

Raising young refugees' voices in Europe and beyond

A seminar report

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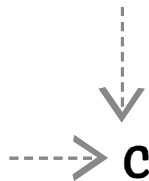
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Statement by the Commissioner for Human Rights

“Seeking asylum is a human right, not a crime.”

The right to seek asylum is not fully protected in Europe today. In spite of a downward trend in asylum applications in several countries – with some exceptions, such as Malta and Greece – the policies have remained restrictive. Concerns about irregular migration and terrorist threats seem to have prevented a constructive discussion on asylum and refugee protection issues – creating a significant human rights deficit.

Today, it is more difficult for refugees and other migrants to reach our borders. Airlines are pressured to refuse passengers who may not be granted entry on arrival. Patrol boats are deployed along Europe’s southern shores to intercept and turn back migrants from African countries. These groups may include individuals whose very survival is under threat at home.

In the past, asylum seekers who in spite of these difficulties have managed to reach European countries have as a rule been given a chance to file their claim – even when they arrived together with others in “mixed flows”. The Spanish government has tried to secure this right for those arriving on the Canary Islands.

However, the increased use of accelerated asylum procedures may lead to the *de facto refoulement* of persons in need of international protection. Also, recent proposals for quick decisions on sending back large groups of new arrivals may, if enforced, totally undermine the right to seek asylum. It is therefore crucial that asylum seekers within larger migratory flows are identified at an early stage and offered fair and just procedures.

The Dublin II Regulation opens the possibility of returning an asylum seeker from an EU country to another EU member which is perceived as responsible for the examination of the asylum request. However, as the UN High Commissioner for Refugees (UNHCR) has pointed out, this practice may in reality undermine the chances for the refugee to get asylum because of different standards between EU countries. Furthermore, UNHCR recommends a liberal approach so that family connections and previous stays in the country are considered before final decisions. I believe that these recommendations should be taken into account in the revision of the Dublin II Regulation, which is currently under discussion within the EU.

There are several EU Directives on asylum policies aiming at a common approach within the Union, which is a laudable and necessary ambition. However, as UNHCR has found, the tendency in some EU countries has been to lower standards to the



minimum extent possible. More restrictive legislative and administrative provisions have been introduced during the transposition of the Directives.

A major specific and concrete problem is the fact that a great number of migrants come without documents. It is clear that traffickers in many cases confiscate or destroy the passengers' passports or other identity papers. Also, some migrants may themselves prefer not to give information about their identity or home country, hoping that this will increase their chances of asylum. This, however, is no justification for treating this flow of irregular migrants as if they were criminals. They all have the right to a fair procedure. There may always be genuine asylum applicants among them, and people who have run away from severe persecution may not have been in a position to ask their government for a passport.

Non-governmental organisations working in this field have filed extensive reports on the way asylum seekers are interviewed by the police. They have pointed out that little consideration is given to the vulnerability of applicants, which is often rooted in the trauma they have experienced through previous contacts with people in uniform. They may have psychological difficulties in talking to strangers about the torture or other humiliation they have experienced in the past.

Despite that, asylum applicants are often blamed for not being honest from the start, which is something that many of them understandably take as an insult. It does of course happen that refugees lie. But this should not taint the overall approach to interviewing technique and evaluation. There is a need to make this first meeting with the host society as humane as possible, without sacrificing the need to obtain the necessary information.

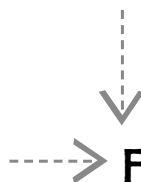
It is critical that interpreters be available and that they be selected in a way that ensures that the accounts of refugees will not be reported to the home authorities. Interviews with children require special attitude and skill – it is essential that their experiences be heard independently.

In many countries, the quality of places of detention also suggests that asylum seekers are treated as criminals. Governments should therefore review the need for detention as well as the conditions in detention facilities. In a number of countries, asylum seekers might be detained in two stages: first upon arrival, while their applications are determined, and then – after refusal – while the host government tries to secure their reception in the country of origin. The latter process sometimes takes a long time and the possibility for refugees to seek legal assistance in this situation is often restricted or non-existent.

Could we Europeans do better? We should.

Thomas Hammarberg
www.commissioner.coe.int





Foreword

In our superficial, very visual societies, not being seen is like not existing. Not being seen also means not being heard, not having a voice, not being part of decisions. It means being invisible. Inaudible.

Young refugees live around us, with us, on our streets, in our cities. They had to flee from war, violence and injustice and believed Europe could be their Promised Land of peace, a place to rebuild their lives and themselves. Some have lost a father, a sister, a friend. They carry with them the pain of what they had to leave behind, and the hope of what may come.

'Refugees', 'displaced people', 'asylum seekers', 'illegal migrants' – beyond the legal definitions, we were interested in meeting young people. Each one of them has a tale to tell, a life story made up of meetings with kind people who hosted and helped them, or meetings with tormentors who mistreated and humiliated them. They have tales of fear and uncertainty. And they have questions. "Will I receive my permission to stay?" "When will I be able to meet my parents again?" "Will I ever return home?"

Europe cannot be built without the participation of all young people, especially those who have fewer opportunities to be involved. Youth policy in Europe must take into account the realities of all young people: realities like the ones faced by participants in this seminar, such as being randomly allocated to a country because of a plane's stopover there, not being able to go back to one's own country without losing one's original nationality, issues concerning visas and being obliged to prove one's story again and again ... realities that nobody except refugees themselves can bear witness to.

The European Youth Centres of the Council of Europe are more than residential educational facilities. They are meeting places, laboratories of ideas and plans, for all young people who are interested in constructing Europe and developing democratic, just societies, and want to help.

This seminar took place in December 2006. It primarily aimed at providing a safe meeting place for young people to express themselves. It was also a forum for reflection on what could improve participants' situations and increase their involvement in, and ultimately their contribution to, social cohesion in the areas they live in. It is hard to adequately express in this report the strength of their testimony, the shared emotions, the discovery of their stories – each time different, but each time similar. We hope that the reader will sense from this report how important this meeting was for those involved. We warmly thank all the participants – some for



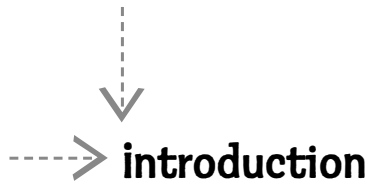
allowing their stories to be told and others, who work locally or nationally with refugees, for having taken the time to listen and being willing to make a change.

Needless to say, the seminar would not have been so successful if speech had not flowed so freely and been listened to so keenly. The alphabet developed during the seminar also aims to act as an *aide-mémoire* for those NGOs and national or international institutions that work “for” young refugees, reminding them that they need to work more and more “with” them.

We hope that, in the pages of this report, the reader’s gaze will meet the gaze of one of the participants, changing forever the reader’s view of the refugee already in their city, but whom they never noticed.

The preparatory group





introduction

Still whisper, mist in the eyes, tears that are burning and can't get out, and a crowd of noisy fireflies that follows us.

Sharing the same destiny all together, but still so alone.

Desperation.

Lack of will, fight, life, slowly we lose everything we ever fought for. And we have only one question: Why?

We can't find the answer.

And two words are closest to us: NEVER MORE!

Graves follow us on this road that leads us to the unknown. Graves without names, only wooden crosses to mark that someone rests there. As that forever lost soul never walked down the streets of this foul world made of lies, fear, pain and betrayal.

We continue our journey, reborn but with a piece of our soul or a part of our body missing, lost for nothing in a bloody war against no one.

Shall what we have lost ever be returned?

(Jelena S.)

This seminar started with the strong conviction that all young people need to join in building Europe, that social cohesion implies the inclusion of marginalised, minority youth and that nobody can talk about young refugees' needs better than young refugees themselves.

This report cannot possibly reproduce the energy that devoted people put into the preparation, the worry that others had in visa procedures, or the intensity, strength and power of the seminar itself. We nevertheless hope that this report will promote some important ideas, reflections and recommendations made by the participants and will motivate readers to think further. It is a modest attempt to collect testimonies and ideas from young people who have experienced various situations, difficulties and successes as young refugees in Europe.

The seminar took place in early December in Strasbourg, at a time of winter and Christmas markets. We would like to pay great tribute to the 32 participants who went through long, painful and sometimes degrading procedures to be there, to meet others and discuss the plight of young refugees, who invested their energy, courage and hope in the results of this symposium, who openly shared their past experiences with others and who contributed to a great result altogether.



One specificity of this conference, which we believe made it a success, was its format and the methods used. The training seminar managed to bring together non-formal education methods with formal inputs in a great co-operation between the United Nations High Commissioner for Refugees (UNHCR) and the Directorate of Youth and Sport of the Council of Europe. The course was based on participants' real experiences, from which first conclusions and recommendations were drawn in an environment where they could express themselves and where their needs were taken into account.

In order to stay faithful to the process followed by participants and follow the path of the ideas developed, the report is structured chronologically according to the detailed seminar programme, which can be found in Appendix 2. This report does not aim to reproduce every session of the seminar as such, but rather to extract the essence of ideas developed and the main points that need to be taken further.

-----> **Being a young person in Europe**

The Directorate of Youth and Sport has been working for over thirty years on developing inclusive youth policies in member states, and on reinforcing the respect of all human rights for all human beings, including young people.

In order for youth to be heard, they need to have space in societies where they can participate, be heard and be actively involved in building a democratic Europe. This concerns all young people, independently of their origins, social status, race or religion. Therefore, the Directorate of Youth and Sport has developed a range of programmes aiming to include minority youth and to empower minority youth NGOs to ensure their active participation.

The Directorate of Youth and Sport organises a great range of activities for, about and with young people in its two European Youth Centres in Strasbourg and Budapest. In the last 30 years, thousands of young people have visited those centres and participated in activities in relation to topics of concern for youth. Its programme aims to empower young people to play an active role in strengthening civil society and promoting the development of inclusive youth policies for all young people. Through training courses, seminars, study sessions and symposia, young people are raising their voices and setting the agenda on youth in Europe.

Amongst the hundreds of youth organisations and networks involved in youth work and working closely with the Council of Europe, many aim at empowering disadvantaged, minority youth who do not usually have access to structures or are not given equal opportunities to participate.

In 2006, the Council of Europe launched the "All Different – All Equal!" European youth campaign for diversity, human rights and participation; this campaign was run in 47 member states and involved hundreds of local, regional and European activities. Young people from all member states got involved at different levels, through small-scale initiatives, NGOs, youth clubs and local structures. This awareness-raising campaign enabled young people to enter dialogue, promote the values of the campaign and look together in the same direction. It also aimed at reaching young people who were not involved in organisations or who had less opportunity to participate.

The campaign ended in October 2007, but that was only the end of the beginning. Through seminars like this one, young people have been motivated to work further and to stand up for the values carried by the campaign.



-----> **Being a young refugee**

Let us first take a look at the etymology of the word “refugee”. It comes from *refugier* (“to take shelter, to protect”). It was first applied to French Huguenots who migrated after the revocation (1685) of the Edict of Nantes. The word meant “one seeking asylum” until 1914, when it evolved to mean “one fleeing their home”. It was first applied in this sense to civilians in Flanders heading west to escape fighting in the First World War.

