



# Guidelines for the removal of legal obstacles to Mobility in Youth Work

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## **Our Vision**

The European Youth Forum's vision is a society open for all, a society without barriers. A society which meets its citizens with trust, not mistrust. A society which, instead of keeping mobility only as a theoretical opportunity for young people, gives them the possibility to travel and work in other countries and cultures without being discriminated against. Our vision is a society without xenophobia and racism.

## **Introduction**

Mobility is a right that every person in Europe should benefit from. The right to mobility is, for example, one of the core freedoms of the European Union. The European Youth Forum believes that this right to mobility should be implemented beyond the borders of the EU and that everyone should benefit from it! Mobility in youth work<sup>1</sup> is the fundamental precondition for ensuring that young people will benefit from equal opportunities.

The work of Youth Non-governmental Organisations is an important tool for mobility among young people today. It provides an opportunity for young people to meet and learn from each other in contexts ranging from one-day international meetings to one-year voluntary exchanges. These non-formal experiences are vital for developing a wide inter-cultural understanding and preventing barriers being built between people and cultures. For young people, meeting each other and doing things together is one of the most important means of breaking down such prejudices.

The European Youth Forum and its Member Organisations are recognised as actors in international youth work, both by civil society and governmental bodies and European inter-governmental institutions. In spite of the general recognition and support given to our work, young people in Youth NGOs are facing increasing mobility obstacles. Tighter security measures and fear of illegal immigration have overridden the universal right to mobility in Europe. This raises a number of questions. Why are young people seen as a potential threat instead of a resource? Why is Europe limiting opportunities for international youth work? Why are young people forced into illegal work due to bureaucratic and complex registration procedures? Why do young people have to resort to paying bribes in order to receive a visa that they should be entitled to?

It is a paradox that whilst governments are creating more opportunities for student and voluntary exchanges, they are not increasing in parallel the regulation of procedures which allow mobility. Through this kind of action, the values originally enshrined in mobility policies are ignored and become forgotten.

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<sup>1</sup> Youth work includes youth programmes, exchanges and other types of youth activities.

## **The reality of youth mobility in Europe**

The obstacles to mobility are many and they differ from country to country and from region to region. The free movement of persons is a fundamental principle of the European Union, and the Schengen agreement has allowed EU citizens to travel without encountering border controls in thirteen of the fifteen Member States plus Iceland and Norway and resulted in a theoretical harmonisation of rules for entry to the Schengen area. People from the accession countries will still have different requirements for the coming years. Travelling to and from other European countries remains particularly problematic, and significant obstacles prevent the free movement of people in Europe.

Many examples of discrimination, xenophobia and racism start not in the dark corners of streets but in the long queues of some embassies and consulates. There are clear differences in how citizens of some countries are treated. The colour of a young person's passport has a decisive role in the success and their experience of obtaining a visa, as well as at the entrance points to the country concerned. Detailed questioning and mistrustful treatment at border checkpoints has often been experienced by young people taking part in international youth work.

### **The Problems for European Youth Work**

The European Youth Forum and its member organisations often face significant problems in ensuring that all participants are able to travel to events, due to visa procedures. A recurring problem is the lack of participants due to the fact that their visas were not issued in time or even issued at all. Furthermore, the procedures are often difficult, expensive and time-consuming for both the sending and receiving organisations.

International youth work, international youth cooperation and so much of what the European Youth Forum and its members are trying to do to promote cooperation among young people in Europe is restricted or becomes almost impossible due to the fact that young people's access to mobility very much depends on their national origin.

### ***Barriers and Hurdles to short-term mobility***

Problems in obtaining visas have increased recently as more and more embassies have moved from accepting invitations by fax to demanding only original invitation letters. Sending original letters from hosting organisation to embassies is time-consuming and results in additional expenses for Youth NGOs. Moreover, embassies have progressively changed their regulations for the provision of visas, demanding additional documentation ranging from health certificates to letters authenticating the originality of name, without making these changes clear to applicants. In the context of youth work, the hosting organisations are often required to guarantee all the living costs and return expenses of the invited persons.

The experience of member organisations of the European Youth Forum have shown that lobbying politicians and civil servants in hosting countries is often necessary in order to receive visas for participants.

