



RESOLUTION

Protection and Integration of Young Refugees in Europe

COUNCIL OF MEMBERS/ EXTRAORDINARY
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Introduction

The on-going war in Syria since 2011 accounts for the world's largest humanitarian crisis since the outbreak of World War II¹. An entire generation of children and young people are being exposed to violence and war, and are held back from their access to basic rights. More than 12.2 million Syrians are in need of humanitarian assistance. Approximately 7.6 million Syrians are internally displaced, accounting for the largest number in any country worldwide. Over 4 million Syrians have fled the country since the outbreak of the war - half of them children².

Neighbouring Lebanon hosts almost 1.2 million Syrian refugees and has, together with Jordan, the highest per capita number of refugees in the world. Turkey is the host of more than 1.9 million Syrian refugees, meaning that it hosts the largest number of refugees worldwide³. At the same time, Sweden and Germany are the countries in the EU that take the largest share of refugees. Germany currently has a number of more than 161,000 Syrian refugees⁴, while other European countries refuse on solitarily hosting refugees but instead close their borders.

But refugees are not solely fleeing from Syria. More than a dozen other conflicts have broken out in the past five years in different regions in the world, including Iraq, South Sudan and Ukraine⁵. According to UNHCR, one in every 122 human beings worldwide is now either a refugee, internally displaced or seeking asylum⁶. Globally, 43% of the world's refugees are children⁷.

Individuals in Need of Protection

Refugees flee their home and their country because they have no other choice. The 1951 Refugee Convention defines a refugee as someone who, "owing to 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 to, or owing to such fear, is unwilling to avail himself of the protection of that country"⁸.

Just in the first six months of 2015 more than 110,000 children and youth (under 18 years old) have sought asylum in Europe, accounting for an average of 18,000 every month⁹. Each of them has their own story and their own needs. They are not only deprived of their childhood or youth, but they are also at a high risk of their rights being violated and neglected. They are, already, according to the *UN Convention on the Rights of the Child*, deprived of some of their basic rights; e.g. Article 6 and Article 19.¹⁰

The Specific Situation of Minor Refugees

One psychological factor is unique to children and youth: they are developing. And their development does not stop because of their refugee situation. While young refugees have special needs because of their age, they might also be separated from their parents or attachment figure, as is the case of unaccompanied minor refugees. This very insecure and disruptive situation can harm young people's cultural, intellectual, physical, psychological and social development. But children and youth

are not only affected by what happens to them, but also by what they are deprived of, for example access to education or leisure activities.

Unaccompanied Minor Refugees

While all fleeing children and youth must be protected, such as unaccompanied minors¹ some of them face even greater risks. They account for the most vulnerable group among refugees. The situation of unaccompanied minor refugees is especially complicated if we consider the variation of rights and support within different countries in Europe. They are often treated as adults in terms of the types of accommodation, legal support, psychological treatment etc. (which they do, or do not, get offered). Many human rights violations can and do occur under these circumstances.

The perception and consideration of the needs and interests of all young refugees must follow the UN Convention on the Rights of the Child, guided by the child's best interests and the child's will. Refugee children are first and foremost children! And, furthermore, they are refugees who have specific needs and a right to a special level of protection and assistance, and may not be discriminated against because of their legal status, as formulated in Article 22 of the UN Convention on the Rights of the Child.

Inclusive societies as a step forward

Inclusion means equal opportunities in the participation of key areas of social life of all people. Inclusion, in this sense, is not unilateral but reciprocal and a mutually influencing process representing an opportunity and a challenge for all – it is a task for everyone. An inclusive society stands for openness and willingness to change and the elimination of all forms of discrimination. The aim is to create a positive, welcoming culture to facilitate participation and to point out opportunities; briefly, to strengthen inclusive societies.

To support the long-term inclusion of young refugees, it is crucial to promote this understanding throughout the whole population, and in all basic institutional structures, such as kindergartens, schools, offices, governments and hospitals. Furthermore, an objective debate based on tolerance and respect in the media and in politics is an important step.

The presence of people of many cultural backgrounds in Europe greatly enriches our society and should be respected and valued. European society, culture and the economy has benefited, and will continue to benefit, from immigration of people from around the world. Furthermore, European countries have international humanitarian and legal obligations to grant asylum and reunite families.

¹ According to UNHCR an unaccompanied minor is “a person under 18, unless the law applicable to the child stipulates a younger age of majority, who is separated from both parents and is not under the care of another adult who has such responsibility, whether by law or by custom.”
<http://www.unhcr.org/3d4f91cf4.pdf>

For many refugees, there is little hope of ever returning home, due for example, to an endless conflict or fear of persecution in their home country.

Given the challenges and potential mentioned above, the process of inclusion must happen in all political and social areas. Policies for inclusion need a holistic and a crosscutting approach and have to consider the specific needs of young refugees in order to support their long-term autonomy. They need to engage primarily in the following areas: civic participation, education and language (early childhood education, kindergarten, school, etc.), occupation and work, as well as culture and leisure activities.

The Role of Youth Organisations

Youth organisations are important contributors to enhancing an inclusive society for all culturally and socially diverse young people, empowering them to become active citizens. When it comes to participation, youth organisations play a crucial role and share common responsibilities. Therefore, it is vital for:

- Governments to acknowledge and support youth organisations' engagement with young refugees, e.g. volunteering at educational programmes or fostering international cooperation between youth organisations.
- Governments to also acknowledge and support youth organisations' promotion of active citizenship education, intercultural dialogue and anti-discrimination, e.g. the No-Hate-Speech movement.
- Youth organisations to promote diversity within their structures e.g. allowing young people to contribute financially according to their means.

We have to understand that the answer to the current dramatic situation cannot be about blaming each other or about building fences, instead we must work together quickly and in solidarity to find an overall solution that includes shared responsibilities within the whole of Europe, especially in these times of crises. A human and children and youth rights perspective has to be at the core of efforts to respond to the crisis. We call on the responsible institutions and governments :

- For a common EU policy on asylum, including long-term distribution mechanisms for asylum seekers and refugees.
- For improvements in bilateral agreements and partnerships with non-EU countries, located in Europe, regarding the reception of refugees.
- For improvements in the asylum procedure (duration, quality, service, etc.)².
- For the creation of legal channels for refugees and migrants to ensure the right of asylum (e.g. at consulates or embassies) as enshrined in the Universal Declaration of Human Rights and guaranteed in the EU's Charter of Fundamental Rights. Until this is fulfilled we call for the decriminalisation of refugees crossing-borders.

² Short processing time; ensure the quality of hearings/interviews; improvements in the lodging; provide translations in the refugee's first language; no deportations during an on-going examination regarding the right of residence; ensure the quality of mandatory legal advice; ensure the timely delivery of official notifications, etc.

- To enable, coordinate and support civil and governmental sea rescue programmes that save refugees in the Mediterranean Sea. So-called “push backs” are illegal and put lives at risk.
- For the establishment of so-called hot spots at the external borders of the EU which are, in the current situation, an adequate instrument to provide asylum seekers with a first refuge and a place to do their registration. Quick and adequate settlement within Europe should be guaranteed. Every person should be able to benefit from equal conditions as other residents, such as free movement within the EU.
- For the prevention of family breakdown and facilitation of cross-border family reunification.
- For access to education, vocational training and labour market for asylum seekers as soon as possible, within six months at the latest. Furthermore, the validation of previously acquired qualifications abroad has to be facilitated.
- For guarantee of residency to be provided in order to ensure young people’s asylum right throughout their apprenticeships, training or studies.
- To ensure that all asylum seekers have access to services essential to their wellbeing, including mental health, and other services necessary to support their recovery from past trauma.
- For the abolition of detention of young and especially minor refugees.
- To foster human rights education and intercultural dialogue to prevent the discrimination and exclusion of refugees.
- To address the major drivers of migration such as climate change, poverty, systematic human rights violations, violent conflicts and weak governance.
- For the facilitation and settlement of an easier legal framework for private individuals, organisations and institutions to host refugees.
- For a clear no to fixed-term asylum as envisaged by some European countries.
- To encourage the change of the definition of refugee from the UNHCR to include climate change refugees.
- For the immediate discontinuation of forceful removal policies that exist in some European countries, especially when deportation poses the possibility of human rights being breached.
- For the collection of data with regard to young refugees between 15 and 24 according to the UN level.
- For the removal of policies that oblige refugees and asylum seekers to regularly report at reporting centres or police stations.

Taking into account the vulnerable situation of minor refugees and especially of unaccompanied minor refugees, we call the responsible institutions and governments:

- To fully guarantee the right to adequate protection and humanitarian assistance according to the UN Children's Convention.
- For the creation of EU-wide minimum standards for housing and caring in line with the Convention on the Rights of the Child (housing, care, education, leisure).
- For improvement of the care situation (e.g. qualified and, if possible for the duration of the proceedings, a consistent caregiver).
- To avoid the creation of double standards and to abolish existing ones – “children are children”.
- For support, including financial, and encouragement of initiatives of youth organisations to include young refugees in youth work youth-led activities and other activities facilitating the long-term development of young people.

- For support in the search for their family members.
- For consideration of the delicate situation during the transition to adulthood when turning 18 and, therefore, losing special support for minor refugees and support their autonomy.
- For the creation of age certificates only if there is sufficient suspicion of majority.

References:

¹ http://ec.europa.eu/echo/files/aid/countries/factsheets/syria_en.pdf

² <http://fra.europa.eu/en/news/2015/migrant-situation-eu-takes-heavy-toll-children>

³ <https://www.amnesty.org/en/latest/news/2015/09/syrias-refugee-crisis-in-numbers/>

⁴ <http://dip21.bundestag.de/dip21/btd/18/057/1805799.pdf>

⁵ http://unhcr.org/556725e69.html#_ga=1.180806439.1402508050.1433438836

⁶ <http://www.unhcr.org/558193896.html>

⁷ <http://fra.europa.eu/en/news/2015/migrant-situation-eu-takes-heavy-toll-children>

⁸ <http://www.unhcr.org/pages/49c3646c125.html>

⁹ <https://blogs.unicef.org/blog/the-syrian-conflict-and-europes-refugee-crisis-in-numbers/>

¹⁰ <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

Used statistics refer to data available in October 2015.