The first general definition of “refugee” as a status was enshrined in the Geneva Convention on 28 July 1951, laying the legal basis of international protection for refugees. It defines a refugee as any person who:

owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it. (Article 1(A))

The three stages of the refugee experience were looked at in the seminar: first, having to flee from home with all that implies, then trying to find protection and safety in a new place, and finally seeking a durable solution for the future (in relation to the host country and to the country of return).

-----> **Being a refugee at home**

Leaving home does not always mean leaving the country. Because of conflict, economic breakdown or civil war, some people are obliged to flee within their own territory, to feel like foreigners among their compatriots. They are called internally displaced persons (IDPs). For them as well, the question of identity and home is extremely complex.

For the sake of simplicity, the term “refugee” is used for all young people having had to leave their country, regardless of their current status. This is also the case in this report whether dealing with the content of the discussions or the participants. Although the status enjoyed by a person has a great impact on their development and makes a difference, the focus of this seminar was not on the legal aspects, but rather on the actual experiences of participants.

Young refugees and asylum seekers represent a group of displaced youth with specific needs and assets. Their difficult experiences in the past, their often insecure or unstable situation in the hosting country, including emotional, social and economic challenges, make them particularly vulnerable. They are often left alone and faced with difficult decisions and situations not appropriate to their young age and lack of independence. There is therefore an urgent need to take a closer look at their situation and develop youth policies taking into account their needs, their experiences and their contributions.

-----> **Background to the seminar**

Every day in different corners of the world, young people are obliged to leave their home, to abandon all the things that made their universe, to leave relatives and even part of themselves behind. “Refugees”, “internally displaced people”, “asylum seekers”... they are also young people.



The aim of the meeting was to exchange experiences and reflect on the complex situation of young refugees in Europe today and try to identify ways to improve their situation. The participants came from 26 member states¹ of the Council of Europe, and half of them were originally from 20 countries across the world,² which some of them had had to leave in their childhood.

The aims were to be reached through the following specific objectives:

- to focus on some specific issues encountered in young refugees' lives, such as:
 - their status in different European countries,
 - their personal and human experience,
 - their relation with the host country,
 - their future perspectives;
- to develop networks between young refugees and people working with young refugees in order to strengthen their voice and spread their experience across Europe;
- to present what is done by international organisations such as the United Nations High Commissioner for Human Rights (UNHCR), the Council of Europe and the European Union in regard to young refugees in Europe;
- to develop recommendations to various international organisations and the Council of Europe member states for improving the situation of young refugees across Europe;
- to introduce the “All Different – All Equal” youth campaign and explore how participants could get actively involved.

This seminar was extremely important for all three priorities set by the Directorate of Youth and Sport for 2006-2008:

- **Human rights education and intercultural dialogue** aims to promote global solidarity and peace as well as intercultural dialogue, inter-religious co-operation and respect for cultural difference; it implies that all young people should know about their rights and be actively involved in the promotion and protection of their own and other people's rights;
- **Youth participation and democratic citizenship** promotes the access of all young people to decision-making and citizenship education, partly through the support of youth organisations;
- **Social cohesion and the inclusion of young people** emphasises the need to provide young people with access to working life and social rights, and to enable disadvantaged young people to access youth organisations and social structures.

The three priorities are of course closely interlinked, and all are equally important if we want to contribute to democratic societies.

1. They came from Armenia, Austria, Azerbaijan, Belarus, Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, France, Greece, Iceland, Ireland, Lithuania, Moldova, Montenegro, the Netherlands, Poland, Romania, Serbia, Spain, Sweden, the “former Yugoslav Republic of Macedonia”, the United Kingdom and Ukraine.

2. Their original homes were in Afghanistan, Cameroon, China, Georgia, Hungary, Iran, Iraq, Nigeria, Rwanda, Sierra Leone, Sudan, Togo, the Democratic Republic of Congo and Pakistan.



The 32 participants were recruited through an open call, which was sent to European youth organisations and networks, and also broadly disseminated by the UNHCR to national representations in various countries. All participants had to be nominated by an organisation in order to be eligible. Personal commitment and strong motivation as well as gender and geographical balance were determining factors for the selection. The visa procedures for some participants were extremely difficult, but thanks to the help of the French authorities, all participants without exception were able finally to attend the seminar. That in itself already represented a considerable achievement.





1. Expectations, fears and needs

The participants in this training seminar came with different stories and experiences, expectations and fears, different things to contribute and different reasons to be here.

They brought determination, the will to work and the will to have a great time. They brought stereotypes and prejudices to be confronted and deconstructed.

Most of them were afraid of being lonely and misunderstood. A great fear was to make all these efforts in vain, to not be heard outside the meeting. Others feared a lack of openness in sharing experiences. And finally, fear of segregation, even within the group: IDPs, refugees, asylum seekers ...

Participants expected to learn a lot more in order to act more, to practise intercultural and inter-religious dialogue in a safe space, to be soulful and respectful, and to make their voices stronger in the world.

As a result of the seminar, one participant wrote on her evaluation form:

I could never imagine that this seminar would stimulate all the existential, emotional, deep dialogue inside myself.

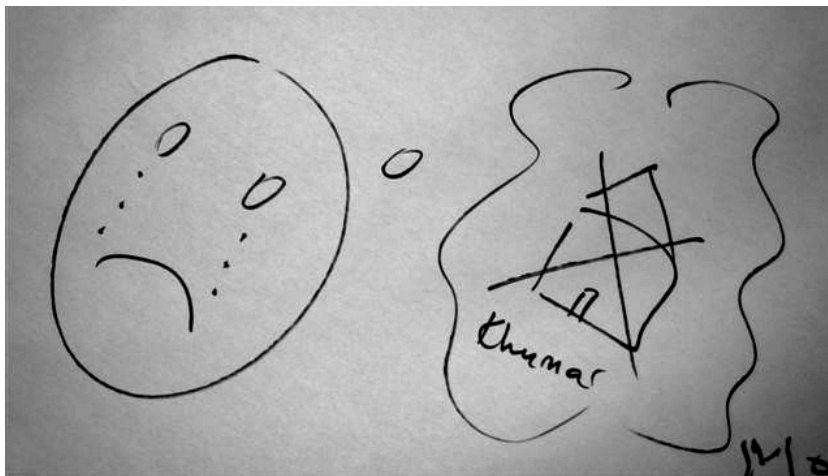
Someone else wrote:

The methods used had a different impact on my perception and understanding of the situation and helped me to see possible ways to assist: this time I lived with refugees, they were not just walking into my office.



↓

→ **2. Lifelines: where does my story start?**



Have you ever tried to re-situate your life story, who you are, in a timeline? Picking three main events that were important for who you are today, and placing them on your lifeline? Not an easy exercise.

It was the first morning, participants were still getting to know each other. A first moment of individual, silent reflection, just a few dates on a big sheet of paper for orientation – three events of my story. For some, life started with the birth of their parents or ancestors. For others, the history of their country was predominant. Finally, their own birth seemed most significant for others.

Sometimes, under the same year, one could find the death of a loved one and the birth of someone else ... with words and phrases like “start of war”, “genocide”, “homeless”, “leaving country”, and in parallel “arriving in new country”, “entering university”, “found love” or “happy” ... “Happiness” is set under a specific date, without any more specification. These were just a few particularly important events for 32 young individuals, but put together on one common, big timeline. As some had their country freed, others faced the start of war; as some found home, others lost it. This line showed the cycle of life in a very powerful way.

Future perspectives. Thinking ahead was the next step of the exercise, and some participants did not hesitate. The future was expressed in three main characteristics: moving either away from home or back home, finishing studies or starting a career, and having a family.



It may be noticed that participants focused a lot on places, migration, moves in the timeline. People's lives resolved a lot around where they were and for what reasons, whether they were refugees or not.

So much to share: intimacy, difficult moments, but also hope ... a lot has been done. Will something change after this seminar?

In the daily report, this is what one participant wrote about the exercise:

A huge piece of paper with a line in the middle waiting to be filled with our lives' experiences, happiness and pain ... A few dates (1960, 70, 80, 90, 2000, 2010) were marked to guide our reflection. After drawing on our own personal sheet, we had to draw collectively our lifeline. It was hard for many of us ... What to write? Bad memories came back to our minds ... Pain and scepticism ... Then some happy moments revived ... Not to mention our dreams for the future! In the beginning we were all quite cautious ... Then a storm of emotions and empathy took place. We listened to our life stories, we shared our future and our past! Some felt that their life story started with the birth of their parents ... some mentioned studies, loss of loved ones, having to leave "home". But 2010 was filled in as well: future perspectives, concrete plans and destinations. The feeling of bonding was so intense! We were definitely a close team by then!






3. A master's degree in living ... life testimonies

One morning in the programme was devoted to story-telling. All participants had shared their stories in more or less detail on their application forms, and some were willing to share them with the whole group. Four young people told us their very different stories in different styles, with different emotions, with a mixture of pride, pain, fear, relief and humility.

Each story was unique. For some, the focus was on leaving home, for others on integrating in the host country. Others again thought of lost family, lost identity. Telling a life story can be a kind of therapy. It enables young people to share their experience, to have it acknowledged and to be recognised in an environment ready to listen, support and understand.

I had to tell my story so many times to the authorities, but always with the feeling of being guilty, of inventing or lying.

Afterwards, in little groups, all the other participants shared more of their stories. The listeners looked for commonalities and differences, pointed out major difficulties. Although all the situations were different, the result in emotional perception was quite similar.

Story-telling is a complex exercise, as its function depends mainly on its purpose. Telling one's life story for the sake of proving that one deserves to stay in the host country is linked with pressure and legitimacy. Telling a story to share experiences and to make oneself more understood can also be a way of setting down a testimony, a way of using one's story to avoid it happening to others. Finally, formulating one's traumatic experiences in words can be a very great relief because one's emotions can be grasped and expressed.

For all the participants, regardless of their situation, this moment was a great privilege filled with strong emotional meanings. Some of the story-tellers were very distant from their story, as if they were reading someone else's story out of a book. Others had already worked on it for years and had added layers of personal interpretation and deep analysis to it. For a third group, the strong pain and personal involvement could still be felt. In all cases, it was an important learning experience for all the participants, which the seminar built upon all week.



Jean

I was born in Rwanda on 1 May 1983. Rwanda was not really known to the rest of the world at that time, not until the genocide in April 1994. Then, in one



hundred days, about 800 000 to 1 000 000 people lost their lives. When I was 11 years old, I lost my brother. At that point my father decided we should leave the country and go to the Democratic Republic of Congo.

Me and my family lived in a refugee camp called Nyakavogo in the eastern part of Congo, near a city called Bukavu. In Nyakavogo we were sleeping under the tents provided by UNHCR, eating food from them and we even smelt like refugees. A Nyakavogo refugee smelt like *kinini*, which is the tablet that cures malaria.

But I give thanks to the UNHCR for being there during those hard times. In November 1996, our camp was attacked by the rebels in the war between the Kabila forces and Mobutu. I lost my family.

A long journey crossing hills, rivers, forests by way of Kananga. The province of Katanga in Congo is still in my memory. May the souls of the people who lost their lives there rest in peace. During the period 1996 till 1999, I did not live but survived. I survived bullets, wild animals, malaria, cholera – till I met someone who asked me a simple question.

The question that became the backbone of my life was whether I had anyone in my family living in Europe. Yes, there was my cousin, who had been given a chance to become a priest by Johannes Paul II in 1990, when the pope came to Rwanda. Later he had left the country to study in Rome. With this information it was possible to get in contact with my cousin and I was reborn.

I am now based in Austria, having become an Austrian citizen, and taking the first steps.



Jelena C.
My childhood journey to the war

My story begins in the blazing summer of 1995. The weather was hitting somewhere around forty degrees; mum and me were cooling ourselves by the pool. The steps that we were sitting on were cold and refreshing, but we could not fight the heat off our bodies so we decided to go into the forest for some shade.

Plavno is set in a valley, with a large Serbian fortress looking out over the industrial town of Knin. This is a small town in Croatia at the foot of the Dinaric Alps. It is a mountainous area full of beautiful vineyards, which stretch for miles like a blanket covering a bed. The valleys are beautiful and they flow with sparkling fresh water like many thousands of gems trickling down a stream! In the sunlight, the water sparkles as a diamond that has just caught the light; it really is the most beautiful and breathtaking sight. The fertile land is so green and lush, and so beautiful.

Unfortunately, I had to leave this beautiful place. War was breaking out and, as much as I would love to have stayed and been at peace with the valleys and vineyards, I knew I had no choice: leaving was inevitable.

The day my family left was the day that will leave a scar in my memory for as long as I live. It was horrific. The day we left was similar to any other day until the evening came. Instead of going to sleep we started a journey with no return. It was a journey of fear and terror. It was awful. We heard indescribable, ear-piercing screams – people screaming for their lives, for help.



Everybody was afraid and lost with fear. I could hear mothers trying to calm their children and tell them that everything would be all right; I could hear my mother doing the same and talking to me. Nothing was calm any more and the peaceful valley was alive with screams and horrific scenes of innocent people running for their lives, for their children's lives.

I was terrified. Every bit of my body was shaking and I could feel my heart against my chest beating hard and fast, like the sound of a drummer beating his drum. In a panic, we grabbed all the belongings that we could think of and packed them into cars, lorries, vans – wherever we could find space for them to go. I was then put in a neighbour's lorry with my mum and my brother. We had to get out of where we were, because my beautiful, quiet town had become a bloody, hellish nightmare and I no longer felt at home there. As we left our town there was a deep aching pain in my heart. I felt tears begin to drip off my cheek and smash onto the ground, like a crystal smashing into thousands of tiny pieces.

We travelled into the night, in an unknown direction, not knowing where we were going, when our journey would stop or what lay ahead for us. The journey was slow and what seemed like hours were minutes. Every time we slowed down, I was terrified of someone stopping us and killing my family and myself. I prayed so hard that night; every minute was spent praying for a safe journey and that we would survive. I feared what would be at the other end of our journey. What would happen when we stopped permanently? I prayed again to arrive on friendly territory.

As I looked back into the distance, I could see my beautiful house fade away, my home and land just fading. My carefree childhood was fading away with the house and my memories and possessions; my friends were all gone with the war zone I had left behind. As we drove on, we all sat there in silence, feeling petrified and shocked at what had happened. It was the strangest feeling I have ever experienced: words cannot describe the emotions.

In the distance, we could hear explosions and shooting. My brother hugged me and we cried uncontrollably with fear. My mum covered our eyes with a blanket, making it obvious to me that whatever was going on had to be appalling, and that she did not want my brother and me subjected to violent scenes. I could tell that she too was terrified, but she put on a brave face to console us. I could not believe that the war films I had seen on the TV were actually becoming reality for me. The exodus of people leaving the town was very long; the roads had been bombed and were destroyed. Uncertainty haunted us as we moved along the unstable road; the roads were unstable, as were our lives.

As we were travelling, sorrow filled my heart. Many babies were born and equally many babies died. This did not feel like a war, but a massacre of innocent lives. Why drag us into something we did not understand? Why drag unborn babies into a place full of hatred? I felt sick and disgusted at what was happening. I found this journey hard, but not nearly as hard as the new mothers did, nor the wounded and sick who did not last long enough to complete the journey, but died trying.

This journey happened eleven years ago, but it still feels like yesterday that these ghastly scenes intruded into my life. For some this was their first journey, but for many it was their last. Everyone who took this journey will remember it



because, like me, they left their roots, their land, their homes and families behind. Who could forget anything as traumatic as this? Nobody!

I am now based in London. My wish is to finish my law degree. London is a remarkable city, but I cannot call it home. I have no home, nowhere to return to. London holds no valleys, no fertile land and no vineyards for me. Now I am away from war, I can enjoy my freedom again. Our case is now settled, and we are officially British citizens. The UK provides us with the support that we needed. The UK did not turn its back on us. This country is about human dignity, human worth, social justice and service to humanity. Pray for peace and be a human being.

-----> **Khumar A.**

On 16 March 1992 (I was 7 years old), my family and I were displaced from our home by the war in Nagorno-Karabakh. I had to leave school without even learning the alphabet. Our house was completely destroyed.

We moved to the military post in a nearby village and we lived eight months with the army. Later, my father was wounded in a military operation and we had to move to Baku, living as Gypsies for two years.

I had to change school four times. Barely had I started making friends, when we had to move to a new place. In 1994, we were given a house and my new life began. ... but life can be difficult when you move to a new city, especially if you were forced to do it. Now I have equal rights with other young people, but



I feel the lack of love and care! I'm young, but I have already survived a traumatic experience and I know how sudden and cruel life can be! I lost everything but the love of life – a strong will and hope of a better life are all that remain.

I try to bridge the gaps between myself and modern society. I'm working twice as hard to catch up with others, just to show that I'm like others. But, when I want to visit my grandfather's, grandmother's or little brother's grave, I have nowhere to go. No matter how joyful and happy my current life is, suddenly I remember home, sweet home

-----> **Amir H.**

I was born in 1979, while the revolution was taking place in my birth country, Iran. In 1981, the Iran-Iraq war began. At that time my brother was 12 years old, the age when children were being picked up from school to become soldiers. My family therefore decided to move to Sweden.

The journey was smooth. Upon arrival we were housed into huts. I recollect playing with an Iraqi child, though that could just be my imagination ... but I remember strongly the day my father announced to us that we were going away from the camp! He had brought flowers and chocolates! A moment of happiness.

When the war ended, my family decided to return to our birthplace. Again I was displaced. I felt like a foreigner in my own country. I did not look Iranian



and I did not speak the language well. I characterised myself as a Westerner ... I had to find a place for myself, to fit in, to be part of society. So, I turned to religion vigorously.

My parents, though, could not cope with that, so we went back to Sweden ... To me it felt like a clash and it took me time to not feel ashamed any more of myself, my culture and my history. Today, I am integrated and I hope that my story will be of help for young refugees.

-----> **Mohamed S.**
My memories

It was 1999, and I was 10 years old. I left my lovely family of 10, including my mum and dad, and went to school. I was in school when we heard gunshots. The students and the teachers started running for their lives. I tried to run home and check that my family were all right. On my way I met some RUF³ soldiers and they took me to their barracks with some other children. Later on, the soldiers asked me if I could remember my home. They took me in their car to my father's house. On reaching my home, all I could see was smoke over the building, but there was nothing to tell me where my family was.

The soldiers took me back to their barracks. I stayed with them for four months. They were sending us children to look for rich people's houses, which they would then attack, take away people's property and kill them. We were forced to do this; they were rebels. There was no solution for us, no sleep, no food.

I finally managed to leave them and I met another group called *Camajo*. I stayed with them for three or four months. One day, a family took me with them in their car, all the way to the Guinean border. There, in Guinea, I was adopted by a family with whom I stayed for three years.

Afterwards, I continued my journey through Gambia, then Senegal. There I met two boys who did not leave me again. We went to Mauritania together. They advised me, took to me like a brother. We took a boat from Mauritania to Morocco ... but five friends died, when the authorities started shooting at us.

We had to cross the desert and then we took the boat a second time. We landed in Las Palmas. "Moreno, venga!" were the first words I heard in Spain.

That is how I lost my lovely family.

3. Military organisation.





4. Refugee Protection under the 1951 Geneva Convention and the European Convention on Human Rights

A bundle of belongings isn't the only thing a refugee brings to his new country. Einstein was a refugee.⁴

In the December 2006 seminar on Being a Young Refugee in Europe Today, the participants – young refugees and asylum seekers from all over Europe – brought themselves, their skills, their motivation and their experience of a young life different from that of the average European youngster. Their outstanding contribution to this seminar was in itself an illustration of the resources of young asylum seekers, refugees and other displaced people.

How much these people can contribute to the host society varies greatly according to the legal status and attached rights they enjoy there. Although we have chosen, for the sake of simplicity, to give the term “refugee” a generic meaning here, it is essential to recall that, under the 1951 Geneva Convention, “refugee” describes a status subject to specific conditions. It is, therefore, equally important to look at other global and regional legal standards applicable in Europe in the context of forced displacement.

The 1951 Geneva Convention on the Status of Refugees, with its 1967 Protocol, forms the cornerstone of the international legal protection framework for refugees.⁵ Drafted in the aftermath of the Second World War, it was primarily aimed at dealing with the millions of persons displaced in Europe during that conflict. As the refugee issue evolved, with new displacement caused during the cold war by independence conflicts outside Europe, the 1967 Protocol removed the temporal limitation of the Convention to events before 1 January 1951 and the option to restrict its applicability to events occurring in Europe. Although the 1951 Geneva Convention demonstrated its adaptability as the key instrument for refugee protection, states in the post-Cold-War era, in particular those in Europe, have tended to interpret it restrictively,⁶ often under the influence of migration or security concerns.

4. The last four words formed the catchphrase of the 1997 UNHCR awareness-raising campaign, highlighting the contributions of refugees to the host country.

5. The texts of the 1951 Geneva Convention and its 1967 protocol are available online at <http://www.unhcr.org/protect/PROTECTION/3b66c2aa10.pdf>.

6. See *Refugee Protection in International Law*, Erika Feller, Volker Türk and Frances Nicholson (eds.), available online at <http://www.unhcr.org/publ/41a1b51c6.html>.



This is where other human rights instruments come into play, such as the UN Conventions against Torture and on the Rights of the Child. However, most relevant for Europe is the complementary protection provided to asylum seekers, refugees and other displaced persons by the European Convention on Human Rights (ECHR). Below are outlined the main safeguards enshrined in these two instruments, the Geneva Convention and the ECHR.⁷

→ 4.1 Refugee protection in the 1951 Geneva Convention

The 1951 Geneva Convention established for the first time in history a general definition of the term “refugee”, previously limited to specific categories of nationals fleeing particular circumstances.⁸ Pursuant to Article 1 A (2), a refugee is a person who:

owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.

In addition to this definition, the 1951 Geneva Convention contains clauses regarding who is excluded from refugee status and who has ceased to be one.⁹ It also provides for a legal status for refugees and their rights and duties in the host country.¹⁰

The most important safeguard afforded by the 1951 Geneva Convention is the protection against *refoulement* under Article 33 (1):

No Contracting State shall expel or return [*refouler*] a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.

Non-refoulement has become a principle of customary international law¹¹ and applies to refugees irrespective of their formal recognition in an asylum procedure.¹² Asylum seekers, whose claim has not yet been examined, therefore also benefit from this protection.

→ 4.2 Determination of refugee status

The 1951 Geneva Convention refers to the determination of refugee status (Article 9), but does not specifically regulate it. The state is therefore free to establish the most appropriate procedure for the determination of who is a refugee.¹³

7. On the protection of children, in particular those unaccompanied or separated, see the next chapter.
 8. The term was used in ad hoc agreements responding to specific refugee situations before the Second World War, including Germans, Russians and Armenians.
 9. For a detailed analysis of the interpretation of these clauses see the *Handbook on Procedures and Criteria for Determining Refugee Status*, UNHCR, January 1992.
 10. For a detailed analysis of the rights of refugees, see James C. Hathaway, *The Rights of Refugees under International Law*, Cambridge University Press, 2007.
 11. See Sir Elihu Lauterpacht and Daniel Bethlehem, “The scope and content of the principle of *non-refoulement*: opinion”, in Erika Feller, Volker Türk and Frances Nicholson (eds.), *Refugee Protection in International Law*.
 12. For further detail on the procedural aspects, see paragraph 4.3 below.
 13. In the EU context, the Council Directive 2005/85/EC on minimum standards on procedures in member states for granting and withdrawing refugee status sets some common standards regarding the asylum procedure.



For the state to meet its obligations under the 1951 Convention, the procedure must ensure that persons in need of protection are identified in a fair and effective manner. For instance, if the asylum procedure does not include a personal interview allowing the asylum seeker to explain his/her situation, the state might fail to identify him/her as a refugee and return him/her to a danger of persecution in violation of the 1951 Geneva Convention.¹⁴

An effective identification of persons in need of international protection is particularly important in the context of mixed migration flows which may include both economic migrants and persons fleeing persecution in their country of origin.¹⁵ Both categories often resort to the same immigration routes to reach the territory of the host country but, as their displacement is triggered by fundamentally different circumstances, they are entitled to different rights. While the arrivals by sea at the southern borders of Europe are the focus of international media attention, such mixed migration also takes place in eastern and south-eastern Europe. Measures taken by European states in this context to curb irregular migration often fail to distinguish between these two categories.¹⁶ Border management concerns also influence the asylum system itself as states develop a more restrictive interpretation of the 1951 Geneva Convention.

Here, the wider protection against *non-refoulement* by the ECHR becomes relevant, as developed in the case law of the European Court of Human Rights, in particular in the context of the prohibition of torture (Article 3 ECHR).

-----> 4.3 The protection of asylum seekers under the ECHR

The European Convention on Human Rights does not provide, as such, for a right to seek and enjoy asylum. It offers, however, through the case law of the European Court of Human Rights (the Court), a number of safeguards relevant to the protection of asylum seekers and refugees,¹⁷ particularly in relation to *non-refoulement*, procedure and detention.¹⁸ As these safeguards apply to everybody, they also protect rejected asylum seekers.

4.3.1 Non-refoulement

Article 3 (prohibition of torture)

As a well-established principle, the absolute prohibition of torture and inhumane and degrading treatment includes an obligation for the member state not to expel

14. This is particularly important since the determination procedure itself does not create the refugee situation but only recognises it formally.

15. See *Ten-Point Plan of Action for Refugee Protection and Mixed Migration for Countries along the Eastern and South Eastern borders of European Union States*, UNHCR, 29 June 2007, available online at <http://www.unhcr.org/protect/PROTECTION/4688b4af2.pdf>.

16. "Immigration and asylum in the harmonisation policies of the EU: the need for balance", in D. Turton and J. Gonzales (eds.), *Immigration in Europe: Issues, Policies and Case Studies*, Humanitarian Net, University of Deusto, Bilbao 2003, pp. 75-88.

17. Pursuant to Article 1 of the ECHR, the states parties "shall secure to everyone within their jurisdiction the rights and freedoms defined" in the Convention, including therefore foreign nationals, regardless of their migratory status.

18. This text does not provide an exhaustive list of the relevant case law and should be read in conjunction with the *UNHCR Manual on Refugee Protection and the ECHR*, available online at: <http://www.unhcr.org/publ/PUBL/3ead312a4.html>.



a person to a country where there are substantial grounds to believe that he/she will face a real risk of ill-treatment in violation of Article 3 ECHR.¹⁹

The same article prohibits indirect *refoulement*. An indirect removal to an intermediary country that is also a contracting state does not affect the responsibility of the state to ensure that the applicant is not, as a result of the decision to expel, exposed to treatment contrary to Article 3.²⁰

Article 6 (Right to a fair trial)

The Court did not exclude that a person may be protected from expulsion if he/she has suffered, or risks suffering, a flagrant denial of a fair trial in the receiving country in violation of Article 6.²¹

Article 8 (Right to respect for private and family life)

A person at risk of ill-treatment in the country of return that does not meet the “threshold of severity” of Article 3 ECHR may still be protected under Article 8 ECHR if this treatment violates his “moral and physical integrity”.²² Under certain conditions, the protection of the right to family life in the host country may prevent an expulsion.²³

Article 4 of Protocol No. 4 (Prohibition of collective expulsion of aliens)

Any measure compelling aliens, as a group, to leave a country is prohibited, except where such a measure is taken on the basis of a reasonable and objective examination of the particular case of each individual alien of the group. Even if this condition is met, the background to the execution of the expulsion orders still plays a role in determining whether there has been compliance with Article 4 of Protocol No. 4.²⁴

Rule 39 of the Rules of the Court

Rule 39 interim measures are binding, as a failure by a contracting state to comply with interim measures would prevent the Court from effectively examining the complaint and thereby hinder the applicant in effectively exercising his right to lodge an application before the Court, in violation of Article 34 ECHR.²⁵

Having ascertained this principle in February 2005, the Court applies it retrospectively; in other words, any non-compliance with Rule 39 interim measures before this date violated the ECHR.²⁶ The Court further confirmed their binding nature

19. *Soering v. the UK*, judgment of 7 July 1989; *Cruz Varas and Others v. Sweden*, judgment of 20 March 1991; *Vilvarajah and Others v. the UK*, judgment of 30 October 1991; *Chahal v. the UK*, judgment of 15 November 1996; *Salah Sheekh v. the Netherlands*, judgment of 11 January 2007.

20. *T.I. v. the UK*, admissibility decision of 7 March 2000.

21. *Soering v. the UK*, judgment of 7 July 1989; *Mamatkulov and Askarov v. Turkey*, Grand Chamber judgment of 4 February 2005.

22. *Costello-Roberts v. the UK*, judgment of 25 March 1993 (not an expulsion case, but recognising that ill-treatment can also raise an issue under Article 8); *Bensaïd v. the UK*, judgment of 6 February 2001.

23. *Boultif v. Switzerland*, judgment of 2 November 2001; *Amrollahi v. Denmark*, judgment of 11 July 2002.

24. *Andric v. Sweden*, admissibility decision of 23 February 1999; *Conka v. Belgium*, judgment of 5 February 2002.

25. *Mamatkulov and Askarov v. Turkey*, Grand Chamber judgment of 4 February 2005.

26. *Aoulmy v. France*, judgment of 17 January 2006.



regardless of whether or not the state's non-compliance with Rule 39 interim measures effectively hinders the right to individual application.²⁷

4.3.2 Procedural safeguards

In the established case law of the Court, Article 6 ECHR (Right to a fair trial) is not applicable to asylum and expulsion procedures, as they do not involve a civil right or a criminal charge.²⁸

In so far as the negative outcome of an asylum procedure could lead to the return of an individual to a risk of ill-treatment in violation of the ECHR, the procedure can be assessed under the provisions of Article 13 ECHR (Right to an effective remedy).

The right to an effective remedy requires:

- An independent and rigorous scrutiny of the claim that there are substantial grounds for fearing a real risk of treatment contrary to Article 3, and access to a remedy with automatic suspensive effect in law to challenge the measure at stake.²⁹
- A remedy allowing the competent national authority both to deal with the substance of the relevant complaint under the ECHR and to grant appropriate relief.³⁰

4.3.3 Detention

Article 5 ECHR (Right to liberty and security) provides an exhaustive list of exceptions to the right to liberty, as well as procedural guarantees applicable to detention in the context of asylum and deportation procedures. The detention of asylum seekers falls under Article 5 paragraph 1.f), which allows detention of a person either “to prevent his/her effecting an unauthorised entry into the country” or “with a view to deportation or extradition”.

Detention shall have a legal basis in domestic law, which must be sufficiently accessible and precise to protect against arbitrariness (the overall purpose of Article 5 ECHR). These criteria are of “fundamental importance with regard to asylum seekers at airports”.³¹ Holding a person in the transit zone of an airport may constitute a deprivation of liberty.³² The detention must not deprive the asylum seeker of effective access to the asylum procedure.³³

Article 5 ECHR also regulates the purpose and length of detention. Detention is only justified (under Article 5 paragraph 1.f) for the purpose of deportation or extradition as long as extradition/expulsion proceedings are being conducted. The state is obliged to conduct them with “due diligence”.³⁴

27. *Olaechea Cahuas v. Spain*, judgment of 10 August 2006.

28. *Maaouia v. France*, judgment of 5 October 2000; *Penafiel Salgado v. Spain*, decision of 16 April 2002; *Sardinas Albo v. Italy*, decision of 8 January 2004.

29. *Jabary v. Turkey*, judgment of 11 July 2000; *Çonka v. Belgium*, judgment of 5 February 2002; *Gebremedhin v. France*, judgment of 26 April 2007.

30. *Chahal v. the UK*, judgment of 15 November 1996.

31. *Ibid.*

32. *Guzzardi v. Italy*, judgment of 6 November 1980; *Amuur v. France*, judgment of 25 June 1996; *Shamsa v. Poland*, judgment of 27 November 2003.

33. *Amuur v. France*, judgment of 25 June 1996.

34. *Quinn v. France*, judgment of 22 February 1995; *Kolompar v. Belgium*, judgment of 24 September 1992; *Slivenko v. Latvia*, judgment of 9 October 2003.



The state is obliged to inform the detainee promptly and in an understandable manner about the reasons for the detention (Article 5 paragraph 2), as a prerequisite of the right to challenge the lawfulness of the detention.³⁵ A review in court of the lawfulness of the detention is obligatory (Article 5 paragraph 4).³⁶

35. *Van der Leer v. the Netherlands*, judgment of 21 February 1990; *Chamaiev v. Georgia and Russia*, judgment of 12 April 2005.

