

# THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

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## Resolution 411 (2017)<sup>1</sup>

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

1. The increasing number of migrants coming to Europe constitutes a critical challenge for all levels of governance, calling for adapted and effective measures in Council of Europe member States. Local and regional authorities who, as the public authorities closest to the population, are the first port of call in any emergency situation, have the responsibility to provide newly arrived migrants with access to key public services (housing, health care, education) without any discrimination.

2. The burden of managing the current situation has been put on a limited number of States, whereas greater solidarity among European States should be the order of the day. The absence of a clear and coherent European response to the situation has led to a crisis of policy at international and national levels, leaving local and regional governments with limited means and little guidance to enable them to meet the needs of asylum seekers.

3. Clear definitions are important when talking about migration issues, as different responses and investments may be needed to address the current situation, although ensuring the respect for the human rights of all migrants, regardless of their status, constitutes the baseline as far as public authorities are concerned.

4. According to the 1951 United Nations Convention relating to the Status of Refugees, a refugee is a person who has a “well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country”. Refugees have a legal status whereas asylum seekers do not.

5. Asylum seekers are persons who have applied for protection as refugees in a particular State and who are waiting for the determination of their status. Refugee status will only be accorded to them if the member State decides, following a defined legal procedure, that they are eligible. In this context, it is the national asylum systems that are in a position to determine who qualifies for refugee or subsidiary protection status. Nevertheless, there is a uniform European Union system for the processing of asylum applications that aims at ensuring minimum standards such as freedom, security and justice. The Dublin Regulation (Regulation (EU) No 604/2013),<sup>2</sup> which is also a core principle of the Common European Asylum System, establishes a member State’s responsibility for examining an asylum application.

6. Finally, according to the International Organization for Migration (IOM), a migrant is any person who is moving or has moved across an international border or within a State away from his/her habitual place of residence, regardless of the person’s legal status, whether the movement is voluntary or involuntary, what the causes of the movement are, or what the length of stay is.

7. Reception and integration of refugees necessitates well-defined integration policies to be put in place as early as possible. Ensuring respect for the human rights of every migrant, regardless of their status, gender, country of origin or nationality, should be a priority in this endeavour. However, the question of the integration of all newly arrived migrants remains a matter of concern for various reasons, as each State has a sovereign right to determine whom to admit to its territory, subject to that State’s international obligations. Unfortunately, the negative perception of newcomers, fostered by discourses based on fear and xenophobic resentment, is a regrettable situation that risks impeding future integration processes. This is especially relevant for women and children, who are particularly at risk of becoming victims of violence and abuses such as sexual violence, human trafficking or disappearance. Other obstacles, in particular barriers that hinder newcomers’ access to the job market or to taking part in local public life, can in turn undermine the integration of newcomers into their host community in the long term.

8. To tackle these issues, the Committee of Ministers of the Council of Europe has adopted various recommendations to improve the interaction of refugees and migrants with the receiving societies, as well as validation of migrants’ skills and their access to employment. The Parliamentary Assembly of the Council of Europe has assessed the issues relating to the current refugee situation from different perspectives, including the placement of children in immigration detention facilities, the criminalisation of irregular migrants, the need to promote greater solidarity in the resettlement of refugees, as well as the need to establish a real European asylum system. The Council of Europe Commissioner for Human Rights has regularly published opinions advising member States to improve protection of the human rights of migrants and to ensure that undocumented migrants and their children have access to basic rights, in particular the right to health care and to education. The European Commission against Racism and Intolerance (ECRI) has adopted General Policy Recommendation No. 16 on safeguarding irregularly present migrants from discrimination.

9. The Congress of Local and Regional Authorities of the Council of Europe is committed to drawing attention to the fact that local and regional authorities are key players in the organisation of migrants’ reception and their integration into the host communities. In this regard, the Congress has emphasised in its previously adopted resolutions the need to promote migrant entrepreneurship, their effective access to social rights, participation of foreign residents in public life at local level, as well as intercultural and interreligious dialogue. It has also adopted a declaration on the reception of refugees in Europe (Declaration 4 (2015)), inviting the member States of the Council of Europe to show greater solidarity and to work closely with the European Union

and local and regional authorities to establish a network through which to share experience as well as examples of best practice.