Despite the Schengen area's intention to establish a common mobility space, the requirements for visas differs between the Schengen countries. This has resulted in youth NGOs applying for visas from the Schengen country where they are easiest to get, and not the country which is their actual final destination. The more strictly applied procedures in some countries have discouraged Youth NGOs from applying for visas for the real purposes as to follow the correct procedure might either mean a delay in obtaining a visa or even that the visa is not issued and they cannot attend the event.

In extreme cases, young people have found it is necessary to bribe an official in order to obtain a visa even though the request is entirely legitimate and all the required documentation has been provided. The cost of this tends to be borne by the participant, since the funder will not accept such expenditure as part of project costs.

### ***Barriers and Hurdles to long-term mobility***

Another aspect of mobility is long-term volunteering, studying and working in another country. Registration procedures differ greatly and they are always time-consuming. It takes between one month to one year to get a young person registered in a hosting country, and it is always a costly procedure. Moreover, these procedures can prevent people from travelling outside the hosting country for a certain period.

Temporary residence registration is such a long and complicated procedure that it often results in young people staying illegally in a country or staying as tourists. This prevents young people from having access to health insurance, to social security and from opening bank accounts, as they normally should do. Since young volunteers and students face obstacles in registration or legal limitations in obtaining a temporary work permit, they may end up being employed illegally. On a larger scale this results in illegal and unprotected work.

The European Voluntary Service (EVS) programme is designed to promote voluntary service in Europe, but more and more young volunteers and their hosting organisations have to find ways to overcome mobility-related obstacles, even though the EVS it is a programme of the European Union itself. In addition, Youth NGOs cannot accept volunteers from some countries because of obstacles and the high costs that this implies. Similarly, many student and school-student exchanges that take place with or without support are made increasingly difficult and sometimes even impossible.

Youth NGOs face legal obstacles when hiring staff from outside the European Union. The increasing bureaucracy related to registration procedures for

workers and volunteers forces many Youth NGOs to carefully choose in which country their main office should be located.

The experience of the European Youth Forum and its Member Organisations clearly shows the lack of internal guidelines for respective authorities dealing with visa procedures inside a country. Often the person applying for a visa is in an uncertain position, due to unclear regulations and negative attitude of the civil servants dealing with application procedures. Young people should not be subject to such treatment, regardless of their origin.

### **Demands for action : national governments, intergovernmental and European organisations and institutions**

European Youth Forum calls upon the European Union, Council of Europe, the other European institutions, and the National governments, to make coordinated efforts in facilitating the mobility of young people, especially in the field of youth work, by ensuring easier visa procedures.

It is also important that the following demands are taken into account:

#### *These institutions should:*

- Promote a special type of visa providing an easier and consistent procedure for people involved in international youth work. The advantages of such a system are considered greater than the possibilities of misuse for illegal purposes.
- Abolish fees for visas, residence cards and other such documents for young people participating in international activities and programmes, regardless of their origin. The financial resources of a young person should not be a selective mechanism, nor should mobility be taxed.
- Pay particular attention to administrative obstacles that exist in Europe with regard to residence rights and work permits for young people.
- Ensure that embassies and consulates provide effective, informative, just, consistent and clear procedures for all types of applications.

### **European Youth Forum and its Member Organisations:**

- National Youth Councils and national branches of INGYOs should lobby their national governments for the development of easier visa procedures for young people in general, and especially youth workers engaged in international cooperation.

- National Youth Councils and national branches of INGYOs should share and exchange with others the development of the measures taken on the national level regarding the visa issue.
- Member Organisations are strongly encouraged to find ways of solving the visa issue in close cooperation with respective national authorities.
- In order to both promote youth mobility and facilitate visa procedures, examples of good practice, experience, different measures and services should be exchanged at least among Member Organisations of the European Youth Forum.
- The European Youth Forum should work on mobility issues in co-operation with the DGs in the European Commission, the members of the Council and the Council of Europe capable of improving the mobility of young people.
- The European Youth Forum in co-operation with the European Parliament and the Council of Europe should introduce public hearings with the involvement of MEPs and representatives of the public sector for information and awareness-raising on mobility issue.
- The European Youth Forum will follow closely the development of mobility issues and introduce comprehensive policies and actions in this field.