36. *De Wilde, Ooms and Versyp v. Belgium*, judgment of 18 June 1971; *Weeks v. the UK*, judgment of 27 February 1987; *Chahal v. the UK*, judgment of 15 November 1996.





5. Separated children seeking asylum

Some of the young participants at the seminar arrived in Europe as separated children, and therefore had a particular interest in addressing the issues relating to protection and assistance of this category of children with special needs. Here we highlight some of the main issues faced by separated children seeking asylum in Europe.

Separated children are defined as “children under 18 years of age who are outside their country of origin and separated from both parents, or previous/legal customary primary care giver”.³⁷

To be separated from their closest relatives and caregivers is particularly devastating for children who are refugees or otherwise displaced, and further aggravates their vulnerability and risk of suffering human rights violations.

Given their situation, separated children require particular protection and assistance, including specific treatment during asylum procedures, specific measures for their physical and emotional support and efforts to trace their parents or relatives.

Separated children seeking asylum are entitled to protection under a broad range of universal and regional instruments, most notably the 1989 Convention on the Rights of the Child,³⁸ the 1951 Refugee Convention and the 1993 Hague Conventions for the Protection of Children. However, these instruments have not been sufficiently implemented in practice.

In 2005, more than 10 000 separated children sought asylum in Europe,³⁹ their vulnerability exposing them to the risk of specific difficulties during the asylum procedure. In the absence of effective registration mechanisms, this figure does not necessarily reflect the actual number of separated children in need of international protection in Europe.

37. This definition has been developed within the framework of the Separated Children in Europe Programme, a joint initiative launched by UNHCR and Save the Children in 1997. The Separated Children in Europe Programme uses the word “separated” rather than “unaccompanied” because it better defines the essential problem that such children face: namely, that they are without the care and protection of their parents or legal guardian and as a consequence suffer socially and psychologically from this separation. Although some separated children appear to be “accompanied” when they arrive in Europe, the accompanying adults are not necessarily able or suitable to assume responsibility for their care.

38. See notably its Article 3, which codifies the principle of the “best interests of the child”.

39. See the Annex statistics on arrivals of separated children seeking asylum in Europe by September 2006, in Newsletter No. 26 of the Separated Children in Europe Programme (July-September 2006).



→ 5.1 Particular concerns raised by separated children seeking asylum

5.1.1 Age assessment

The age limit to be considered as a separated child, and therefore to benefit from specific guarantees within the asylum procedure, varies greatly among European countries. Some countries consider that asylum applications originating from minors of 15 or 16 years can be examined through the normal procedure applied to adults.

Determination of age is essential, but it may prove difficult. The bone tests which are still used are not up to date and are often unreliable. When scientific procedures are used in order to determine the age of a child, UNHCR recommends that margins of error should be allowed and that such methods must be safe and respect human dignity. The assessment should take into account not only the physical appearance of the child but also his/her psychological maturity. If the exact age is uncertain, the child should be given the benefit of the doubt.

5.1.2 Representation during the interview

Not all member states require that the child be assisted by a guardian or adviser during the interview. This is, however, an essential precaution to safeguard the best interests of the child and to ensure that the child's legal, social, medical and psychological needs are appropriately covered during the refugee status determination procedures.

All interviews with unaccompanied children, in particular the one for determining refugee status, should be carried out by professionally qualified and specially trained persons with appropriate knowledge of the psychological, emotional and physical development and behaviour of children.

5.1.3 Family tracing and reunification

An assessment of the family situation of the separated child should be carried out at the earliest possible stage, because it may be of great relevance for the outcome of the asylum procedure. If one of the child's parents has already been granted refugee status in another European country, this will substantiate the protection need of the separated child. An early family assessment will also indicate whether it is in the best interests of the child to be reunited with the family. The 2004 Inter-Agency Guiding Principles on Unaccompanied and Separated Children provides useful recommendations on family tracing and reunification. The trauma of a 5-year-old separated child seeking asylum in Belgium, whose case was brought before the European Court of Human Rights, showed that in practice family reunification can be very difficult.⁴⁰

5.1.4 Detention

The detention of separated children remains an issue in some member states, despite Article 37 of the Convention of the Rights of the Child, which provides that detention shall be used only as a measure of last resort and for the shortest appropriate period of time. In a recent judgment, the European Court of Human Rights found that holding a separated child for two months in a closed centre with adults violated Article 8 of the European Convention on Human Rights.⁴¹

⁴⁰. *Mubilanzila Mayeka and Kaniki Mitunga v. Belgium*, judgment of 12 October 2006.

⁴¹. *Ibid.*



Whereas a number of binding and non-binding instruments deal with their particular needs, separated children seeking asylum still do not enjoy, in practice, the full range of rights that they are entitled to. The recommendation in *Life Projects for Unaccompanied Migrant Minors* adopted by the Committee of Ministers of the Council of Europe on 12 July 2007⁴² emphasises the specific situation of separated children seeking or enjoying asylum and promotes a practical rights-based approach. This new policy tool should help to strengthen the protection of separated children in practice.

42. Recommendation CM/Rec(2007)9.



↓

→ 6. Home

I don't have a place that I call home.

(Carlos)

There's no place like home. I'd like to go back to Rwanda.
I left when I was young.

(Jean)



More than one sociologist and psychologist has insisted on the importance of a concept of “home” – a place of security and protection, which can be either a physical place or an imaginary shelter for someone to find “refuge”.

On Wikipedia, home is defined as follows: “Home is often a place of refuge and safety, where worldly cares fade and the things and people that one loves becomes (sic) the focus. Many people think of home in terms of where they grew up, and ‘home’ can even be a time rather than a place. ... Since it can be said that humans are generally creatures of habit, the state of a person’s home has been known to physiologically influence their behavior, emotions, and overall mental health.”

Psychologists would agree on the fact that home is not necessarily linked to space and time, but to cultural roots and points of orientation. Being “at home” is above all to find a coherence within oneself – to be at home inside oneself (*être chez soi en*



so)⁴³ – without lacking coherence with the external world. This is one main difficulty of young migrants in general, but even more so for young people who have been forced to leave their culture behind and have experienced traumatic situations.

Camillieri⁴⁴ speaks about “identity coherence”, not only at the level of cultural values, but also in what concerns a continuity between before and after, in order to avoid a psychological divide between those two tenses. Identity coherence enables one to keep a continuity of the self, and therefore to stay at home with oneself. In order to reach this state, young refugees need support: support in creating those links, in continuing what was started before, continuing with it now, in the new environment, without having to choose or to change.

An unclear status or an in-between situation obviously makes this process impossible. For asylum seekers, the uncertainty of their stay also makes any feeling of a harmonious home challenging. Self-integrity and projection into the future can only happen in a frame of security and stability.⁴⁵

Home can be more easily sustained when migration occurred with other family members. In the case of death or separation, the inner feeling of the family nucleus, the symbol of home, of protection and security, is destroyed. All a person can then do is, with time and patience, to slowly try and build a new one.

For many young people who had to leave home, this concept is ambiguous, and often painful. Sometimes, children left their home country very early, not having any memories left other than the ones given them by family members. For others, the memory of home remains related to a traumatic experience of danger and having to flee.

But it also happens that young people develop an ideal image of home, a nostalgic dream of going back and finding one’s roots and habits again. The home itself may physically have been destroyed and not exist any more, but the feeling of belonging to that certain place and the hope of being able to go back are strong feelings for many young people in exile.

For some young people, trying to find a new home can also mean having to make a choice: choosing to abandon their citizenship for a new one. But can one just “delete” a past, one’s origins, one’s nationality? One participant gave a very strong example of this:

After five years in my host country, I will finally get citizenship. This is the only way for me to go back to my home country. I had to become an Irish citizen in order to go to Nigeria. With my Nigerian passport, I would have lost my refugee’s status.

Finally, home does not always have to be an abstract concept related exclusively to the past. The possibility of going home one day is and stays in many young people’s minds as a strong option, which can not necessarily be expressed loudly. Missing home or planning to go back could be interpreted as a lack of integration by authorities and could therefore lead to rejection of asylum.

But does this hope nevertheless remain? And how do young people grow up living with this thought? Does it stay a dream or is it a real option?

43. Kaes, R., *Crise, rupture et dépassement*, Dunod, Paris, 1997.

44. Camillieri, C. et al., *Stratégies identitaires*, Presses universitaires de France, Paris, 1990.

45. Barou, J., Heidenreich, F. and Moro, M-R., *Les enfants de l’exil: Etude anthropologique, psychologique et transculturelle dans les centres d’accueil de la Sonacotra*, Paris, 2003.





7. Relationship with the host society

I felt ashamed of being who I was, of being Iranian.

(Amir)

When sharing their life stories, participants showed how important was the relation to the host country: the first contacts, the support they got when arriving, the inclusion mechanisms. Whereas many participants were very well integrated, others still shared the pressure they feel every day on their shoulders.

The host society can play the role of a symbolic “home”, or at least a “cocoon”, a place to reconstruct, to develop, to repair some of the broken past. In very few cases, young refugees manage to consider it like home. But when the relation is positive, refugees seem to integrate much more easily and to be able to look forward more.

Most of the time, the first contact is with the authorities: registration, asylum procedures, long interviews, housing offices, funding and so on. Therefore, as mentioned earlier, the role of the authorities should not be underestimated in the integration process. They should be trained in intercultural learning to better prepare them for working with refugees and newly arrived migrants.

Before someone can even pretend to be settled and integrated, months pass – perhaps years – of transition, waiting and insecurity. Unclear status plays an important role in relating to the host society. Young people who have to wait for an answer to their asylum request often show symptoms of anxiety, depression, sleeplessness and an inability to project themselves into the future.

How can I plan next year if I don't even know where I'll be tomorrow?

In most cases, local groups and international NGOs who work with young refugees or newly arrived migrants are their strongest support, counselling them and accompanying them through complicated administrative procedures. They are also listeners and trustees.

My status was granted to me months ago, but I still regularly go and visit the association. They helped me like a family, and now I am trying to help other young people as well.

(Sharjeel)

When discussing challenges faced in the hosting society, the following points were mentioned by participants several times.



-----> **7.1 Difficulties in proving their cases**

In the legal procedures, the reason for migrating, the traumatic experiences, the life story have to be told over and over again. The telling is accompanied by sceptical looks and doubting questions. As if the trauma itself were not enough, one's story is not even believed. A refugee always has to prove their story, even if in some cases it is impossible. Many young refugees arrive in Europe without any papers proving their identity. Sometimes they destroy these in order not to be sent back.

Refugees are always guilty unless proven otherwise.

Authorities make long and deep inquiries to find out facts and check statements made by migrants before accepting their requests.

On the question of truth and lies, Emminghaus⁴⁶ says: "It does not really matter whether the story of the refugee is right. Psychologically, the simple fact of being in need of telling this story is reason enough to accept it and act consequently." This statement can be discussed further, but it shows the dilemma between psychological and legal consequences. In the seminar, this topic was strongly debated. Participants with a secured refugee status expressed their anger about "those who lie" and put all the others into difficulties.