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

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

i. approach local governance from the perspective of inclusion and early integration that emphasises the provision of key services to all residents without discrimination, addressing their needs regardless of their status, nationality, country of origin or their identity;

ii. engage with the existing negative narratives and representations of all migrants, whatever their status, through awareness-raising campaigns, based on an approach that promotes human rights and the dignity of the person, and with particular attention to the No Hate Speech campaign of the Council of Europe, among young people in their constituencies;

iii. take measures to promote intercultural education in order to encourage host communities' knowledge and awareness about migrants' rich backgrounds and the positive impact they can have (for example by facilitating their inclusion in cultural and sports initiatives in co-operation with voluntary sector bodies and private partnerships) and promote education for democratic citizenship to develop migrants' understanding of the host community's social and civic values and the way in which it functions;

iv. initiate capacity building at political and administrative levels for elected representatives and municipal staff by means of training, exposure, exchanges and support for "learning by doing", and establish targeted reception, information and support services, cultural mediation and health services for all migrants, adapting the training of health professionals to a growing intercultural society, and keeping in mind the need for a balanced approach that takes into account the interests of the citizens of the host society as well as those of migrants;

v. promote the recently developed Congress toolkit on the organisation of intercultural and interreligious dialogue among local authorities to facilitate the exchange of information and practice;

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

i. co-operate both with other levels of governance (local, regional and national) to ensure a co-ordinated response to the issues related to the reception of refugees, and with towns in other countries to exchange examples of good practice and to develop innovative initiatives involving refugees as well as all citizens;

ii. bring together local partners (institutional or citizen initiatives) who can contribute to the work on the different aspects of refugee reception, including non-governmental organisations (NGOs) that have privileged experience of working with refugees and/or with the local population;

iii. ensure that refugee reception centres are not used for detention purposes, particularly as regards children and minors, as this is essential if they are to be integrated into the host society, and provide clear information about national procedures granting refugee status;

iv. develop assistance programmes for refugees, which take into account their personal identities, individual skills and abilities, and provide counselling and support for the development of their individual life projects, including language and vocational training, paying particular attention to women, young people and groups with special needs, such as elderly people and persons with disabilities;

v. urge local authorities to be aware of the extreme suffering refugees are subjected to while travelling to Europe (including physical and psychological violence as well as inhuman or degrading treatment), aggravated by bureaucracy and poor reception conditions, and to put in place measures to also provide psychological assistance to those who have been ill-treated;

vi. remove practical barriers encountered by refugees when trying to access the labour market by providing them with integration programmes that facilitate access to the local employment market, education, vocational training, work transition measures and information on establishment of own businesses, with a particular focus on measures that foster access to regular work and combat exploitation, in line with the New York Declaration for Refugees and Migrants, adopted in September 2016 by the United Nations;

vii. promote volunteer community work as a way for newly arrived asylum seekers who may be in a transit situation (for example, waiting for their resettlement in another country) to contribute to their host community, including in rural areas, by taking part in socially beneficial activities in order to familiarise them with their new work environment and to make them more visible to the citizens as contributors to the welfare of the local community;

viii. prioritise action for children in precarious situations, especially children in refugee reception centres (whether they are unaccompanied or accompanied by their families), and children living and begging in the streets, and co-ordinate measures between local and national authorities to integrate all children into the education system as soon as possible;

ix. support housing solutions and initiatives that encourage mixing and positive interaction between refugees and host communities and take active measures to avoid any process of ghettoisation;

x. adopt planning and monitoring instruments to keep track of policies and services initiated within their territories,

including through the promotion of agreements, memoranda of understanding and other actions likely to promote synergies between the various public and private sector and economic and social players involved;

xi. set up networks in order to exchange information on solutions that can be implemented irrespective of national legislative or political choices (the Gateway Cities project of the Council of Europe, could, if launched, function as a framework for exchange and co-operation between front-line reception territories, which face similar challenges with regard to irregular migration);

xii. consider applying for funding to the Council of Europe Development Bank, which supports integration projects.

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

2. Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast).