictive criteria in defining who is a family member. In the case of persons with subsidiary protection and reflecting practice in other parts of the European Union, their right to family reunification might not be guaranteed in all countries or the status of family members might be inferior to that available to the principal applicant for family reunification.



PHOTO: LIBA TAYLOR

There are many difficulties with the realization of the right to family unity

(Straz integration facility in the Czech Republic)

<sup>82</sup> See, Art. 16 (3), Universal Declaration of Human Rights and Art. 23(1) International Covenant on Civil and Political Rights and Recommendation (B), Final Act of the UN Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons.

<sup>83</sup> See in particular, EXCOM Conclusions on Family Reunion, No. 9 (XXVIII), 1997 and No. 24 (XXXII), 1981; EXCOM Conclusion on Refugee Children and Adolescents, No. 84 (XLVIII), 1997; and EXCOM Conclusion on the Protection of the Refugee's Family, No. 88 (L), 1999.

UNHCR considers that reuniting with family members is vital for the process of integration of refugees. In light of relevant EXCOM Conclusions, it encourages governments to inter alia consider:

- making every effort to ensure the reunification of separated refugee families with the least possible delay<sup>84</sup>;
- applying liberal criteria in identifying family members in order to promote the comprehensive reunification of a family including with extended family members ;
- taking all necessary steps to facilitate the timely reunification of unaccompanied minors with family members<sup>85</sup>;
- granting family members the same status (derivative status) and therefore rights and integration entitlements as to those granted to refugees and persons with subsidiary protection;
- ensuring equality in the treatment of refugees and persons with subsidiary protection with respect to family reunification;
- making provisions for facilitating family reunification through financial support for the establishment and running of family tracing services where such services do not exist or the use of ICRC or other travel documents in the case of family members without a valid travel document from their country of origin;
- including a specific allocation in regular government budgets to cover the cost of travel of family members reuniting with refugees and persons with subsidiary protection in the countries of Central Europe.
- resorting to DNA testing to verify family relationships only where serious doubts remain after all other types of proof have been examined, or, where there are strong indications of fraudulent intent and reliable recourse to prove or disprove fraud<sup>86</sup>.

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<sup>84</sup> EXCOM Conclusion on Family Reunification, No. 24 (XXXII), 1981, paras 1 & 2.

<sup>85</sup> Ibid, para 5. See also EXCOM Conclusion No. 88, para (b) (ii).

<sup>86</sup> UNHCR, Note on DNA Testing to Establish Family Relationships in the Refugee Context, June 2008, para. 13.

## 6. Funding for Integration

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In a number of countries in the region under the responsibility of the Regional Representation for Central Europe, funding provided through domestic sources does not cover most basic services. As a result, some countries rely extensively on the European Refugee Fund (ERF) to support the running of fundamental aspects of the asylum system including refugee integration services. This has proven to be very problematic for a number of reasons.

ERF is calculated in proportion to the number of asylum seekers or refugees admitted or registered over the previous three years. In the case of the 2008 national envelope for individual EU Members States, this is based on statistics for the years 2004-2005 and 2006. If there is a considerable increase in the number of people applying for asylum from one year to the next, (as has been the case in some countries during 2007) unless additional national resources can be made available, ERF expenditure on a per capita basis has to be reduced accordingly in the year this increase takes place. The same applies in the case of an increase in the recognition rate of refugees or persons with subsidiary protection.

In view of the EU cycle of funding approval under ERF<sup>87</sup>, it can take a minimum of a year before any changes in asylum arrivals or the recognition rate are registered and the level of ERF funding is adjusted by the Commission to reflect increases from one year to the next. Due to the length of the national administrative process for ERF grant approval, an additional period of nine to twelve months might pass before the volume of services funded under ERF can be adjusted to reflect actual demand for reception and integration services. Until such time, under current arrangements, the risk is of a reduction in essential services on a per capita basis unless national resources are made available to compensate for any increase in service demand or address the effects of inflationary trends. In the absence of sufficient resources to meet basic needs and live in dignity, many refugees are reportedly forced to engage in onward movement to other European countries in search of a future.

Beyond ERF, the European Integration Fund (EIF) can potentially provide a source of funding for the development of an integration-focused infrastructure in Central Europe. While refugees and persons with subsidiary protection are excluded from the Fund's scope (therefore no specific services for refugees could be funded under this fund) the implementation of a number of the Fund's objectives, if done with a view to mainstreaming refugee integration into broader integration debates, could contribute to the development of country specific institutional frameworks that are conducive to the integration of all third country nationals including refugees and persons with subsidiary protection. Furthermore, the European Social Fund (ESF) should be proactively considered as a useful source of funding for integration-related activities that fall within the objectives of the fund. These include raising participation in the labour force to support economic growth, improving labour market opportunities for disadvantaged groups and modernisation of education and training system.

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<sup>87</sup> Article 20 of the Decision Establishing the European Refugee Fund provides that the Commission "shall adopt the financing decision approving the annual programme by 1 March of the year in question".

In light of the aforementioned analysis, UNHCR encourages governments in Central Europe that have not done so to:

- ensure the allocation of sufficient domestic budgetary resources as per identified need for the integration of refugees in addition to EU resources under the European Refugee Fund or other funds;
- ensure that a balanced/needs-based approach underpins the allocation of resources for infrastructural development and “soft services” in the form of social work support and social or educational activities.
- consider using resources under EIF towards the development of an integration infrastructure including a policy and law on integration, the establishment of a Standing Inter-Ministerial Committee on Integration involving UNHCR and the development of a strategy that includes the use of other EC funds to support the development of refugee integration services;
- develop employment, education and social inclusion programmes for refugees to be funded under the European Social Fund, in a complementary fashion to the ERF.









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