-----> **7.2 The need to be twice as good as others**

Participants all expressed the inner pressure they felt in the host country, to ensure they were accepted. They explained that being good was never enough, and they felt this need in every situation – professional, educational or just social. They always had to be better than national citizens in order to be accepted, and not to become a burden to the host society. This pressure also strongly contributed to the above-mentioned feeling of anxiety, and brought back the question of identity, integration and dis-integration.

Salim's story

Salim is a real-life example of this feeling of never being good enough. Salim comes from Afghanistan and was forced to leave his home country because of war. He now lives in Prague, where he is studying navigation systems. The education system of the Czech Republic allows students to change their degree specialisation only once.

Salim's first choice was to study airport navigation/GPS systems. But, after the events of 11 September 2001, his professor advised him not to pursue this specialism because he would never find a decent job. An Afghan in an airport at that time was no longer a good idea ...

So Salim decided to change his specialism to navigation/GPS systems for railways. Then in 2004 the attack in Madrid took place. Salim went to his professor again and they both agreed that he could never find a job after that. His professor, as a joke of course, said it would be a good to do navigation/GPS systems for the donkeys and donkey-carts of Afghanistan Salim, though, is still considering all these little problems.

46. W.B. Emminghaus, psychologist/psychotherapist in the Red Cross migration centre, Saarbrücken, Germany.



-----> **7.3 Lack of trust**

Many young people have been through very difficult experiences on their journey, suffering betrayal or disappointment. Trusting people again, in a country with a different culture, with authorities who don't believe them and with the fear of being sent back, is a big challenge.

-----> **7.4 Economic difficulties**

It will not surprise any reader that young migrants of whatever status usually face economic difficulties. While awaiting a decision on their status, they are not allowed to work and earn their living. They end up waiting, inactive, developing "learnt helplessness".⁴⁷ Depending on the host country, their housing and general situation can greatly vary. But everywhere, the feeling of being dependent on a state, an authority, is the same.

-----> **7.5 Lack of opportunities**

As long as no status is granted, young migrants lack many opportunities of joining youth clubs, sports activities or going on holiday. The possibilities of participating in society stay limited, and young refugees show the tendency to either isolate themselves or group with their peers in the same situation.

In an age where so many things should be possible, where personalities develop and points of view are confronted, young migrants often find themselves excluded, even if only through the above-mentioned economic limitations. Their only social life is often that of the refugee camp or centre where they are lodged, which separates them from other young people and blocks any chance of communication and integration.

Of course, young refugees face all these challenges, more or less, depending on their individual situations, life stories and circumstances. When young people arrive in Europe with their family, they keep some stability and they have social contact within the family. But more and more young people now arrive as unaccompanied minors, and need to face these challenges by themselves.

47. Martin Seligman coined the term "learned helplessness" in 1965 for a psychological condition in which a human being or animal has learned to believe it is helpless in its situation. It has come to believe that it has no control over its situation, that whatever it does is futile. As a result, the human being or animal will stay passive in the face of an unpleasant, harmful or damaging situation, even when it actually has the power to change its circumstances. According to this theory, depression results from a perceived lack of control over the events in one's life, which may result from prior exposure to (actually or apparently) uncontrollable negative events.





8. Cultural identity and intercultural learning



8.1 The roots of cultural identity

Who am I? Who am I, where? Do I define myself the same way in every environment, whoever I'm with? Or is my definition of myself a changeable, flexible concept, depending on others?

During the seminar, participants were invited to draw their flower of identity, with different petals representing different aspects of themselves, and different sizes depending on the importance of each aspect. The colourful results showed how differently people perceive themselves and what they put forward.

Cultural identity is often questioned and analysed only when one is faced with another culture or someone different.

Yesterday, in the intercultural evening, I felt I had no culture. I'm in between, both willing to know my own culture and trying to integrate.

(Jean)

In this specific meeting, with 32 young people living in 26 European countries and coming from at least 20 more countries, the question of cultural identity became complex. Is culture something we are born with? Is cultural identity transmitted by the environment? Or is it a mixture of both? Defining one's identity is never an easy task. Thus, for young migrants, their existence and legitimacy is often based on their cultural identity and the pressure to define it. They are forced to reflect on who they are, who they were, who they are ready to be, or who they wish to be.

The Directorate of Youth and Sport has over twenty years of experience in working on intercultural learning with young people. Whereas this concept is often misunderstood as "understanding and learning about other cultures", the activities in the Directorate of Youth and Sport focused more on learning how to live together in peaceful societies, without trying necessarily to label culture or put people into a cultural box. Intercultural learning is about confronting prejudices and stereotypes and developing competences to work in multicultural environments, with young people from different cultures and backgrounds. Training courses and seminars, as well as intercultural language courses, contributed highly to the development of this concept, which was progressively mainstreamed into the work of the Directorate of Youth and Sport and became a transversal element of youth work across Europe.

But what does intercultural learning mean in the specific situation of this seminar? How can intercultural learning help young migrants to integrate and cope better



with the host society? And how can it be a tool for youth workers to be more competent in their work with young refugees?



-----> **8.2 integration and assimilation**

A burning issue across Europe in the past decades, with the increased numbers of immigrants and migrants, asylum seekers and refugees, is linked to the concept of integration. The question “Where are you from?” relates to much more than origins or citizenship. It includes a feeling of belonging and legitimisation. When does one become an integrated part of the host society? As one participant said,

I can integrate as much as I can, I can work in the country, raise my children and maybe even vote, but I will always be asked where I'm from.

A United Nations document explored some reasons why integration is controversial:

Social integration is a complex idea, which means different things to different people. To some, it is a positive goal, implying equal opportunities and rights for all human beings. In this case, becoming more integrated implies improving life chances. To others, however, increasing integration may conjure up the image of an unwanted imposition of conformity. And, to still others, the term in itself does not necessarily imply a desirable or undesirable state at all. It is simply a way of describing the established patterns of human relations in any given society. Thus, in the latter view, one pattern of social integration may provide a more prosperous, just or humane context for human beings than another; but it is also possible for one pattern of social integration to be markedly different from another without being either better or worse.⁴⁸

We are aware that integration as such is a controversial concept. This document does not aim at providing a definition of integration, but rather invites the reader to think about its meanings and consequences for young migrants and refugees.

48. United Nations Research Institute for Social Development, *Social Integration: Approaches and Issues*, World Summit for Social Development (1994).



Newly arrived migrants are very much torn between the need to integrate into the host society and the fear of “dis-integrating” and losing their traditions and cultural roots. The difficulties related to this dilemma are very often underestimated by the hosting society, which sees newcomers as a threat to its own cultural integrity and traditions. One result of that can be that migrants stick together and over-protect their traditions, ending up being more traditional than they were in their country of origin.

In many countries, migrants face very strong integration requirements as conditions of getting their status accepted: learning the language, being economically independent and able to support oneself, showing interest in the community life of the society, having knowledge and understanding of the history of the country, active participation and involvement in the life of the country.

Assimilation or one-way integration is a process whereby newcomers renounce their cultural habits in favour of those of the host society. In one session, Carlos defined integration thus:

A proper integration process can only happen when the receiving society adopts some of the cultural traits of the newcomers while the latter make adjustments in the opposite direction, creating a reciprocity that satisfies both groups.

In times of globalisation and immense migration movements all over the world, the challenge becomes even bigger, especially since it also gets more and more difficult to define a “local culture”. While some traditions continue to be practised and cultivated, others are slowly “integrated” into societies through the creation of new communities or subcultures. Cultural identity is therefore a concept which should be spelled in a plural form, because identities can be, and most often are, multiple.

Migrants, just like other people, should not have to choose between options. They are cultural beings with life experiences in different cultures, who faced situations that also taught them to adapt and be flexible in a new environment. Seen this way, it is rather a competence than a disability.

-----> **8.3 intercultural learning as a tool for integration**

Apart from being an exchange of experiences, this conference was an example of good practice in intercultural learning. The participants, young refugees, had a chance to spend a week working with youth workers, activists and young people who in everyday life work with refugees, but often purely on an administrative level, without using the opportunity to find out about their lives, to understand them, to listen.

Real dialogue took place: the process of writing common recommendations was a proof of strong co-operation between lawyers, who knew the laws, and young people who knew their own situation, history and needs. But the lawyers opened their ears and hearts to the refugees, whereas these learnt to see the law as a tool rather than just as a threat.

If we use the metaphor of the iceberg for culture, one could say that participants in this seminar had a chance to look at the two thirds that are usually hidden, to go beyond the usual administrative and cultural borders, to meet people as individuals. Young refugees were seen as human beings with multiple identities, with many things to contribute. They were recognised as more than just cultural beings.



The young people working with refugees were also humanised, seen as human beings who didn't just do their job, but really wanted to help, to understand and to make young refugees' lives easier. "Meeting the other" became possible in this conference through a learning process. As one participant said in her daily report, after an exercise on intercultural learning:

It is difficult not to judge people. It is interesting to note that this exercise could or actually does have a reflection on our group. Maybe the people and the situations in the activity are taking place into the same group that we belong or into the same room we are sitting today ... It is easy to label people, but not that often do people self-reflect. By this activity we had that opportunity. Most of us were very frustrated, some even angry about the activity. Because it forces us to admit some of our prejudices. Because we might be hurt by others having stereotypes towards us. Because the exercise⁴⁹ and the little information we had about the people were simplistic and superficial ... But isn't it how we judge people in reality? Just through the way they look, talk, etc.

If we look back to the definition of a proper integration process, where adjustments are made on both sides, it seems that this was largely achieved in this seminar.

Such intercultural learning activities could be used as a basis for dialogue. In the same way that many international and humanitarian organisations already do, it would be important to get all concerned – decision-makers, administrators, lawyers, indeed anyone in contact with young refugees – involved in common training courses, so they could go beyond stereotypes and roles, and really experience that it is about more than a procedure or a status: it is about human beings. Training activities on intercultural learning offer a space to experiment and discover other facets of the others and to question a certain amount of thoughts, beliefs and behaviours from both sides.

49. Euro-rail "à la carte", extracted from *Education Pack "All Different – All Equal": Ideas, resources, methods and activities for informal intercultural education with young people and adults*, second edition, Council of Europe, Budapest, 2004.





9. Human rights education in practice

Human rights are often presented as an abstract concept which is more concerning “others” than minority groups or disadvantaged young people. Very often, they don’t feel concerned or represented, as if human rights were only for those whose rights are respected.

One very first step when working with young refugees and disadvantaged youth in general is human rights education (HRE). Within the Directorate of Youth and Sport, human rights education is defined as:

educational programmes and activities that focus on promoting equality in human dignity, in conjunction with other programmes such as those promoting intercultural learning, participation and empowerment of minorities.⁵⁰

No human right is more important than another. In fact, all human rights are inter-related to such an extent that respecting one of them provides a common link with any other right. This is a direct consequence of the fact that human rights are indivisible, interdependent and inter-related. They cannot be treated in isolation, because all are connected one with another, in various ways.

Furthermore, one must point out that human rights are universal: they are true for every individual human being, and valid in all times and places. Making this understandable to young people whose rights have been violated, who have suffered torture and humiliation, loneliness and injustice, is the very basis of youth work and human rights education.

As paragraph 3 of the participants’ recommendations very clearly states:

Full information about rights and obligations by trained and competent authorities

Being fully aware of your rights is not always granted. How are you to claim your rights when you do not know them?

Training young refugees as well as persons working with young refugees in human rights and HRE seems to be an absolute priority in order to improve their situations and make their voices heard. In order to lobby for their rights and to have a voice, young people need to be informed and empowered.

The concepts of the universality and inalienability of rights were also difficult to realise here:

How can you say that I have rights when my house, my family and my land were taken away from me?

50. Official definition of Human Rights Education for the Council of Europe Youth Programme.



Young people such as the participants in this event do have the potential to make a difference. They have taken the first steps in raising awareness. The exchange between authorities and NGOs, between civil societies and municipalities is not only an asset, but a good practice, which should be reproduced and practised on a larger scale. Not only young people, but also border officers, municipalities, international NGOs and anyone who plays an active role in refugees' life and future should benefit from training, in order to make human rights a real, recognised and graspable concept for all young people.

In recent years, the Directorate of Youth and Sport has made human rights education a priority, one that is implemented widely in youth activities. Through the training of trainers in all member states and across the Mediterranean, awareness of human rights has grown, and youth structures have become stronger in lobbying for their rights and for the protection of minorities and disadvantaged young people.





10. Einstein was a refugee: what can be done?

Einstein was a genius. He discovered the near-fabulous theory of general relativity. Einstein is unforgettable. Einstein was also a refugee. He is just a famous example of the fact that becoming a refugee is not an end in itself; nor does it prevent young people from participating in life, developing their competences and personality, and creating a better future.

It will not be surprising to the reader to find out that this seminar did not aim only to identify problems, but much more at finding possible solutions or ways to improve the life and opportunities of young refugees in Europe. In this process, the role of NGOs was strongly underlined and worked on intensively, as the majority of participants belonged to a youth organisation or other youth structure.

One morning in the programme was devoted to visiting local NGOs working with young migrants in Strasbourg, with different focus points. Participants could choose between:

- CIMADE⁵¹ is a national organisation that provides mainly legal advice to migrants (including illegal migrants) and also has access to detention centres;
- RESF stands for Réseau Education sans Frontières. This network was created in France by teachers, parents and other citizens in response to illegal migrants or asylum seekers being sent back home during the summer, so that children who were attending school in France were obliged to leave. This group is based on the principle of the right to education for all children and is lobbying for migrant children and their families to be allowed to stay in France at least until children have finished school;
- THEMIS is an association for the protection of children. One part of their work consists in accompanying migrant children and unaccompanied minors in their procedures, placing them in families or orphanages, and following their legal cases;
- CASTRAMI is the Committee of Social Action for Immigrant Populations. They work less specifically with refugees, but with immigrants in general.

These examples enabled participants to look at good practice, but also to analyse what does not work or what kind of support is lacking from their point of view in the host society.

An important element of this visit was the feeling developed by participants that any citizen can become active in supporting others, and that the participants' own

51. More information on CIMADE can be found online at www.cimade.org.



experience could be very valuable in civil society, to help and support, advise and accompany others. Participants realised that they had a certain expertise in that field which, in an NGO, could be a great asset.

As mentioned earlier in the report, some of the participants were also involved in youth work or in organisations directly working with young refugees and asylum seekers. In a session on good practice, they were given a chance to present some existing initiatives, to analyse them together and to integrate other people's comments into what became the seminar recommendations. This is a summary of what Amir and Hanifa told the seminar participants.

Amir gave us an overview of the introduction programme of the municipality of Huddinge, in Sweden, which is an approach integrating refugees and immigrants in all domains of their lives. This programme lasts about three years from the person's arrival in Sweden, and uses an individual and needs-based approach, including internships, employment programmes, volunteering and information seminars. Many bodies from the private and public sectors co-operate with the municipality, and this makes the links of refugees to their working life easier and more accessible. For this programme, the refugees or immigrants get a so-called "introduction reimbursement", which functions like a salary. The last years of this programme have shown very efficient results and long-lasting changes in refugees' integration in the host country.

We equip refugees with a fishing pole and fishing lessons, rather than giving them the fish.

Hanifa introduced a workshop on the active participation of young refugees in the activities of local youth NGOs in Ukraine. Refugee youngsters in Ukraine in practice do not have the opportunity to be actively involved in national youth programmes, youth NGOs or their activities. They are not involved in any decision-making procedures and are separated from the local youth population. There are many reasons for this, but one of the most important reasons is lack of awareness, among both the local population and the refugee youth themselves, about their rights. Linking programmes like the one presented by Amir with the work of local NGOs and maybe the support of UNHCR could be a great way of motivating young people to become active and contribute to the development of societies.





Conclusions and recommendations

Outcomes

The seminar was the first of its kind, one where the Council of Europe and the UNHCR co-operated closely. For all participants and the team, it was the beginning of a process. Its outcomes could be identified first from the evaluation form, then from what the participants did or became, from the ideas transferred afterwards, and lastly from what changed in participants' lives through this seminar.

Although we lost contact with some participants, others appeared again in another event much later or sent a letter, or an e-mail, telling us that it did make a difference. For some, it was simply a feeling of belonging, of not being alone with such burdens and thoughts. For others, the seminar opened new perspectives and opportunities. Some changed their jobs, others started believing more in what they did. One great achievement for participants was to realise that refugees have human rights wherever they are. Another discovery was that nothing can be done for young refugees better than by and with young refugees themselves.

Everyone is busy now, back to their lives and struggles, but this space stays alive and shows the strong bonds and perspectives that were created during one common week together. The seminar was an opportunity to reconsider young refugees from a human, emotional, everyday perspective: not to talk about them, not to talk for them, but with them. Participants also discovered the Council of Europe and the UNHCR as institutions and as protection mechanisms that can help them in very specific everyday situations.

Recommendations

The most important visible outcome was the formulation of recommendations entirely developed by participants during the seminar. This document was presented in a round table to various representatives of European institutions, who provided specific feedback and advice, and agreed to then widely disseminate the document through youth NGOs, existing youth networks and member states.

The recommendations were presented together with an alphabet of young refugees, of what each step means to each of them. Each participant read out one letter aloud, linking it to one word that for them was related to being a young refugee. The words in themselves are abstract, but they could all tell a story. For the participants, it is a living document, a first draft of what young refugees are, need, have a right to have.



Awful **B**ully **C**omfort **D**egrading **E**mpathy **F**ascinated **G**o **H**ome
Ignorant **J**ealous **K**indness **L**onely **M**inority **N**ew **O**ppportunity **P**owerless
Quality **R**efugee **S**upport **T**elevision **U**nknown **V**ice Versa **W**all **X**-ray
Y? **Z**ero tolerance ...



All Human Beings are in truth akin
 All in creation share one origin
 When fate allots a member pangs and pains
 No ease for other members then remains,
 If, unperturbed, another's grief canst scan
 Thou are not worthy of the name of man.

(Saadi)

We, the young citizens of the world residing in Europe, gathered on 5-12 December 2006 in Strasbourg on the occasion of the Seminar “Being a Young Refugee in Europe Today”,

Fully aware of the principles and values enshrined in the Universal Declaration of Human Rights, in particular, Article 14 that provides for the right to seek and enjoy asylum,

Recalling the United Nations Convention on the Rights of the Child of 1989,

Having regard to the European Convention on Human Rights and Fundamental Freedoms of 1950,

Considering the 1951 Geneva Convention and 1967 Protocol relating to the Status of Refugees, with special attention to the principle of *non-refoulement* contained therein,



Strongly supporting the Council of Europe's 2006-2007 youth campaign for Diversity, Human Rights and Participation, "All Different – All Equal",

Highly concerned by the plight of young exiles in Europe, being deprived of dignity and subject to incessant multiple discrimination, prejudices, violations of fundamental human rights,

Carrying the burden of our personal testimonies, our life stories, having suffered and escaped from terror, violence, armed conflicts, persecution, fears, poverty,

Traumatised by witnessing atrocities and being tortured by uncertainty of the fate of our loved ones left behind,

Wandering around, feeling nowhere as home,

But armed with determination, ideals and hopes,

Keeping faith in solidarity and humanity,

Having reached a safe harbour,

Strongly convinced in our common future,

-----> **Adopt the following recommendations:**

1. Address the root causes of migration/forced displacement

We did not reach Europe by accident. Migration and refugee flows do not exist in a vacuum. People left their home countries for a reason, strong enough to undertake the risk of dying. This situation cannot be combated with any restrictive border policy.

States, competent international organisations and NGOs should elaborate and implement proactive and effective policies addressing the causes of migration and forced displacement, in particular concerning:

- sustainable development
- conflict prevention and resolution
- democratisation and the rule of law

2. Access to territory and asylum procedure

Among rivers and mountains, airport transit zones and border checkpoints, we are the fortunate ones to reach Europe. Many others, among them friends and family, lost their lives during the ascent of the fortress's wall.

States should provide unhindered access to their territory for persons seeking international protection in order to ensure effective respect of the *non-refoulement* obligations under international human rights and refugee law. Continuous high-quality training of border officers on asylum and human rights should be ensured.

3. Full information about rights and obligations by trained and competent authorities

Being fully aware of your rights is not always granted to refugees. How are you to claim your rights when you do not know them?

Information on asylum and aliens law should be disseminated and reach the beneficiaries. The presence of NGOs should be supported in this regard.



4. Detention

The sun shines differently behind bars.

States should provide access to detention facilities for representatives of the relevant NGOs. Minors should not in any circumstances be detained. Humane conditions should be fully provided for in all detention centres, specifically: psychological support, hygiene standards, medical assistance, gender sensitivity.

5. Quality and efficiency of asylum procedures

We began our journey from the same starting point, with the same background. We reached the same Europe, but different countries. Now, I am a recognised refugee, but my brother was deported.

Common procedures on granting and withdrawing refugee status should be drafted. Those procedures should be humane, transparent, not rigid and receptive of humanitarian exceptions.

6. Common reception standards

Upon arrival many of us had to spend nights on the street, facing hunger and illness, while others found a shelter ...

Reception standards should meet the needs of newcomers.

7. Unaccompanied minors

After a long journey full of fear, loneliness and darkness, in the back of the truck, I have reached a destination that promised "safety", but where am I? Who are these people? I do not understand ...

States should develop an appropriate legal framework for separated children and in particular those outside the asylum procedure, highlighting the role of guardianship and legal representatives.

Moreover, the good practices of certain countries should be recognised and adopted, in particular conditions in facilities and safety measures (information, interpretation, psychological assistance, observation, orientation ...).

8. Enjoyment of social and economic rights, including access to labour market, education and health care system

"So, I am a recognised refugee ... Now what?! ..."

Existing rights should be implemented at every stage of the legalisation procedure. Access to labour market and health care systems should be equal in practice. Diplomas and technical skills acquired in the country of origin should be recognised in the host country on a legal and practical level.

9. Freedom of movement for refugees

You have no idea how hard it was for me to come to Strasbourg ... Why can capital and goods circulate freely and not me?

States should take measures that lead to mutual recognition of travel documents and abolish visa requirements for refugees. The ratification of the relevant Council of Europe convention should be promoted.



10. Intercultural dialogue, diversity, inter-communication, empathy, integration, inclusion

All Different – All Equal ... Just look around!

The initial, practical introduction to the host society is an essential part of the long-term integration process. Host societies should put more effort into transforming assimilation into a two-way process, with mutual respect and understanding.

11. Potential

Are we useless?

States should recognise the positive contribution of asylum seekers and refugees to the host society.

12. Awareness raising in news media and political speeches, through the participation of migrants and refugees

Asylum crisis: How to cheat our system (The Sun, 18 August 2003)

Stakeholders should challenge biased media coverage, and the media should provide accurate information and stories regarding asylum seekers and refugees. Asylum and migration issues should not be exploited for micro-political/electoral aims.

13. Enhancement of monitoring systems

Theory ≠ Practice

Cross-co-ordination of practices and systems for monitoring purposes should take place in order to achieve the enjoyment of basic human rights and fundamental freedoms. To ensure effective implementation of international refugee law and states' compliance with their obligations, an international tribunal should be set up.

14. International instrument on migration

I thought escaping starvation was reasonable enough to come to Europe.

States should establish legal channels for migration to alleviate the burden on asylum.

15. Equilibrium between freedom and security

My name is Osama, but I am not a terrorist...

Counter-terrorism measures should not violate basic human rights and fundamental freedoms. The principle stating that no one is guilty unless proven otherwise should be fully respected. Discrimination on the basis of stereotypes, in particular by law-enforcement bodies, should be tackled.

16. Support for NGOs working with young exiles

When the system failed, an NGO saved me.

States and international organisations should recognise and support NGOs as significant partners in the decision-making process as well as in activities affecting young exiles.



17. Active participation of young exiles in national youth activities in the host country

Go back in time and think how often young exiles are offered the chance to participate in national or international youth events?

States and youth organisations should encourage and support young exiles' participation in various activities that could contribute to their empowerment and facilitate their integration in the host community as well as reintegration in their country of origin.



↓

→ **11. Future perspectives: after the seminar**

As a follow-up to the seminar, an online platform was created to maintain strong contacts, exchange information and work on the creation of a network of young refugees, amongst other projects. Many participants joined other training activities of the Directorate of Youth and Sport after the seminar; some got actively involved in the “All Different - All Equal” youth campaign campaign in their country.

Sometimes, a little message of hope or a message of big changes would appear on the platform, and provoke strong reactions and intense discussions for a few days:

My wife just gave birth this morning to a bouncing baby boy. Mother and child are doing fine.

(Anthony, 20 June 2007)

I am flying back home to visit my lost family after 11 years.

(Ghulam Rabani, 20 August 2007)

If I am not mistaken, around this period of time last year I found out about the Seminar “Being a young refugee in Europe today” and I applied ... Who would have thought that this moment was to change my life forever?

(Zoe, 24 August 2007)

In April 2007, the *Journal de forum réfugiés*⁵² published an article about the seminar, including the life stories of some of the participants. This was published in both French and English, and disseminated to a broad range of organisations working with refugees.



52. *Journal de forum réfugiés*, No. 38, April 2007. The article can be downloaded from: <http://www.forum-refugiés.org/pages/english/index.htm>.



-----> **11.1 A European network of young refugees**

One main result of this seminar was the action plan drawn up by participants, to continue working together on the creation of a broader, internationally recognised network of young refugees. They applied for a grant to the European Youth Foundation, got accepted and will be running a seminar in early 2008 as a follow-up to the first meeting and to work out detailed plans for the network. This extract from the application form spells out the network's aims:

This proposal is a concrete result of the seminar "Being a Young Refugee in Europe Today", organised by the Youth Directorate, in co-operation with UNHCR, which took place at Strasbourg in December 2006. During this seminar the participants had the opportunity to explore issues that young refugees face and recommendations were elaborated.

Thus, it became obvious at the end of the seminar that it could not stop there. The participants came with the very ambitious goal to create a European Network to raise young refugees' voices in order to promote their active participation in the societies where they settled down.

Our aim is that the planned network should ensure and further develop existing and new forms of participation by young refugees in society. Their status makes them especially vulnerable, with less access to decision-making structures; they are under-represented, even sometimes "invisible".

The following objectives for the proposed project are based on the conclusions formulated in the Recommendations made by 32 young people living in 27 European countries:

- to empower young refugees to advocate their common concerns and to act as multipliers;
- to develop networking among young refugees, people working with them and civil society (especially NGOs involved with youth) in order to strengthen their voices and spread their experiences across Europe;
- to propose points of concern for refugees, including youth policies;
- to provide skills in advocacy work, lobbying, networking;
- to promote the value of human rights education and the possibilities for participants to get actively involved in it;
- to develop recommendations to various international organisations and institutions.

This network could gradually be joined by other young people with similar or other experiences, and could become a source of recognition and lobbying for the rights and the active participation of young refugees in building European democratic societies.





Appendix 1: Participants

ARMENIA

Aida Shaheen – *UNHCR*
Yulia Shahnazarova

AUSTRIA

Jean Gatsinzi

AZERBAIJAN

Khumar Arshadli – *AEUYCO*

BELARUS

Otto Lukava – *Belarusian State University*

BELGIUM

Véronique Wos – *FEDASIL*

BULGARIA

Carlos Abdelrahman – *Bulgarian Red Cross*

CROATIA

Milan Tankosic – *UNA*

CYPRUS

Anthony Eboa – *Association of Recognised Refugees in Cyprus*

CZECH REPUBLIC

Salim Khan – *AUCR*

DENMARK

Clara Christensen

FRANCE

Enyonam Allado-Anka – *Solidarités Jeunesses*
Papy Nsasa Kasongo – *THEMIS*
Sharjeel Rajput – *THEMIS*

GREECE

Zoe Sakelliadis – *Greek Council for Refugees*

ICELAND

Zija Krrutaj

IRELAND

Abiola Egbeyemi – *Sports against Racism Ireland (SARI)*



LITHUANIA

Ghulam Rahmat – *Lithuanian Red Cross Society*

MOLDOVA

Diana Grosu – *Ziarul de Garda [national newspaper]*

MONTENEGRO

Milena Karisik – *Community Development Centre*

NETHERLANDS

Adimka Uzozie – *Samah*

POLAND

Hong Han

Bartosz Smoter – *Association for Legal Intervention*

ROMANIA

Cristina Istratescu – *Save the Children Romania*

SERBIA

Aleksandar Farkas – *Municipality of Pancevo*

Jelena Susa – *Hi Neighbour*

SPAIN

Mohammed Sillah – *Asociacion La Merced Migraciones*

SWEDEN

Amir Hashemi-Nik – *Huddinge Municipality*

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Kristina Hellqvist – *Consultant-trainer*

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Corinne Grassi – *Consultant-trainer*

Samuel Boutruche – *UNHCR representation Strasbourg*

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Maria Ochoa-Llido – *Head of the Migration and Roma Department, DGIII*

Paul Harvey – *Registry of the European Court of Human Rights*

Rachel Kondak – *Migration Adviser, Office of the Commissioner for Human Rights*

Gaby Vermot-Mangold – *Committee on Migration, Refugees and Population of the Parliamentary Assembly*

Jean Philippe Restoueix – *Directorate of Youth and Sport*

André-Jacques Dodin – *Directorate of Youth and Sport*

Nadine Lyamouri-Bajja – *Directorate of Youth and Sport*



Lesley King – *Directorate of Youth and Sport*
Jana Nikolovska – *Trainee, Directorate of Youth and Sport*

-----> **European Commission**

Annick Goeminne – *Unit on Asylum Immigration, European Commission*





Appendix 2: Programme

-----> Tuesday 5 December

Arrival of participants

19:00 Dinner

20:30 Welcome evening: ice-breaking activities

-----> Wednesday 6 December

09:30 Official opening of the conference: *André-Jacques Dodin*

09:45 Introduction to the conference, programme, aims and objectives

11:00 Coffee break

11:30 Getting to know each other: fears, needs and expectations of participants

13:00 Lunch

14:30 Group and trust-building

16:00 Break

16:30 Lifelines of participants

18:30 Reflection groups

19:00 Dinner

20:30 Intercultural evening and NGO market

-----> Thursday 7 December

09:30 Introduction to daily programme

09:45 Story-telling by participants

11:00 Break

11:30 Working groups on commonalities and main challenges in refugees' lives; continuation of life stories

12:30 Plenary discussion and main points of attention

13:00 Lunch

14:30 What do we mean by "refugees"?



- 15:00 Statements exercise: confrontation and discussion of “hot topics”
- 16:00 Coffee break
- 16:30 Global picture: legal framework and refugee protection
Input by Ms Vermot-Mangold
- 18:30 Reflection groups
- 19:00 Dinner

-----> **Friday 8 December**

- 09:30 Introduction to daily programme
- 10:00 Field visit to local associations working with refugees
- 13:00 Lunch at the Council of Europe
- 15:00 Visit to the European Court of Human Rights
Input by Paul Harvey
- 17:00 Boat trip in Strasbourg
- 19:00 Dinner in town

-----> **Saturday 9 December**

- 09:30 Introduction to daily programme
- 09:45 Feedback on field visits and discussion on good practice
- 10:30 Intercultural learning: how does it work?
- 11:00 Coffee break
- 11:30 Input and simulation exercise: “The Dear Valley Express”
- 12:30 Formulation of first recommendations on intercultural learning
- 13:00 Lunch
- 14:30 Relation to the host country: Forum theatre
- 16:00 Coffee break
- 18:00 Formulation of recommendations on the role of NGOs and civil society in helping young refugees
- 18:30 Reflection groups
- 19:00 Dinner

-----> **Sunday 10 December**

- 09:30 Introduction to daily programme
- 09:45 The ECHR and refugee law
Input by Samuel Boutruche
- 11:00 Coffee break
- 11:30 Formulation of recommendations continued



- 13:00 Lunch
- 14:30 Thematic working groups: good practices presented by participants
- 16:00 Coffee break
- 16:30 Feedback from working groups
- 18:00 Last exchange of ideas on recommendations
- 18:30 Reflection groups
- 19:00 Dinner

-----> **Monday 11 December**

- 09:30 Introduction to daily programme
- 09:45 Round table with institutional representatives of the CoE and the EU
- 10:00 Presentation of participants' recommendations
Discussion and feedback from guests
- 11:00 Coffee break
- 11:30 Introduction to the All Different – All Equal campaign
- 12:15 What's next: exchange of ideas on the follow-up to the conference
- 13:00 Lunch
- 14:30 Personal action plans and group action plans
- 15:30 Coffee break
- 16:00 Evaluation and closing of the seminar
- 19:00 Dinner
- 20:30 Farewell party

-----> **Tuesday 12 December**

Departure of participants



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